

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

August 1, 2013

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, August 1, 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, Frisbie, King, VanSickle and Kale

Staff Present: County Administrator/Controller Kelli Scott, Human Resources Director Kim Archambault, 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 Comr. Dunn leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Dunn, supported by Comr. Frisbie to approve the agenda of the August 1, 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 July 18, 2013 Regular Session

"Moved Comr. VanSickle, supported by Comr. Dunn to approve the minutes of the July 18, 2013 Regular Session of the Calhoun County Board of Commissioners as presented."

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

6. CITIZENS' TIME

Virginia Hawes of Bedford Township stated her displeasure on how an incident was handled when her granddaughter was bitten by a neighbor's dog.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

There was none.

8. SPECIAL ORDER OF BUSINESS

A. Presentation on the Envision Center

Health Director Jim Rutherford stated there had been questions at the last Board meeting about the training the Health Department nurses received at the Envision Center so he had brought Angie Phillips and Katie Kessler to explain.

Angie Phillips of the Health Department stated the grant allowed nurses to work with school age kids who were at an autistic level. She stated kids were being labeled as having behavioral issues so the nurses were trained on what to look for and what resources families could use.

Katie Kessler, Envision Center Behavior Analyst at the Envision Center, stated the Center does assessments and diagnosis for autism. She stated they provide behavioral analysis, treat undesirable behaviors and work on social skills. She explained they train the nurses what to look for then spend time looking at videos to show the nurses what the behavior looks like so they can recognize it quicker.

Comr. Dunn asked what was the typical age you would start to see behavior and how would parents get in touch with them.

Kessler stated the therapy could start at 18 months but it was more likely at two or three years. She stated it helped to have the nurses trained to help parents recognize the symptoms. She stated the Envision Center could take referrals from parents or pediatricians and kids were usually seen within two weeks. She noted the latest research shows one in eighty-eight kids would qualify as autistic.

B. Fiscal Year 2012 Audit Presentation by Dave Fisher of Rehmann Robson

Dave Fisher of Rehmann Robson reviewed the Fiscal Year 2012 audit, stating it had been delayed because of the merging of the Road Department accounts with the county. He stated the Road Department was now presented as a fund of the county. He reviewed the highlights of the audit, noting they had to do a single audit for the Federal Programs and there was a separate management letter stating what was required to be done in an audit and also showed the new government accounting standards coming in the next year.

C. Fiscal Year 2012 Audit

Administrator/Controller Scott stated this agenda item was to approve the audit as presented.

Res. 135-2013

“Moved Comr. Haadsma, Supported by Comr. Frisbie to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve Fiscal Year 2012 Audit as presented.”

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

9. CONSENT AGENDA

A. Petitions, Communications, Reports

There was none.

B. Resolutions

There was none.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. VanSickle announced the Planning Commission meeting had been cancelled for July but the August regular meeting would go on as scheduled.

Comr. VanSickle stated the Homer Lake Board meeting scheduled for August 7 had been cancelled so they could meet with the engineers.

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 gave kudos to the finance staff, especially Jeryl Schoepke, as it was one of her primary job responsibilities to coordinate the audit. She stated it had been a difficult job to incorporate the Road Department into the financial statements.

Scott introduced new Road Department Managing Director Jerry Peterson. She stated he would be splitting his time between here and Jackson. She stated he had already done a lot in less than two weeks. She noted we reached a tentative agreement with the Teamsters on a new collective bargaining agreement.

Road Department Managing Director Jerry Peterson stated he was trying to visit the townships, had met with one already, and was scheduled with three or four more. He stated he had also met with the Nottawaseppi Huron Band of Pottawatomi (NHBP) Tribe. He stated he had some changes to make but the employees were going to be a huge asset to making positive changes. He believed he would thoroughly enjoy the job and there were a lot of opportunities that haven't been tapped yet.

Comr. Kale stated he had talked with Jerry briefly and he was really impressed and excited to have Jerry on board. He stated he expected Jerry was going to achieve a lot and welcomed him to the team.

Comr. Todd welcomed Peterson aboard and stated there was a great task at hand. He asked if there was a priority list in regards to what projects will be done first.

Peterson stated he would break up the county into quadrants and there would be priorities for each quadrant. He stated his priority list in Calhoun was different compared to in Jackson because here he was focused more on functions. He stated he had recreated the budget and now his focus was on the whole direction of where everyone best fit to make improvements. He stated he was trying to get his face in front of everyone who was a key stakeholder. He noted there would be new products introduced because he didn't agree with some of the road repair practices that had been used here.

B. New Business

1. Resolution to Modify the Lake Level at Garfield Lake

Corporation Counsel Lindsey explained the Conservation District was working with the state to put in a fish ladder at Garfield Lake in Convis Township and the residents on the lake were asking that the lake level not be changed. He stated that under Michigan law, the Water Resources Commissioner was required to be sure the lakes maintain a certain level. He stated he would petition the court to have it left at what it's been since 1977. He explained this was an effort to get the legal description to match what the lake level really was. He noted the residents would raise the money and then the Water Resources Commissioner would hire an engineer to help explain the project in court.

Comr. VanSickle stated he had reconstructed the dam when he was the Water Resources Commissioner and the wetlands that had been created over the last 10 years from that dam would be lost if the lake levels were changed. He stated the property owners were happy with the way things were and they didn't want anything changed.

Lindsey stated there was also some question over what the original level of the lake had been. He noted the state gave the county board the authority to approve this resolution.

Comr. Frisbie stated Corporation Counsel Lindsey had guided everyone through a pretty complex process and it was appreciated. He stated the property owners were excited to get this done.

Res. 136-2013

"Moved Comr. Frisbie, Supported by Comr. Dunn to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve the resolution to modify the lake level at Garfield Lake as presented."

WHEREAS, the legal level of Garfield Lake, located in Convis Township, Calhoun County, was set at 894.64 feet above sea level by a Final Order of Determination issued by the Calhoun County Circuit Court and dated December 5, 1962; and

WHEREAS, on or about July 2, 2013, more than 2/3rds of the owners of lands abutting Garfield Lake submitted a petition to the Board of Commissioners, pursuant to MCL 324.30702, requesting that the Board of Commissioners initiate action to take the necessary steps to cause the normal lake level to be modified from 894.64 feet above sea level to 895.6 inches above sea level (an increase of 10 inches); and

WHEREAS, pursuant to MCL 324.30703(1), the Board of Commissioners, before proceeding on a petition filed under MCL 324.30702, may require that a preliminary study be conducted by a licensed professional engineer and may require a cash payment from the petitioners sufficient to cover the actual preliminary study costs or \$10,000.00, whichever is less; and

WHEREAS, the preliminary study will enable the Board of Commissioners to determine the feasibility of the proposed modification of the lake level and to establish that the statutory requirements which the Circuit Court must consider as set forth in MCL 324.30707 can be satisfied;

IT IS HEREBY RESOLVED, that prior to moving forward with the petition, the Board of Commissioners requires that the petitioners provide a cash payment in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) to cover the costs of a preliminary study as authorized by MCL 324.30703(1);

IT IS FURTHER RESOLVED that, pursuant to MCL 324.30702(2), the Calhoun County Water Resources Commissioner is delegated all powers and duties under Part 307 relative to Garfield Lake and the above-mentioned petition other than those in regard to which the Board of Commissioners is required to act by resolution;

IT IS FURTHER RESOLVED that the cash payment shall be made by the Petitioners to the Water Resources Commissioner and that, upon receipt of said payment, she shall retain the professional engineer and obtain the preliminary study and provide the same to the Board of Commissioners upon completion; and

IT IS FURTHER RESOLVED that the Water Resources Commissioner shall, in the event that the proceedings to modify the Garfield Lake level are authorized by this Board after the receipt of the preliminary study, credit the amount of each individual land owner's cash payment against any special assessment necessary to offset the cost of the proceedings necessary to modify the lake level as provided by MCL 324.30715.

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

2. MDOT Contract No. 13-5360 for Hot Mix Asphalt Paving Work Along B Drive South from 8 ½ Mile Road Westerly to 12 Mile Road

Administrator/Controller Scott stated the MDOT contracts were for federal aid projects. She explained this contract was for work to be done in Newton Township, BCATS would do the work and it required an 80/20 split. She stated this project totaled \$800,000 and that our match was \$160,000 and it was in the Road Department budget.

Res. 137-2013

“Moved Comr. Haadsma, Supported by Comr. Frisbie to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve MDOT Contract No. 13-5360 for Hot mix asphalt paving work along B Drive South from 8 1/2 Mile Road westerly to 12 Mile Road; including aggregate shoulder and permanent pavement marking work; and all together with necessary related work in Newton Township. The Board also authorizes the Board Chair and the Administrator/Controller to sign the contract on behalf of Calhoun County.”

Comr. Frisbie, supported by Comr. Haadsma made a friendly amendment to correct the contract to read “MDOT Contract No. 13-5360 for Hot Mix Asphalt Paving Work Along B Drive South from 8 ½ Mile Road **Easterly** to 12 Mile Road.”

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

3. MDOT Contract No. 13-5387 for Hot Mix Asphalt Paving Work Along B Drive North from Eaton Street to 29 Mile Road

Administrator/Controller Scott stated the work was to be done in Sheridan Township and that the project total was \$389,000 with the Road Department’s share being \$70,600. She noted this project was in the Road Department budget.

Res. 138-2013

“Moved Comr. King, Supported by Comr. VanSickle to approve the following: Resolved, the Calhoun County Board of Commissioners do hereby approve MDOT Contract No. 13-5387 for hot mix asphalt paving work along B Drive North from Eaton Street to 29 Mile Road, along Maple Street from the north city limits of Albion to B drive North, and along 29 Mile Road from the north city limits of Albion to B Drive North; including aggregate shoulder and permanent pavement marking work; and all together with necessary related work in Sheridan Township. The Board also authorizes the Board Chair and the Administrator/Controller to sign the contract on behalf of Calhoun County.”

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

4. Medicare Advantage Group Contract Rates for 2014

Administrator/Controller Scott stated this was the renewal of one of the retiree health insurance plans and was the first glimpse of what rates were likely to look like next year.

Human Resources Director Archambault stated this was the fully insured plan that had been in place since about 2010 for retirees. She stated the plan had been pretty successful and there were no changes other than rates. She explained the Center for Medicare Services required an early renewal, which is why it was before the Board for approval before the other health care plans. She stated illustrated rates were only increasing about 1%; however with the Affordable Care Act there was a tax increase of about \$33.14 per month.

Scott noted that came to about an 8% increase.

Archambault stated it was a significant increase and we should expect plan increases for active employees to be even higher.

Res. 139-2013

“Moved Comr. King, Supported by Comr. VanSickle to approve the following:
Resolved, the Calhoun County Board of Commissioners do hereby approve the Medicare Advantage Group Contract rates for 2014 and sign the Schedule A agreement as presented.”

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

5. Revision to Procurement Policy #405

Administrator/Controller Scott stated the revision of this policy was clean-up work after we changed banks for our Purchasing Cards. She stated we were encouraging the use of purchasing cards and were starting to pay larger bills with them. She noted this revision took out a lot of the procedural guidelines, which many of our older policies have had removed when updated to give administration the flexibility to tweak procedures when necessary.

Res. 140-2013

“Moved Comr. VanSickle, Supported by Comr. Dunn to approve the following:
Resolved, the Calhoun County Board of Commissioners do hereby approve the revision to the Procurement Policy #405 as presented.”

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

13. CITIZEN'S TIME

Brian County, 3515 East Kirby Road in Bedford, presented complaints about the condition of his road.

Matthew Hall, Sheridan Township, stated he was an employee of the Road Department and he wanted to let people know the department was trying to do the best they could to get the roads repaired.

Matthew Hall stated he was a Union Steward for the Road Department and they had reached a tentative agreement with Administration. He stated they would meet with the unit on August 6 to vote then bring it back to Administration. He thanked Kim Archambault and Kelli Scott, stating the negotiations were the best they had ever had.

Orville Densmore, an employee of the Road Department, thanked Kim and Kelli for good negotiations, even when they didn't agree.

14. COMMISSIONERS TIME

Comr. Frisbie stated he was very concerned about the information HR Director Archambault had provided pertaining to the health care fee increases and taxing fees. He wondered when this would impact our ability to continue to provide. He stated he would like to see some projections showing where this would impact us down the road.

Comr. Frisbie stated he appreciated the man from Bedford's comments, as he had driven down the road and reported it. He stated the guys from the Road Department were working hard and he appreciated that they brought in some new guys to help. He stated we would continue to do our best and we appreciated everything the staff was doing.

Comr. Todd concurred with Comr. Frisbie and stated he had personally received appreciation from residents on the work being done by the Road Department.

Comr. King followed up on what the other Commissioners said, noting that there were hundreds of complaints. He stated the paver patching spots were decided by how many complaints would be taken care of when they took care of a spot. He stated he had attended a road workshop that was very informative.

Comr. Kale asked if the impact we saw with Medicare Advantage, a fully funded plan, the same as what we will see with the self-insured plans.

Archambault stated the increase for those plans could be 11% up to 18% but we won't know until we get the renewal.

Comr. Kale stated he was excited about Jerry Peterson being on board and Jerry's attitude was something he fully endorsed. He stated happy employees make happy roads and Jerry was committed to working with the employees.

Comr. King stated the negotiating team did a great job. He noted Finance did great job on the audit too.

15. CLAIMS PAYABLE

- A. Calhoun County Claims Payable from June 28 - July 25, 2013 in the amount of \$2,453,058.37 and the Calhoun County P-Card Claims Payable for June 2013 in the amount of \$43,587.90

Res. 141-2013

“Moved Comr. Haadsma, supported by Comr. Dunn to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve the Calhoun County Claims Payable from June 28 - July 25, 2013 in the amount of \$2,453,058.37 and the Calhoun County P-Card Claims Payable for June 2013 in the amount of \$43,587.90.”

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

16. ANNOUNCEMENTS

There was none.

17. ADJOURNMENT

The meeting was adjourned at 8:32 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County