

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

September 20, 2012

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, September 20, 2012 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

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

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

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The Board held a moment of silence followed by the Pledge of Allegiance led by Comr. Todd.

4. APPROVAL OF AGENDA

"Moved Comr. VanSickle, supported by Comr. Haadsma to approve the agenda of the September 20, 2012 Regular Session of the Calhoun County Board of Commissioners as presented."

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

A. Minutes of the September 6, 2012 Regular Session

"Moved Comr. Dunn, supported by Comr. Todd to approve the minutes of the September 6, 2012 Regular Session of the Calhoun County Board of Commissioners as presented."

On a voice vote, Motion CARRIED

6. CITIZENS' TIME

Chris Vreeland, Calhoun County Road Commissioner, stated as the Board voted to make the Road Commission simply another County department, you will in fact be voting against yourselves and your predecessors, indicting yourselves and your predecessors, for a complete failure of leadership. I say a complete failure of leadership because we, the Road Commission Board, are appointed by you and serve at your pleasure. We were appointed by you and you could have removed us, any one of us, at any time during the past five years, just as your predecessors could have removed any sitting Road Commissioner at any time during the preceding fifteen years that the current road crisis has been building. If you truly had a better way of doing things, you could have implemented that better way by simply telling us to do so and removing us if we did not do as instructed. Instead you are now creating a potential financial nightmare for Calhoun County with no specific goals for metrics by which to measure the success of your decision tonight. The transition plan put forth is sketchy at best on the details. Yes, the County will save about \$370,000 in Road Commissioner stipend over the next ten years but at the same time it appears likely to lose about \$2million in insurance rebates. At the end of the day, you are committing Calhoun County to a course of action that was considered recently by about six different counties in Michigan and was rejected by all but one. Ironically, in the one county that took the step you have decided to take, it was done there for political reasons as well. All the other counties contemplating the decision you are about to take, took a close look at the financials and decided to leave bad enough alone. Those of you fortunate enough to be re-elected will have to face the voters in a short two years and explain why the roads are still lousy and why, instead of taking effective timely measures, you have chosen to engage in a political sideshow which will not fix the roads. I sincerely hope I'm wrong. But every indicator is your decision tonight will be an unacceptable risk with no demonstrable benefit. I wish the taxpayers and motorists of Calhoun County good luck and I thank them for the opportunity to have served.

Doug Wildt, Road Commissioner, stated he didn't know how you could ever say this is a political game when anybody in the political field has nothing but to lose by even looking at this. It's an absolute disaster. I've only been a Road Commissioner for eight months but I've never seen a business run this poorly in my life. There is only one way to fix this and it's what you are about to do, I hope. So, first I take my hat off to you for what you have done, as far as actually looking into this and taking the steps to do it. It would have been a lot easier to turn your head and go the other way and leave the roads the way they are. So, I appreciate what you've done, there is only one way to fix it and you guys are going to do the right thing, I hope, tonight. Thank you.

Todd Wildt, Homer Township Supervisor, stated last time I was here I mentioned that I was on that appointment committee that appointed some of those Road Commissioners. I also mentioned some of them I'm more proud of than others. For me you cannot do a worse job on this Road Commission than they have been doing. Thanks.

Wayne Groth, Newton Township, spoke in favor of Road Commission Board and the adoption of the Road Commission as a county department and asked for a unanimous vote to show support for the employees.

Dale Jenks, Road Commission employee, spoke in favor of Road Commission Board and the adoption of the Road Commission as a county department and asked for a unanimous vote to show support for the employees.

John LaPietra, Marshall, stated he hoped the Board found a sustainable way of fixing the roads. He reaffirmed he had filed an appeal for the constructive denial of his June 29, 2012 Freedom of Information Act request.

Jim Coury, Marshall, commented he was concerned for the employees of the Road Commission because there hadn't been a lot of information given out on what would happen to them.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Richard Lindsey clarified the request for records Mr. LaPietra was asking for came from the Calhoun County Clerk but as the FOIA coordinator for the county, he had provided everything Mr. LaPietra requested and he was not sure what else Mr. LaPietra was looking for.

Art Farmer, Lee Township Supervisor, stated he had confidence the county staff and Board would work out the logistics with the Road Commission issues. He stated he believed the first thing they would try to accomplish was to have the least amount of impact on the employees and the taxpayers.

8. SPECIAL ORDER OF BUSINESS

Comr. Art Kale acknowledged Cathy Campbell and Maggie Konkle had been nominated to receive the Festival of the Forks Grand Marshall award. He stated Maggie and Cathy were nominated Grand Marshalls because of the significant impact they had made for our community through the Philanthropic Women, 100 women who care. He congratulated the women and thanked them for their contributions to the community.

A. United Way Proclamation

Richard Lindsey and Kim Archambault, United Way Co-Chairs, along with supporter Matt Saxton, announced the kick-off of the County's United Way campaign.

The proclamation to support the United Way was read into the record by Comr. Camp Seifke.

WHEREAS, the United Way of the Battle Creek and Kalamazoo Region, Marshall United Way and Albion/Homer United Way each provide an opportunity for county elected and appointed officials and personnel to invest in our communities by giving, advocating and volunteering; and

WHEREAS, **Calhoun County Government** is supportive of advancing the common good of our community by focusing on the building blocks for a good life - a quality EDUCATION that leads to a stable job, enough INCOME to support a family through retirement, and good HEALTH; and

WHEREAS, **Calhoun County Government** has selected the above three community United Way Campaigns as their charities of choice;

NOW, THEREFORE, the Calhoun County Board of Commissioners, on behalf of the elected and appointed officials and employees of Calhoun County does hereby proclaim its support for the Calhoun County United Way Campaign during the month of October 2012 and encourages the support of the campaign.

Res. 113-2012

“Moved Comr. Camp Seifke, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the United Way proclamation as presented.”

On a voice vote, Motion CARRIED.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Human Resources Personnel Report for August 2012

B. Resolution

1. Appointment to the Community Corrections Advisory Board
- Term is Indefinite

{a} Jim Schwartz

Res. 114-2012

“Moved Comr. Camp Seifke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the consent agenda of the September 20, 2012 meeting as presented.”

On a voice vote, Motion CARRIED.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

There were none.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

A. County Administrator/Controller’s Report

B. New Business

1. Resolution Assuming Powers, Duties and Functions of the Calhoun County Road Commission

Administrator/Controller Scott highlighted the Draft #1 Road Commission Transition Plan, noting the many opportunities people had been given to give and get input. She stated she was confident the Task Force went through a lot of due diligence and she supported the resolution. She stated this was the recommendation of the Task Force and was the final step in authorizing the dissolution of the Road Commission.

Comr. VanSickle stated that as a member of the committee, he knew that with a move of this magnitude, there was always anticipation but after reviewing the data collected, he thought it was very necessary to follow through.

Comr. Frisbie stated Comr. Wildt said it best, that if this was a business it would have been closed down a long time ago. He stated the Road Commission should not have arrived at this juncture but a failure to lead had led us here. He stated he believed they had four choices going into the meeting; they could have done nothing and let it go bankrupt; they could have thrown money at it and let it go down again; could have gone to a voting style but we don't have districting or they could vote for the dissolution. He believed the citizens and tax payers deserved better and he would be supporting the resolution.

Comr. Camp Seifke stated they had an opportunity to have a fifth option but the Board of Commissioners as a whole decided not to pursue that. I think it's a move forward to take the ideas that we have discussed since April, now they are written down in a action plan, transition plan, and we can start to look into whether a possible \$200,000 savings per year will occur or might occur. This allows for looking into whether policies are the proper policies and which policies need to be changed. The other option that wasn't pursued was those could have been done earlier this year. I have been uncomfortable and I remain uncomfortable voting on something that is unclear. I believe the residents deserve to know how is the service to their communities going to change, when and at what point would there be a millage and for how much. And these have all been discussed publicly and in past meetings, I'm not going to try to paraphrase and recap but when I'm in the community having discussions, not every township supervisor in the county supports the move to disband the Road Commission. And certainly not all residents do. So I remain comfortable with my negative vote tonight, I remain comfortable saying there are still questions that should have been answered tonight for the residents. And certainly as you said there are employees that would like to know what is going on as well. So with all due respect, to those who have voiced an opinion other than mine, and to the staff who has worked diligently to do what has been asked of them, thank you for the opportunity to share my opinion. And just to be clear, I'm not against fixing roads and I have never voted no without offering another solution. I wanted things done in a quicker fashion, not not done at all. Thank you.

Comr. Haadsma noted that he and Road Commissioner Vreeland were friends but he disagreed with his statement that they might leave bad enough alone. He stated he did not run for commissioner to leave bad enough alone. He stated he would vote in support to help the citizens of the county move forward. He stated change was always uncomfortable but he was satisfied that this was a wise way to proceed.

Comr. Todd stated he would also support. He stated he appreciated the hard work that went into the recommendation. He stated change was not an easy thing, but that's why they were elected, to make tough calls. He thanked the Task Force and staff and looked forward to moving forward.

Comr. Dunn stated she appreciated all that has been done to make the recommendation. She stated she thought government needed to remember we were here to take care of our citizens. She stated she didn't feel like there was currently any customer service and this was a step forward.

Comr. Kale thanked the Administrative Team and the Road Commission for working together. He thanked Task Force committee and apologized to Mr. Sweet and Mr. Behnke for them being subjected to uneducated comments on how things were handled. He noted there were several public meetings that allowed people to speak and hear the information the Task Force was reviewing. He stated the way things were currently set up the County Commissioners had no oversight. He noted there were revenue and cost issues, that was obvious and he had never been able to grasp the lack of financial oversight. He stated the Road Commission would not report to the County Commissioners, they would be a department under the County Administrator. Kale stated this change was about local control, accountability and efficiency.

Res. 115-2012

"Moved Comr. Frisbie, Supported Comr. Todd to approve the following:

WHEREAS, Public Acts 14 and 15 of 2012 authorize a county board of commissioners with an appointed board of county road commissioners to transfer the powers, duties, and functions that are provided by law (collectively referred to herein as "powers") for the road commission board to the county board of commissioners by majority vote; and

WHEREAS the Calhoun County Road Commissioner is an appointed board;

WHEREAS, Section 9 of Public Act 14 of 2012 requires that prior to adopting a resolution transferring the powers of the board of the road commission to the county board of commissioners, that two public hearings be held on that issue; and

WHEREAS, the Calhoun County Board of Commissioners properly noticed and did on August 16, 2012, and September 6, 2012, hold two public hearings as required by law and has therefore met the statutory prerequisite to taking the action set forth below;

NOW THEREFORE IT IS RESOLVED, pursuant to the authority set forth in Public Acts No. 14 and 15 of 2012, that the Calhoun County Board of Commissioners hereby transfers the powers, duties, and functions provided by law for the Calhoun County Board of Road Commissioners to the Calhoun County Board of Commissioners, effective November 1, 2012.

IT IS FURTHER RESOLVED that effective November 1, 2012, the Calhoun County Board of Road Commissioners is dissolved;

IT IS FURTHER RESOLVED that the Calhoun County Administrator/Controller is authorized to take all necessary and prudent steps to add the assets of the Calhoun County Road Commission to Calhoun County's existing insurance policy with Michigan Municipal Risk Management Authority, effective

November 1, 2012, and to take whatever steps are necessary and prudent to withdraw from the Calhoun County Road Commission's existing insurance carrier, the Michigan Road Commission Self Insurance Fund, as of November 1, 2012;

IT IS FURTHER RESOLVED that the Calhoun County Administrator/Controller is authorized to take all necessary and prudent steps to add Calhoun County Road Commission employees to Calhoun County's existing workers compensation self insurance pool effective November 1, 2012, and to take whatever steps are necessary and prudent to withdraw from the Calhoun County Road Commission's existing workers compensation program, as of November 1, 2012;

IT IS FURTHER RESOLVED that the transfer of all the powers, duties, and functions provided by law includes but is not limited to the following assets: real and personal property, furniture, equipment of every type, cash, and investments.

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

2. 2013 Calhoun County Public Health Department Budget

Administrator/Controller Scott stated this was an annual budget renewal and the Health Department had a fiscal year starting October 1. She noted that the General Fund appropriation to the Health Department would decrease proportionately to cuts being requested of other departments.

Health Department Director Rutherford gave highlights of their budget. He stated they had taken on more grants and were in the process of modifying some accounting methodology. He stated they had met Administration's requested reductions including reductions in the food and travel expense category. He noted their budget reflected a slight staff increase as a result of grants.

Comr. Frisbie congratulated the Health Department for a job well done. He stated there was nothing in their budget process that threw a red flag for him.

Res. 116-2012

"Moved Comr. Haadsma, Supported Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the 2013 Calhoun County Public Health Department Budget as presented."

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

3. Friend of the Court Cooperative Reimbursement Program Agreement

Circuit and Probate Court Administrator Albaugh stated the agreement was for three years and would be included in the budget request. He stated this was not an authorization to spend, but rather it was an agreement that the State will reimburse 2/3 of the county's eligible child support enforcement activities up to a certain amount.

Res. 117-2012

“Moved Comr. VanSickle, supported by Comr. Dunn to approve the following: Resolved, the Calhoun County Board of Commissioners do hereby approve the Friend of the Court Cooperative Reimbursement Program Agreement as presented.”

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

4. Annual Child Care Fund Plan and Budget

Administrator/Controller Scott stated the resolution was authorizing the annual plan and budget as well as agreements for day treatment services with Starr Commonwealth, agreement for Multisystemic Therapy (MST) with the 37th Circuit Court, the Calhoun County Department of Human Services and Summit Pointe.

Court Administrator Albaugh stated the child care fund covers state and county funding, dependent on the annual appropriation process from the county but includes DHS and court activities.

Jody Hopkins, Deputy Court Administrator of Juvenile Services, stated the child care fund covers the intensive supervision part of the court’s programming, which includes the intensive probation, home detention program, day treatment and the MST program as well as foster care and residential placement. He stated the total budget is \$5,769,393 with a 50% match from the state. He stated the county would be responsible for over \$2mil if this was not approved.

Res. 118-2012

“Moved Comr. VanSickle, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the 2012 - 2013 Child Care Fund Annual Plan and Budget as presented together with authorization for the Board Chairperson to execute the Plan documents on behalf of Calhoun County. Further, Calhoun County Board of Commissioners concurs with the Agreement for Day Treatment services between the 37th Circuit Court and Starr Commonwealth and with the Agreement for Multisystemic Therapy (MST) services with the 37th Circuit Court, the Calhoun County Department of Human Services and Summit Pointe.”

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

5. Senior Millage Interlocal Agreement

Administrator/Controller Scott stated the item was the Senior Millage Interlocal Agreement relating to home delivered meals. She stated Administration supported the recommendation. She stated the proposal was that the county would not administer the program, but rather we would have the Area Agency on Aging administer it.

Senior Services Manager Gibson stated they wanted to aggregate meal services and the county was allocating money but the Area Agency on Aging was also allocating money. He stated they were creating more inefficiencies in the system by doing things separately. He stated the Area Agency on Aging had more contacts with the State so this would enhance the system.

Corporation Counsel Lindsey stated going forward the Senior Millage Allocation Committee, Manager Gibson and County Purchasing would sit on the review committee when the Area Agency on Aging went through their vendor selection process. He stated this was a better way to provide services.

Res. 119-2012

“Moved Comr. Dunn, supported by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the Interlocal Agreement for Senior Millage Food Services between Calhoun County and Region 3B Area Agency on Aging and authorize the Board Chair to sign the Agreement on behalf of Calhoun County.”

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

6. Senior Service Transportation Dispatch Agreements

Administrator/Controller Scott stated earlier in the year the transportation and dispatch contract for Senior Services was changed and since then a lot of time has been spent reviewing the process whereby LifeCare doing dispatch and Community Action doing the transportation. She stated sometimes decisions don't work out as smoothly as intended and we shouldn't have too much pride to admit this one didn't. She stated Community Action would go back to doing their own dispatching and the contract with LifeCare would be terminated.

Senior Services Manager Gibson stated it was appropriate to bring Community Action back into doing the dispatching.

Corporation Counsel Lindsey stated LifeCare tried to make the agreement work and they did find areas in the community that were under served.

Comr. Frisbie stated he would abstain from the vote, as he had a conflict of interest. He thanked Lindsey for his recognition of LifeCare's efforts.

Res. 120-2012

“Moved Comr. Camp Seifke, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the Termination Agreement with LifeCare relative to Senior Transport Dispatch, the Agreement with Community Action to provide Senior Transport Dispatch through December 31, 2013 and the Board Chair is authorized to sign both Agreements.”

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

7. Federal Contract Consulting Agreement

Administrator/Controller Scott stated the current Summerill Group contract expires at the end of 2012 and staff was recommending a renewal. She stated the cost of the contract would be included in the per diem rate we receive from the Federal agreement. She noted this contract would be with the Board so County Administration would be more involved in the administration of the contract.

Res. 121-2012

“Moved Comr. Haadsma, supported by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the consulting agreement between Calhoun County and The Summerill Group, LLC, and the Board Chair is authorized to sign the agreement on behalf of Calhoun County.”

On a roll call vote – Yes – 6, No - 1 (Haadsma). Motion CARRIED.

8. Approval of FY 2012/2013 PA 2 Budget

Administrator/Controller Scott stated the PA2 budget came before the Board every year. She stated they used an inclusive budget process, meeting with The Coordinating Council Substance Abuse Work Group including providers. She stated the work group was unanimously recommending this budget for next year. She noted it assumed the same revenue level as 2012 plus carryover funds and awarded contracts to prevention and treatment providers in the same amounts requested. Scott stated they would be seeing increases for Drug Court and Sobriety Court and in the Substance Abuse Council for middle schools and for SAPS as well.. She asked for the Board’s support.

Res. 122-2012

“Moved Comr. Camp Seifke, supported by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the Calhoun County PA2 Alcohol Tax Budget for Substance Abuse Prevention and Treatment services for FY12/13 in the amount of \$471,443.”

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

9. Senior Millage Allocation Committee Funding Recommendations for FY 2013

Administrator/Controller Scott stated the Senior Millage Allocation Committee (SMAC) was recommending a continuation of current funding for many of the allocations. She stated Assistant Administrator Wilcox had been instrumental in guiding SMAC through the purchasing process.

Res. 123-2012

“Moved Comr. Haadsma, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the set of funding recommendations made by the Senior Millage Allocation Committee for 2013 services as presented below. The approval is requested for the Board to authorize the preparation of contracts for the signature of the Board Chairperson in an aggregate amount not to exceed \$1,964,211 as presented.”

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

10. Kimball Pines Park Clean-Up

Administrator/Controller Scott stated the proposal was to allow the Road Commission to oversee and finish the clean-up of Kimball Pines Park using staff and equipment and funding from the Solid Waste Fund that would be transferred to the Parks fund.

Res. 124-2012

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the transfer of not to exceed \$20,000.00 from the Solid Waste Management Fund is authorized to fund the clean-up of Kimball Pines Park.”

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

11. August 2012 Financial Statements

Administrator/Controller Scott stated the financials were prepared by Budget Analyst Pam Kline. She stated the general fund was trending on track, with revenue and public safety expenditures still noting caution, but they should end with a small surplus.

Res. 125-2012

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the August 2012 financial statements as presented.”

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

13. CITIZEN’S TIME

Senior Services Manager Gibson announced the Senior Millage Allocation Committee was looking for members.

Matthew Hall, Sheridan Township resident and Teamsters Union Steward commented that the statements he had made during the Task Force inquiries were his own and no one has asked him to speak.

Wayne Groth, Newton Township, quoted Comr. Kale, stating there was no such thing as bad workers, only bad management. He stated he hoped this change would create better roads.

14. COMMISSIONERS TIME

Comr. VanSickle inquired on the status of the trailway.

Corporation Counsel Lindsey stated he hoped to have something to present to the Board in a month. He stated they had one easement left to finalize and it would be next spring before construction started.

Comr. Camp Seifke thanked the staff members who were working hard on the County’s Facebook page.

Comr. Camp Seifke stated the Planning Commission was seeking members.

Comr. Camp Seifke stated she believed they were accomplishing getting information more out to the public.

Comr. Kale stated he had heard one of the Road Commission employees stated that he loved his job but hated working there. He stated hopefully they could change that and make it part of the objective to love the job and love working here.

15. CLAIMS PAYABLE

A. Claims Payable for August 31 – September 13, 2012 in the Amount of \$1,567,529.22

Res. 126-2012

“Moved Comr. VanSickle, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Claims Payable Listing for August 31 – September 13, 2012 in the amount of \$1,567,529.22 .”

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

16. ANNOUNCEMENTS

Comr. Kale announced the Festival of the Forks would be held in Albion that weekend.

17. CLOSED SESSION

Res. 127-2012

“Moved Comr. Haadsma, supported by Comr. Camp Seifke to approve the following: Resolved the Calhoun County Board of Commissioners does hereby retire to closed session at 8:40 p.m..”

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

A. Lawsuit Settlement

Res. 128-2012

“Moved Comr. Haadsma, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the settlement of lawsuit as presented.”

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

18. ADJOURNMENT

The meeting was adjourned at 9:10 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners