

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

February 21, 2013

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, February 21, 2013 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Dunn, Todd, Haadsma (arrived at 7:35), Frisbie, King, VanSickle and Kale

Staff Present: County Administrator/Controller Kelli Scott, Assistant County Administrator Brad Wilcox, Corporation Counsel Richard Lindsey, 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. Frisbie.

4. APPROVAL OF AGENDA

"Moved Comr. Dunn, supported by Comr. Todd to approve the agenda of the February 21, 2013 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 February 7, 2013 Regular Session

"Moved Comr. VanSickle, supported by Comr. Dunn to approve the minutes of the February 7, 2013 Regular Session of the Calhoun County Board of Commissioners as presented."

On a voice vote, Motion **CARRIED**.

6. CITIZENS' TIME

There were no citizen comments.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Prosecutor David Gilbert gave an update on his first fifty days in office, stating they had issued over 800 cases.

8. SPECIAL ORDER OF BUSINESS

There was none.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Notice of Reinstatement of Southwest Michigan Solid Waste Consortium Dues.
2. City of Battle Creek Public Hearing Notice Regarding Granting an Industrial Facilities Exemption Certificate to Geislinger Corporation.

B. Resolutions

1. Re-affirming and clarifying the following appointments to the Calhoun County Land Bank Authority, per Article IV of the Amended Intergovernmental Agreement creating the Calhoun County Land Bank Authority:
  - {a} Lynn Ward Gray, City of Battle Creek Representative - Term Expiring 11/30/15 (shall serve only while serving as an elected member of the governing body of the City of Battle Creek and if appointee ceases to be part of the governing body, the Calhoun County Board of Commissioners shall appoint a replacement to fill the unexpired term);
  - {b} Peggy Sindt, City of Albion Representative - Term Expiring 11/30/16 (shall serve only while serving as an appointed member of the administration of the City of Albion and if appointee ceases to be part of such administration, the Calhoun County Board of Commissioners shall appoint a replacement to fill the unexpired term);
  - {c} Terris Todd, Calhoun County Board - Term Expiring 11/30/14 (shall serve only while serving as an elected member of the Calhoun County Board of Commissioners and if appointee ceases to be part of that Board, the Calhoun County Board of Commissioners shall appoint a replacement to fill the unexpired term);

{d} Robert Behnke, Representative of a Township in Calhoun County - term ending 11/30/2013 (shall serve only while serving as an elected member of the governing body of said Township and if appointee ceases to be part of the governing body, the Calhoun County Board of Commissioners shall appoint a replacement to fill the unexpired term);

{e} Nola Batch - term ending 11/30/14 and Teresa Durham - term ending 11/30/13; two Representatives from Calhoun County at large.

Res. 28-2013

“Moved Comr. King, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the consent agenda of the February 7, 2013 meeting as presented.”

On a voice vote, Motion **CARRIED**.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. VanSickle stated he attended the Conservation District monthly meeting and believed they would be a worthwhile organization to work with.

Comr. King stated they held the first meeting of the Parks and Recreation Commission. He explained the Commission consisted of nine members, he had been elected Chair and there was one position still open. He encouraged people to go to the County website and fill out an application.

Comr. Dunn stated the SouthCentral Michigan Planning Council met and she was elected Chair again. She stated there were two other people from Calhoun County on the Council now, Chris Miller and Jan Frantz.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

A. County Administrator/Controller’s Report

Administrator/Controller Scott stated the “Happy New Term Orientation” had been rescheduled for March 8. She stated elected officials and judges would be invited to talk with the Board.

Scott reminded Commissioners that the Michigan Association of Counties Legislative Conference is March 18-20.

Scott stated there was a news release going out from the Road Department on seasonal weight restrictions. She stated next Monday, February 25, the weight restrictions would go into effect. She noted there would be details on how to get permits on the Road Department website.

Corporation Counsel Lindsey explained that Comr. VanSickle had been approached by two land owners who have County owned land connected to their property that they would like to purchase. He stated the property had not been used in about fifteen years and the County must sell the land for a fair market price so the process would be to take sealed bids through Purchasing. He stated the Road Commission declined to sell property in the past but this would put the property back on the tax rolls. He stated the Board would be presented with an offer after the bid process was completed.

Comr. Kale asked if the County would get a bid from the property owner then take bids from the general public.

Lindsey stated they would not disclose the land owner's offer, but rather it would just be compared to the general public bids. He stated the board had the ultimate authority to accept or decline and Administration would offer a recommendation.

## B. New Business

### 1. Forester Agreement with Steinkraus Forest Management, LLC for Kimball Pines Infected Tree Removal

Environmental Services Coordinator Eichorst stated it had been recommended the County obtain a forester needed to come in and remove pine trees infected with the IPS beetle. She stated the sale of the timber would bring in approximately \$10,000 in revenue and the forester would charge around \$750 per week. She explained the trees back up to Michigan Avenue by the Calhoun County Medical Care Facility and they were working to inform residents so they understand what is happening. She stated the goal was to get the park reopened so residents could come in and enjoy it safely.

Comr. Dunn asked if there was a time frame to get rid of the beetle.

Eichorst stated once the pine was removed, the beetle would be gone. She stated the work would begin around the beginning of April because it wasn't safe for them to work right now because of the weather.

Comr. King stated it would make a significant visual change when these trees were removed because all of the trees to the west of the Medical Care Facility would be gone. He stated they needed to do some sort of signage so people could see it and understand why the trees were being removed.

Eichorst stated the loggers put up signs when they were working in the park before so she was sure they would work with us on signage.

Corporation Counsel Lindsey stated talking points would be provided for the Commissioners and information would be posted on the County Facebook page and the website.

Res. 29-2013

“Moved Comr. Dunn, Supported Comr. Todd to approve the following: The Calhoun County Board of Commissioners does hereby approve the Forester Agreement with Steinkraus Forest Management, LLC to remove the remainder of the pine trees at Kimball Pines Park that have been infected by the IPS beetle.”

On a roll call vote, Yes – 6, Excused – 1 (Haadsma). Motion **CARRIED**.

2. Mutual Aid Agreement Between the Battle Creek Air National Guard and Calhoun County

Emergency Management Director Dunham stated this was an agreement that states we will be coordinated with the Air National Guard in the event there is a disaster in Calhoun County that they might be able to assist us with. He stated this was an important step for the County to receive help quickly in the case of an emergency. He explained the Air National Guard wanted to help us and they had the personnel to do so. They currently help the area Fire Departments by responding as mutual aid assistance and they wanted to expand on that.

Res. 30-2013

“Moved Comr. Frisbie, Supported Comr. Dunn to approve the following: The Calhoun County Board of Commissioners does hereby approve the Mutual Aid Agreement between the Battle Creek Air National Guard and the County of Calhoun.”

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

3. 2011 Homeland Security Grant Program Intergovernmental Funding Agreement

Emergency Management Director Dunham stated the 2011 Homeland Security Agreement was the most current Federal grant. He stated this would give permission to Van Buren County to act as the fiduciary for the programs in our region.

Res. 31-2013

“Moved Comr. VanSickle, Supported Comr. Dunn to approve the following: The Calhoun County Board of Commissioners does hereby approve the 2011 Homeland Security Grant Program Intergovernmental Funding Agreement between the County of VanBuren and the County of Calhoun and further authorize the County Board Chair and the County Administrator to sign on behalf of Calhoun County.”

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

#### 4. Level 3 Equalization Services Agreement

Administrator/Controller Scott stated the County had a vacancy for the Deputy Equalization Director and now Equalization Director Payton had announced she will not renew our contract as she was preparing to retire. She stated the department would need help to get the Equalization Report prepared. She stated Bonnie Payton had agreed to help by signing the assessment rolls but we still need someone to help us with Equalization. Scott explained that we had the Level 4 Equalization Director position posted but in the meantime, to get us through April we need to contract with Roger McEvers, who was very qualified even though he was a Level 3. She noted he contracted with other counties and had already started working. She stated the fixed, independent contract with McEvers was for February through April and required him to deliver the Equalization Report.

Assistant County Administrator Wilcox explained he had talked to many people in the State and everyone told him McEvers was the “go to” guy for Equalization. He stated McEvers had been everything we expected and though he was not the cheapest, he was certainly the best.

Comr. VanSickle stated the Equalization Director position had been a problem for years and inquired if the salary we offered was not adequate or was there not enough qualified candidates.

Wilcox stated he did a salary survey, talked to other counties and found the salary we offer was competitive. He explained there were just so few graduates there weren't enough Level 4 people out there.

Scott stated the smaller local entities don't require a Level 3 and so it hadn't been easy to find counties we could potentially contract with. She explained that other counties were going to be in the same position soon because there were twice as many positions as Level 4's.

#### Res. 32-2013

“Moved Comr. VanSickle, Supported Comr. Todd to approve the following: The Calhoun County Board of Commissioners does hereby approve the Level 3 Equalization Services Agreement as presented and the Board Chair is authorized to execute the Agreement on behalf of Calhoun County.”

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

#### 5. Level 4 Equalization Services Agreement

Administrator/Controller Scott stated this was the Equalization contract with Bonnie Payton for a fixed fee of \$10,000 to sign off on the Equalization report. She stated the service agreement was similar to the one with Roger McEvers.

Res. 33-2013

“Moved Comr. Dunn, Supported Comr. Frisbie to approve the following: The Calhoun County Board of Commissioners does hereby approve the Level 4 Equalization Services Agreement with Bonnie Payton is approved as presented and the Board Chair is authorized to sign the Agreement on behalf of Calhoun County.”

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

13. CITIZEN’S TIME

Jerry Keller, Emmett Township, commented he had a friend in a flood control area and didn't understand why the property ended up in litigation.

14. COMMISSIONERS TIME

Comr. Frisbie stated the Township Supervisors’ meeting with the Road Department was the fourth Thursday of every month at 9 a.m. at the Road Department. He invited everyone to attend the next meeting on February 28.

Comr. Haadsma apologized for his tardiness.

Comr. Haadsma announced the Southwest Michigan Substance Abuse Advisory Council had announced the state was holding an open enrollment period for medical coverage for those who are needy and uninsured. He stated people could go to the Department of Human Services for more information. He explained there was only a 30 day period between April 1 and April 30 for enrollment.

15. CLAIMS PAYABLE

- A. Claims Payable for County from February 1 - 14, 2013 in the amount of \$2,126,667.69 and Road Department Payables from January 29 - February 12, 2013 in the amount of \$50,424.00.

Res. 27-2013

“Moved Comr. Haadmsa, Supported Comr. Todd to approve the following: the Calhoun County Board of Commissioners does hereby approve the County Payables from February 1 - 14, 2013 in the amount of \$2,126,667.69 and Road Department Payables from January 29 - February 12, 2013 in the amount of \$50,424.00.”

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

16. ANNOUNCEMENTS

Corporation Counsel Lindsey stated he believed Jerry (Keller) was talking about the Big Marsh Drain project. He explained it was a case heard by the Drain Board, was not a County issue and the issue was currently in limbo waiting for an opinion from the Court of Appeals.

Comr. Frisbie announced the Walk for Warmth would be Saturday, February 23. He stated there were two spots in Calhoun County. He stated the Homer/Marshall/Albion kickoff was at the First United Methodist Church at 600 East Michigan in Albion and the Greater Battle Creek kickoff was at 111 East Michigan at the First United Methodist Church. He noted everything began at 9, with the ceremony and walk at 9:30 and more information was offered at [www.caascm.org](http://www.caascm.org).

Comr. Frisbie stated a few of the Commissioners had expressed concerns over plowing routes, a lack of plowing in some neighborhoods and the potential safety hazards. He announced that since the changes were made at he had nothing but compliments and he appreciated the hard work the employees were putting in to make the changes successful.

Comr. Frisbie announced an all you can eat pancake dinner at Pennfield High School from 4:30-7 sponsored by the Pennfield Exchange Club.

Comr. King stated he had gotten a lot of calls regarding the roads and he believed this was the best they had ever been taken care of. He stated we have had a bad winter and the crews were doing great. He stated he wanted to publicly tell the Road Department that their hard work had been noticed.

Comr. King encouraged everyone to get involved in the Parks and Recreation Commission.

Comr. Kale stated he participated in Men Who Cook for the Citizens to Beautify Albion fundraiser for flowers to plant around town.

## 17. ADJOURNMENT

The meeting was adjourned at 8:20 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