

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

July 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, July 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, Camp, VanSickle and Kale

Excused: Comr. Frisbie

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

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Don DeYoung of Second Reformed Church in Kalamazoo, guest of Comr. Haadsma, followed by Comr. VanSickle leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Haadsma, supported by Comr. Behnke to approve the agenda of the July 7, 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 June 16, 2011 Calhoun County Board of Commissioners Regular Meeting with the addition of verbiage on page 9 under Agenda Item 13. Citizen's Time. It should be noted that Larry Rizer was in attendance representing the Calhoun County Trailway Alliance and was showing appreciation for efforts on the Ott Preserve Trailway."

On a voice vote, Motion CARRIED

6. CITIZENS' TIME

There were none.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

There were none.

8. SPECIAL ORDER OF BUSINESS

A. The Area Agency on Aging Presented their Annual Implementation Plan

Karla Fales of the Region 3B Area Agency on Aging, provided a background of the reasoning to present and review the Annual Implementation Plan with the Commissioners. Fales also provided information on Senior Project Fresh, where seniors are provided nutrition information and given coupons for fresh fruits and vegetables at farmers markets.

Comr. Camp thanked Fales for their presence in the community and for working for the seniors.

It was requested the Annual Implementation be put on the next Board of Commissioner consent agenda for a vote of Commissioner support after review.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Sheridan Township 2011 Tax Millage Rates
2. Fredonia Township Resolution Regarding Funding of Calhoun County Dispatch

B. Resolutions

Res. 82-2011

"Moved Comr. Behnke, supported Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the July 7, 2011 Consent Agenda as presented."

On a voice vote, Motion CARRIED

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Comr. Todd stated the Land Bank is hosting a home tour for NSP2 homes on Saturday, July 16 from 10-4 and Sunday, July 17 from 1-4. The Land Bank will be hosting a barbeque at 4 on Sunday.

Comr. VanSickle stated the Homer Lake Board met, with Congressman Walberg's Representative, Judy Robinson in attendance, and continued discussion on cleaning the lake. He stated there was a motion presented to have Larry Cortright move forward to get a permit to do dredging. He stated they would be moving forward without the Army Corp of Engineers.

Comr. Camp stated that the Solid Waste Committee authorized \$30,000 toward the process of chipping debris from the storm.

Comr. Haadsma stated that the Community Action Board, the Area Agency on Aging Advisory Board, and the Senior Services Allocation Committee have been having an issue with Community Action's home delivered meals because they will no longer be using the kitchen facilities at Burnham Brook. He stated there was a proposal that meals be delivered from Branch County prep site but Community Action found another facility to use and is still delivering.

Comr. Kale stated the Budget Committee met, reviewed the budget and formalized the budget calendar to meet December 1 deadline.

Comr. Kale stated he attended the SMART meeting, which is a consortium of counties that gets together to discuss issues. He stated he found everyone has budget issues but he came back with good ideas.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR'S REPORT

Administrator/Controller Scott wished Comr. Kale a Happy Anniversary.

Administrator/Controller Scott gave an update on storm cost reimbursement, stating that the State Legislature allocated \$250,000 for cleanup, the State Police will be the receiver of funds and will determine who gets what. She stated that the distribution plan has not been developed yet.

Administrator/Controller Scott stated that the Firekeepers Local Revenue Sharing Board met, completed allocation process, distributed 2011 funding and reviewed 2010 audit. She stated the Board voted to allocate \$45,000 in discretionary funds to help reimburse mutual aid entities that assisted with the storm cleanup.

Administrator/Controller Scott followed up on the Budget Committee meeting, stating the next step is Finance and Administration firming up the 2012 estimates. She stated the County is still looking at a \$5million deficit and will be issuing instructions to departments in July. She stated in August there will be a Committee of the Whole meeting and budget hearings. She stated the audit is complete and will be on the next agenda. She stated the General Fund had a surplus of \$162,000, we were in decent shape to end last year, most items are on track for this year and staff is not expecting to come to the Board with a budget amendment at this time.

A. Enbridge Enhancements to Historic Bridge Park

Michael Schroder, Consultant at LHB, representing Enbridge, stated the goal was to allow for better access to the river for the community. He stated Enbridge is considering 5 locations for enhanced access, the City of Marshall, Ceresco Dam (working for a safe and legal access around the dam), 11 Mile Road (Wheatfield Road), and the McCormick Street site. He stated they would also like to offer a series of improvements to Bridge Park for very public access to river. He stated Bridge Park is a well used great resource and an opportunity for Enbridge to invest in the community. He stated their enhancements include enhanced parking (50 additional spaces), building restrooms, improving the parking area by the river, improving the quality of runoff water, improving the playground, picnic facilities and river access for canoes/kayaks with enhanced ability for disabled people to enter the water. He stated they will be meeting with people who made previous improvements to the park to follow the original intent. He stated they will also replace the gate and make the entry more prominent. He stated that Enbridge will establish an endowment to keep up improvements over the long term but the endowment hasn't been defined yet. He stated the schedule for improvements is to move forward as quickly as possible, as they are making this a gift to the community.

Comr. Todd inquired why they would enhance the river when no one can get to it, given the condition of it. He asked if this was feasible for the community given the status of the river.

John Sobojinski, project manager for Enbridge, stated the clean-up is going very well, they had completed a reassessment of the river and gave a complete picture of what remains. He stated it's very positive but they do still need to address submerged oil. He stated the analysis has been completed by the Department of Community Health, it has been provided to the Health Department and they are hoping the river will open this summer but that decision has to be made by the Health Department, not Enbridge. He stated the wildlife has migrated back to the river and the river is coming back well on its own. He stated what was presented was the extent of the river enhancement projects; there were no plans to go further. Sobojinski also stated it is a good project for the community and the Parks Commission gave it overwhelming support.

Schroder stated that the endowment will take into consideration such things as maintenance on the restrooms and security.

Res. 83-2011

"Moved Comr. Haadsma, supported by Comr. VanSickle to approve the following:

WHEREAS, the Calhoun County Board of Commissioners acknowledges that Enbridge's commitment to the communities of Marshall, Battle Creek and areas along the Kalamazoo River extends much further than the cleanup itself; and

WHEREAS, Enbridge is committed to supporting community investment programs that will provide a long-lasting, sustainable, benefit to the community by enhancing recreational opportunities; and

WHEREAS, the Kalamazoo River is an important part of the Calhoun County community and Historic Bridge Park's location on the river is significant in providing beauty, recreation and a gathering place for Calhoun County residents and visitors; and

WHEREAS, Enbridge has solicited input from local residents, community leaders, and recreation groups regarding its community investment programs; and

WHEREAS, based on this input, Enbridge is proposing to establish or enhance several access locations along the Kalamazoo River including Historic Bridge Park, Marshall Riverwalk, and new access sites near Ceresco Dam, McCormick Street and 11 Mile Road; and

WHEREAS, in addition to the community enhancements, Enbridge also intends to provide for on-going and long-term maintenance of the improvements by establishing an endowment sufficient to maintain the proposed improvements in perpetuity; and

WHEREAS, Enbridge intends to deliver the proposed improvements in concert with and at no cost to the Calhoun County Board of Commissioners, the Calhoun County Parks and Recreation and Parks Trustees Board, and the Board of Calhoun County Road Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners hereby approves the proposed enhancements to Historic Bridge Park, as well as implementing river access improvements at various sites along the Kalamazoo River between the City of Marshall and the City of Battle Creek. Any proposed changes by Enbridge to Historic Bridge Park shall be subject to legal review and approval by Corporation Counsel relative to any agreement providing for the same, that any such changes shall be supported by a sufficient endowment, in the opinion of the Administrator/Controller, to maintain the improvements in perpetuity, and also subject to final review and approval by the Board Chair and/or the Administrator/Controller. Subject to the above conditions, the Board Chair is authorized to sign on behalf of Calhoun County any such agreement relative to changes by Enbridge to Historic Bridges Park as set forth in this resolution.

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

B. Public Health Emergency Response Grant Approval

Administrator/Controller Scott stated that Agenda Items B and C are related. She stated that Item B requests approval and acceptance of the \$113,000 grant, which is leftover funding that was redirected to our local health department as emergency response funds to purchase an emergency generator and requires no county match, then the corresponding budget adjustment. She stated the Health Department currently does not have a generator large enough to take care of the first floor and they need to be able to continue doing business if we have a power loss.

Health Director Rutherford stated that the revenue has been made available to health departments and while they currently have a lot of refrigerators for vaccines, they need a bigger, better system. He stated that with the way things are currently, they have the potential to suffer a huge loss of vaccines if they had a major power outage.

Res. 84-2011

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners accept the State of Michigan grant for Public Health Emergency Response and the corresponding budget adjustment.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

C. Award of RFB#105-11 Emergency Generator for the Health Department

Administrator/Controller Scott stated Purchasing and Administrative Services presented the bid for the purchase and installation of an emergency generator. She stated that according to grant guidelines, the purchase and installation has to be done by July 31. She stated the bid selected was from Motorshop Electrical and all costs would be covered by the grant.

Comr. Camp thanked Health Director Rutherford for taking advantage of the opportunity.

Res. 85-2011

“Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the award of RFB#105-11 to Motor Shop Electrical Construction Co., Inc. in the amount of \$78,167.51.”

On a roll call vote: Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

D. Health Department Staffing Changes

Administrator/Controller Scott stated the Health Department was requesting a change in their staffing allocation, as they are busy implementing school nurses after meeting with schools. She stated their part time and full time staffing has been finalized and there are no budget implications, just changes in staffing allocation.

Res. 86-2011

“Moved Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved, the Calhoun County Board of Commissioners approve the the addition of two full-time and one half-time Public Health Nurse I (PHNI School Nurses) (1.52 and .38 Full-time Equivalents, respectively) and the elimination of two part-time PHNI School Nurses (.45 and .60 FTE’s, respectively), and the reduction of 1 part-time PHNI from a .45 to .38 FTE positions to Calhoun County Public Health Department’s FYE 11 Staffing Pattern.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

E. Drain Fund Deficit Elimination Plan

Administrator/Controller Scott stated the drain fund is a separate fund but ended 2010 with a cash flow deficit. She stated expenditures exceeded revenue by about \$475,000. She stated as a requirement of the audit, the county is required to approve and submit to the state a deficit elimination plan when any fund ends in a deficit. She stated the water resources special assessment came in with the winter tax collection so the fund has been rectified. She stated the Water Resources Department worked with staff and a specialized attorney and all drains are in new computer system so we will have better project

accounting. She stated we have a much clearer view of the cash position of each drain and the drain fund is included on the monthly financial statements. She stated she is working with the Water Resources office to make sure work is recorded on the assessments. She stated there will be no impact on the general fund.

Comr. Camp stated that in looking at the memo from Administration, they seemed confident that this will prevent deficit in the future.

Administrator/Controller Scott stated she was as confident as she could be that the new procedures would allow for better tracking of the fund.

Comr. Camp stated there needs to be a much clearer picture of drains and how they impact residents. She inquired if communities could look up a drain on the website and if we could make it practical for the citizens.

Scott stated the work is being done to make the drains a layer on our maps and then we could add a layer for the drainage districts.

Comr. Camp inquired if each drain could be linked to the balance sheet so residents can see exactly how much is left in the fund for each drain.

Scott stated that a link is available to the financial statements but not necessarily detailing each drain.

Comr. Camp stated she felt we need to be more transparent for the residents, she didn't believe they were being given enough information and asked staff to look into her request. She then inquired why the Water Resources Commissioner hired his own counsel when we have a qualified Corporation Counsel.

Scott stated that Corporation Counsel will represent elected officials in general matters but an elected official has a choice to retain a specialized attorney to represent them.

Comr. VanSickle stated that the County does have a very competent attorney but Hubbard is the best firm in the state. He stated the Michigan drain code is difficult to work under and sometimes a specialized attorney is required. He stated he used Hubbard often in his 8 years as Drain Commissioner. He stated what Commissioner Camp was asking for would take a long time and it would take manpower. He stated there are over 300 drains in the county, not all drains are up to speed and a lot of the district files aren't opened until there is work done on them. He stated the drain files are paper files that need to be secured and they should be in fireproof cabinets because if they are lost the drains would be in dire straits. VanSickle stated the revolving fund the drain commission has to draw off is inadequate. He stated people don't like assessments but there is a day of review before the assessments go out but very few people come to find out. He also stated that people can appeal if they don't like their assessment.

Res. 87-2011

"Moved Comr. Behnke, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve

WHEREAS, an accounting deficit existed in the Drain Funds at the end of fiscal year 2010; and

WHEREAS, a deficit elimination plan is required pursuant to Public Act 140 of 1971; and

WHEREAS, a deficit elimination plan must be approved by resolution of the county board of commissioners and the resolution and plan filed with the State of Michigan, Department of Treasury; and

WHEREAS, the County Controller and the Water Resources Commissioner are recommending that the attached deficit elimination plan be filed with the State of Michigan as soon as possible.

NOW, THEREFORE, BE IT RESOLVED BY THE CALHOUN COUNTY BOARD OF COMMISSIONERS, THAT:

The Calhoun County Board of Commissioners approves the attached deficit elimination plan to be submitted to the State of Michigan.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

F. Food Service Management Contract for the Office of the Sheriff

Assistant Administrator Wilcox stated the contract for food service was significant for quality and quantity of food. He stated it is an important program for inmate care. He stated the County provides the utilities and facilities the vendor takes care of the rest. He stated by unanimous vote, he, Purchasing and Sheriff’s staff recommend Aramark for a 7 year contract. He stated the contract is for \$4.1 million for 7 years.

Administrator/Controller Scott stated that the annual cost is \$530,000 and is budgeted in the next fiscal year.

Comr. Haadsma asked if the contractor chosen was local.

Asst. Administrator Wilcox stated the bidders were Canteen from Grand Rapids and Aramark from Illinois. He stated pricing was part of the bid, but also the scale of operation. Aramark does larger jails in Michigan, Canteen bid higher and does smaller jails in Michigan so they felt the experience and ideas that Aramark could bring would be more beneficial.

Comr. Camp inquired if the price changed based on the census.

Asst. Administrator Wilcox stated that pricing goes up and down per population.

Res. 88-2011

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the agreement with Aramark Correctional Services to provide food service management for the Office of the

Sheriff and authorizes the Board Chairperson to execute a seven year contract with Aramark for an amount estimated at \$4.1 million.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

G. Fleet Fueling Services Contract

Assistant County Administrator Wilcox stated this contract provides services for road patrol and any departments with vehicles. He stated the county uses an estimated 90,000 gallons per year at approximately \$200,000. The contract requires specs to be met, requires a lot of reporting and a secure fueling system.

Res. 89-2011

“Moved Comr. Camp, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the acceptance of a proposal from Owens Petroleum, Inc. of Albion to provide fueling services to the County’s fleet of vehicles and authorizes the Board Chairperson to execute a five year contract with Owens at a projected annual amount of \$220,000.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

H. Commissary Services Contract for the Calhoun County Correctional Facility

Assistant Administrator Wilcox stated the commissary market has changed, become more technology driven, and we can gain efficiencies. He stated this contract offers the County 6 1/2% more in commissions because inmates are given ability to purchase snacks and it offers a larger revenue source for the county. He stated there will now be an ability to make deposits electronically, families can order things for inmates, and kiosks eliminate the presence of cash in the jail. He stated this contract offers many innovative ideas.

Res. 90-2011

“Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve an agreement with Keefe Commissary Network to provide commissary services to inmates of the Calhoun County Correctional Facility, and authorizes the Board Chairperson to execute a seven year contract with Keefe for commissary operations generating revenue in an amount estimated at \$1.8 million.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

I. Approval of MNA Contract

Human Resources Director Archambault stated that the request is to approve an agreement that runs through December of 2012, keeping current terms intact and offering no wage increase.

Res. 91-2011

“Moved Comr. Behnke, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the agreement with MNA through December 2012 as presented.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

J. Health and Welfare Consulting Contract for the Calhoun County Employee Benefit Plan

Administrator/Controller Scott stated that they held a formal competitive process through the Purchasing Department and there were only 2 respondents from Calhoun County, one made the final 5, the other did not meet specs. She stated the consultant is our broker and their fee is included in the benefits fund. She stated there is added value in using a broker/agent to do analysis, help with disputes and do benchmarking.

Comr. Camp inquired why the contract is for up to 7 years.

A/C Scott stated these types of agreements are ongoing and the plan is to issue a new RFQ every 7 years.

Comr. Haadsma stated that HUB International is from Battle Creek and inquired why they didn't win and what the decision point was.

Assistant Administrator Wilcox stated that the decision was based on the qualification structure and the evaluation came down to experience in the public sector. AON's client base was stronger in the government sector.

A/C Scott stated that only 30% of HUB's business is insurance, while 100% of AONs is. She also stated the Battle Creek office of HUB is not really their headquarters.

Res. 92-2011

“Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby authorize the County Administrator/Controller to negotiate an agreement with AON for up to seven years.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

13. CITIZEN'S TIME

There was none.

14. COMMISSIONERS TIME

Comr. Camp stated she appreciates the innovations to the inmate commissary.

Comr. Camp stated she noticed there was a township approval for a 911 funding option on the Consent Agenda. She stated she had noticed there were different options being supported so she believed the Board needed an update.

Comr. Kale stated that he thought the inmate commissary contract was very innovative and staff did a good job.

15. CLAIMS PAYABLE

Res. 93-2011

“Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Claims Payable Listing for June 9 through June 30, 2011 in the amount of \$1,752,321.55.”

On a roll call vote, Yes – 6, Excused – 1 (Frisbie), Motion CARRIED

16. ANNOUNCEMENTS

There were none.

17. ADJOURNMENT

The meeting was adjourned at 8:45 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners