

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

September 19, 2013

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, September 19, 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. Todd, Haadsma, Frisbie, King, VanSickle and Kale

Excused: Comr. Dunn

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

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The Board held a moment of silence followed by Comr. VanSickle leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. VanSickle, supported by Comr. Todd to approve the agenda of the September 5, 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 September 5, 2013 Regular Session

"Moved Comr. King, supported by Comr. VanSickle to approve the minutes of the September 5, 2013 Regular Session of the Calhoun County Board of Commissioners as presented."

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

6. CITIZENS' TIME

There was none.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Paul Makoski, Director of Environmental Health, explained the solid waste program is now being managed by the Environmental Health Department. He gave an overview the things they were working on and the events that were coming up.

Sheriff Saxton presented an update on the Intergovernmental Service Agreement (IGSA) with Immigration and Customs Enforcement (ICE) stating it had been signed in Washington, DC and would take effect on October 1, giving the County an increase in per diem. He announced the jail should be getting 65 detainees on Sunday and they had kept their daily numbers over 200 boarded detainees.

8. SPECIAL ORDER OF BUSINESS

- A. Presentation from the Calhoun County Agricultural and Industrial Society on the 2013 Calhoun County Fair

Pat McCann, Executive Director of the Calhoun County Fairgrounds, stated the Calhoun County Fair is the oldest county fair in Michigan, celebrating 165 years this year. He stated they appreciated what the Board did a couple years ago, it was instrumental in getting them back on track. He stated they had over 400 members and were a volunteer based organization. He stated they had a good fair, grossing \$450,000 and putting in place a better accounting system at the gates. He stated they were trying new things and were moving in the right direction.

- B. United Way Proclamation

The Proclamation was read into the record by Comr. King.

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 first two weeks of October 2013 and encourages the support of the campaign.

Rob Reed, President of the Board of the Albion/Homer United Way extended his gratitude to the Board, stating this was an extraordinarily generous county and thanked them for participating in United Way.

Richard Lindsey, Co-Chair of the Calhoun County United Way Campaign and Sheriff Matt Saxton, Chair of the Battle Creek/Kalamazoo United Way Campaign also thanked the Board for their support.

Res. 159-2013

“Motion by Comr. King, supported by Comr. Frisbie to approve the United Way Proclamation as presented.”

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

9. CONSENT AGENDA

A. Petitions, Communications, Reports

There was none.

B. Resolutions

1. Parks and Recreation Commission Appointment
(Term to Expire January 1, 2015)

{a} Allyn Miller

Comr. Todd asked Comr. King to explain the selection process used for the recommendation.

Comr. King stated he was the Chair of the Parks and Recreation Commission (PARC) and the Commission had appointed a Nominating Committee to conduct the application process, in which people were asked to apply online. He stated he had announced they were accepting applications at the Board meetings and applications were also solicited through the Calhoun Intermediate School District (CISD). He stated applicants also came to a PARC meeting to introduce themselves.

Res. 160-2013

“Motion by Comr. VanSickle, supported by Comr. Frisbie to approve the Consent Agenda of the September 19, 2013 Regular Session of the Calhoun County Board of Commissioners.”

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

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Kale announced he, Administrator/Controller Scott and most of the other Commissioners attended the Michigan Association of Counties Conference in Frankenmuth.

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 Budget Committee meets next Friday. She stated they were in the process of compiling the budget requests. She stated she and Corporation Counsel Lindsey attended a meeting of the Big Marsh Drain Board and the next meeting was scheduled for November. She explained the County will be working with the City of Battle Creek, attorneys and engineers to come up with a solution under the drain code. She stated she, Corporation Counsel Lindsey, Assistant Administrator Wilcox and Comr. Haadsma attended the last Veterans Affairs Committee meeting, and that it was productive and they were able to answer their questions on the Veterans Affairs special millage. She stated their proposed budget gives them \$400,000, which will allow them to pursue updates in their office and technology as well as a hire a new staff member.

Comr. Haadsma inquired what would happen next with the Big Marsh Drain.

Scott stated they would need to decide if they would follow up on the originally filed petition and have a separate contract that would address issues. She stated they voted to authorize the attorney for the Drain Board and the engineer to work with the parties to come to an agreement that would not involve the normal water resources assessment. She stated the City of Battle Creek already had a plan for the issues in the city. She stated this could lead to an intergovernmental agreement between the city, county and drain board.

Scott stated the Veterans Affairs Committee invited the commissioners to their meetings.

Comr. King clarified that the Veterans Affairs office used to receive General Fund dollars in the amount of \$168,000 before the millage was passed. He stated with the new millage, the Veterans Affairs office would generate a \$400,000 budget and therefore would no longer receive the General Fund transfer of \$168,000.

B. New Business

1. 2013-2014 Child Care Fund Annual Plan and Budget

Administrator/Controller Scott introduced Jody Hopkins, Deputy Court Administrator of Juvenile Services.

Court Administrator Hopkins asked for Commissioner approval for the 2013-2014 Child Care Fund Annual Plan and Budget. He stated this was the county and state fiscal program to provide services for children, such as court intensive supervision, after care services, and DHS foster care, and it was in place to aid the most vulnerable children. He stated non-approval of the budget means the county would be ineligible for state funds.

Res. 161-2013

“Moved Comr. Haadsma, Supported by Comr. Frisbie to approve the following: Resolved the County Board of Commissioners 2013 - 2014 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 concurrence is requested with the Agreement for Multisystemic Therapy (MST) services, Multisystemic Therapy-Problem Sexual Behaviors (MST-PSB), and Wraparound services with the 37th Circuit Court, the Calhoun County Department of Human Services and Summit Pointe.”

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

2. Law Enforcement Services Agreement with the City of Springfield

Administrator/Controller Scott stated this was the final agreement for the Springfield Law Enforcement Services and invited Sheriff Saxton to comment.

Sheriff Saxton asked the Board to approve the contract with Springfield and amend the Public Safety budget to allow for the associated expenditures and revenue. He explained the agreement was cost neutral and all expenses would be billed to Springfield plus 5% administrative fees. He stated the staffing allocation would change with nine new positions. He stated the Sheriff’s Office would take over operations in Springfield on October 1.

Comr. Frisbie stated that as a Pennfield resident, he could attest that the Sheriff’s Office did a great job. He appreciated the effort put into the contract.

Sheriff Saxton thanked Corporation Counsel Lindsey and Administrator/Controller Scott for their help.

Res. 162-2013

“Moved Comr. Haadsma, Supported by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Law Enforcement Services Agreement with the City of Springfield as presented and the Board Chair is authorized to sign the Agreement on behalf of Calhoun County;

Further Resolved, that the budget amendments as set forth in the attached fiscal impact statement are approved as presented; and

Further Resolved, that the change in the authorized staffing allocation for the Sheriff's Office is approved as presented."

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

3. Calhoun County Public Health Department's Proposed Fiscal Year 2014 Budget, Fee Schedule and Position Allocation

Administrator/Controller Scott stated this request was to approve the Health Department budget. She stated Comr. Dunn served on the Health Board budget committee and their budget process had been going on for a couple months. She stated the County Finance staff had been involved in the meetings as well. She stated it would be a three part resolution, approving the budget, the staffing allocation and the fee schedule.

Health Officer Rutherford presented the Health Department's Fiscal Year 2014 budget, noting that it was a balanced budget and included a \$30,000 reduction of appropriation from the General Fund. He stated the county had made changes in rent and IT services, resulting in additional revenue and it was appreciated that Administration continued to work to pass on savings to departments. He then presented highlights of the budget.

Res. 163-2013

"Moved Comr. Frisbie, Supported by Comr. Todd to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby adopt the Calhoun County Public Health Department's proposed FY14 Budget, Fee Schedule, and Position Allocation as presented."

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

4. Agreement for the Establishment of a Substance Use Disorder Oversight Policy Between Southwest Michigan Behavioral Health and Calhoun County

Administrator/Controller Scott stated the next agenda item was the Agreement for the Establishment of a Substance Use Disorder Oversight Policy and related partly to recommendations of the PA2 budget that we do each year but it was actually larger than that. She stated in July, she, along with Comrs. Kale, Haadmsa and Dunn attended a meeting with the current Kalamazoo Substance Abuse Coordinating Agency. She stated Mike Schlatt, Jeff Patton and Mindie Smith from the Kalamazoo agency were in attendance and thanked them for attending the meeting. She explained the State was requiring we move to a regional coordinating process for substance abuse dollars, not just the local PA2 dollars but also the other funding sources that were not local. Scott stated the recent legislative changes made sure there was a mechanism in place so we retain control of local dollars. She explained the Board of Commissioners would accomplish that by appointing two members to the eight county regional board.

She stated this would give us direct input on the local PA2 dollars but also allow us to provide input on a larger scale. She stated we expect this advisory board to operate very similar to our local substance abuse committee that Comrs. Haadsma and Dunn sit on in Kalamazoo. She stated there is not a direct financial impact on the county and all eight counties had to approve the agreement in order for it to take effect.

Mindie Smith explained the Department of Community Health realigned the regions which are the entities that control the Medicaid and mental health dollars. She stated at the same time that was passed, it mandated that substance abuse coordinating agencies merge in these new regions. She explained the main difference was that the regional entities for mental health had a start date that was mandated at January 1, 2014 and the legislation allowed for the substance abuse coordinating agencies to take up until October 1 to make the transition. She stated we were fortunate in that seven of the eight counties in our new region, Region 4, were already part of the Kalamazoo Coordinating Agency, with the addition of Berrien County. She stated they believed it would be more efficient to transition all of the functions in January 2014. She stated Kalamazoo, Cass and Barry had already approved the agreement and Branch, St Joe, Berrien and Van Buren had it on their schedules to approve soon. She noted the Agreement was very similar to what was already being done but this would now be a board rather than a council so they would have approval rights over PA2.

Res. 164-2013

“Moved Comr. Haadsma, Supported by Comr. Todd to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve the Agreement for the Establishment of a Substance Use Disorder Oversight Policy Board Between Southwest Michigan Behavioral Health (SWMBH) and Calhoun County Pursuant to the Michigan Intergovernmental Transfers of Functions and Responsibilities Act (ITFRA), as presented. Be it further resolved, the Board of Commissioners authorizes the County Administrator/Controller to execute and deliver the Agreement to SWMBH on behalf of the County, with an effective date of the Agreement being the date upon which such agreements executed by all eight counties within the SWMBH region are filed with the Secretary of State.”

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

5. Michigan Avenue Bridge Over Rice Creek Design Services Contract Award

Administrator/Controller Scott stated this contract was with a bridge engineering firm for design services and invited Assistant County Administrator Wilcox to explain the process.

Assistant County Administrator Wilcox explained this was part of the Federal/local bridge program, for the Michigan Avenue bridge over Rice Creek. He stated a purchasing team was formed and they evaluated the seven bids that were received. He stated they used a two-tiered system where qualifications and price were evaluated separately and three qualified over the minimum score in both tiers. He stated it was a unanimous selection, with Brechting Bridge & Engineering, Inc being the low bid and most qualified.

Res. 165-2013

“Moved Comr. VanSickle, Supported by Comr. Haadsma to approve the following: Resolved, the Calhoun County Board of Commissioners approve the contract with Brechting Bridge & Engineering, Inc. to provide design services for the Michigan Avenue Bridge over Rice Creek in the amount of \$26,900.”

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

6. Resolution to Set the Garfield Lake Level and Create a Special Assessment District

Administrator/Controller Scott stated the resolution to set the Garfield Lake level and to create a special assessment district had been requested by the residents at the lake and was worked on by Water Resources Commissioner Kosmowski and Corporation Counsel Lindsey.

Corporation Counsel Lindsey stated this was follow up to action taken two meetings ago approving the engineering study at the lake. He stated this should be as simple as presenting findings in court and the engineer would testify to what he had studied. He stated his legal fees would not be billed to the residents because the county was trying to help change the reported lake level to what it had been for a long time. He noted the Board’s role in this matter would be done after this approval.

Res. 166-2013

“Moved Comr. VanSickle, Supported by Comr. Haadsma to approve the following: NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS BY THE CALHOUN COUNTY BOARD OF COMMISSIONERS:

1. Based on the preliminary study and upon the recommendation of the Calhoun County Water Resource Commissioner, the Board of Commissioners finds it expedient to have and resolves to have determined and established a revised normal lake level for Garfield Lake, located in Convis Township, Calhoun County, and does hereby determine that the whole cost of the project to establish and maintain a revised normal level for Garfield Lake, shall be defrayed by special assessments against privately owned parcels of land, State owned lands that are under the jurisdiction and control of the Michigan Department of Natural Resources, and political subdivisions of the State that are benefited by the project in accordance with procedures set forth in Part 307 (MCL 324.3071 et. seq.).
2. The County Board determines pursuant to MCL 324.30711 that a special assessment district shall be established and that the Calhoun County Water Resources Commissioner, as the delegated authority, shall compute the cost of the project and prepare a special assessment roll.
3. Subject to the limitations set forth in MCL 324.30716, the special assessment district may issue notes that shall be payable by special assessments under Part 307. Notes shall not be issued exceeding the cost of the Garfield Lake level project.

4. Calhoun County Corporation Counsel Richard C. Lindsey, Jr. is hereby directed to initiate proceedings by proper petition in the Circuit Court for the County of Calhoun for the revision of the normal level for Garfield Lake and for the revision of the description of the lands and public corporations to be included in the Special Assessment District.”

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

7. Road Department Contract for Signs and Posts

Administrator/Controller Scott stated this item was a bid acceptance request for Road Department signs and posts.

Assistant County Administrator Wilcox stated this was a formal bid for one year. He explained the Road Department was required to replace road signs. He stated the purchasing team met and reviewed the six bids that were received. He stated the low bidder was Callendar and Dornbos out of Charlotte, Michigan. He stated they had supplied Calhoun and Jackson County in the past and with the purchasing team reviewing their needs they were able to realize a savings of approximately \$6,000 over the previous bid.

Res. 167-2013

“Moved Comr. Dunn, Supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the one year contract with Callender and Dornbos to provide the Calhoun County Road Department with road signs and posts as presented.”

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

8. Authorization of Repairs to the Homer Bridge

Administrator/Controller Scott stated the Road Department was presenting a request for the authorization of repairs to the Homer Bridge. She stated Homer Township Supervisor Todd Wildt was in attendance and they had gotten support from the Township, which was very important when making repairs. She explained the proposal was the Township would pay 30% and the Road Department would pay 70%.

Road Department Managing Director Peterson described the damage and repairs needed to the bridge, stating the main support beam of the bridge was cracked and it was down to one lane of traffic, with stop signs on either side.

Scott stated the proposal was to buy the materials from the maker of the original bridge so as to ensure the materials were compatible then Road Department engineers and crew would make the repairs.

Comr. Frisbie thanked Director Peterson and Engineer Angie Kline for their quick work in helping one of our local governments.

Comr. Kale stated the cooperation from the townships should not be taken lightly. He stated the townships now have the confidence in the Road Department that they would get the work done and get it done right.

Res. 168-2013

“Moved Comr. Haadsma, Supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does approve the repairs for the Homer Bridge on 29 Mile Road as presented.”

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

9. August 2013 Financial Statements

Administrator/Controller Scott stated the August 2013 Financial Statements were being presented for informational purposes. She stated it was a continuation of the July report, in that there were some areas we were cautiously monitoring, mainly some timing differences. She stated we will continue to address the General Fund issues with the Budget Committee.

Res. 169-2013

“Moved Comr. Haadsma, Supported by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners does accept for informational purposes the August 2013 Financial Statements as presented.”

On a voice vote, Yes – 6, Excused – 1 (Dunn). Motion **CARRIED**.

13. CITIZEN’S TIME

Matthew Hall, Sheridan Township, thanked everyone who attended the Home Tour and toured the church.

Matthew Hall, Teamsters Union Steward at the Road Department, stated it was the second week of the group leader style of management at the Road Department and he believed that overall it was a positive thing.

14. COMMISSIONERS TIME

Comr. VanSickle stated he had attended the Michigan Association of Counties conference and it was very informative. He thanked Administrator/Controller Scott for a wonderful presentation on why the roads should be a department of the county.

Comr. Todd stated he attended the Michigan Department of Transportation open house and he met a lot of people who were behind the work that goes into our roads.

Comr. Todd wished his first born child a very Happy 12th Birthday.

Comr. Haadsma stated the workshop he thought was the most interesting at the Michigan Association of Counties conference was the “Lean Office and Service Program for Counties”. He didn’t know much about it but it was instructive on how to make our counties more efficient.

Comr. Haadsma stated he attended an interesting presentation put on by Voses, the Latino Advocacy Program in Battle Creek. He stated he learned a lot about Title 6 of the Civil Rights Act and he would share that with Corporation Counsel Lindsey.

Comr. Kale stated Jeff Troyer did a 911 presentation at the Michigan Association of Counties conference, which shows what high esteem Jeff is held in the industry. He stated Kelli made a great presentation on why Road Commissions should be moved under the governing of the Board of Commissioners. He stated we opened up a lot of eyes and a lot more people were going to be looking at it.

15. CLAIMS PAYABLE

- A. Calhoun County Claims Payable from August 30 - September 12, 2013 in the amount of \$1,178,131.61 and the Road Department Claims Payable in the amount of \$246,638.90.

Res. 170-2013

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve the Calhoun County Claims Payable from August 30 - September 12, 2013 in the amount of \$1,178,131.61 and the Road Department Claims Payable in the amount of \$246,638.90.”

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

16. ANNOUNCEMENTS

Comr. Kale announced the Festival of Forks in Albion would start on Friday, September 20 with a car show at 6:00 and go through the weekend with different events.

Comr. Kale announced he would be inducted into the Multicultural Hall of Fame in Albion and he was very proud, as his mentor and former baseball coach, Morley Frasier and a personal friend, Tim Cornelius were both in the original class.

Comr. Kale announced the Albion Healthcare Alliance has announced the Family Health Center Building and the Farmers Market area in Albion would be renamed the Ralph and Mary Cram Medical Center, recognizing their work and efforts in the City of Albion.

Comr. VanSickle announced the next meeting of the Homer Lake Board would be on the 25th of September and CEI has a proposal on a new assessment district and some ways they may move forward.

Comr. Todd announced Starr Commonwealth will be celebrating their Founder's Day on October 6. He stated the keynote speakers would be Holly Robinson Peete and Rodney Peete, former NFL quarterback. He stated for entertainment they would have Matt Giraud from American Idol fame.

Comr. Haadsma announced the annual NAACP Freedom Fund dinner would be held on October 25 at 6:00 pm at the Holiday Inn in Emmett Township. He stated both he and Comr. Todd had tickets available for that event.

17. ADJOURNMENT

The meeting was adjourned at 8:44 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County