

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

June 18, 2015

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, June 18, 2015 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Dunn (arrived at 7:10), Reynolds, Haadsma, Frisbie, King, VanSickle and Bearman

Staff Present: 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. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF AGENDA

“Moved Comr. Bearman, second by Comr. Reynolds to approve the agenda of the June 18, 2015 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 June 4, 2015 Regular Session

“Moved Comr. VanSickle, second by Comr. Bearman to approve the minutes of the June 4, 2015 Regular Session of the Calhoun County Board of Commissioners as presented.”

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

6. CITIZENS' TIME

Bob Coward, Golden Avenue in Emmett Township, stated he asked the Road Department not to trim oak trees but they have trimmed about 80% of the oaks on his street. He stated that because the trees were trimmed at the wrong time of year the chances were good oak wilt would spread.

Creighton Burrows, Marengo Township, stated the pot holes on B Drive North were filled but they were overfilled and now the road was very bumpy.

Jane Perkins, Clark Road at Lee Lakein Newton Township, brought a petition from residents and asked for help with a drainage issue.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Road Department Managing Director Christopher Bolt stated they were working closely with a contractor regarding following best practices when removing the oak trees on Golden Avenue. He stated he worked with Mr. Coward to find a third party expert to come in and help. He stated all pruned areas were being sealed. He stated he spoke with Mr. Coward and invited him to inspect the trees with him and the expert to be sure they follow best practices and minimize any future concerns.

Managing Director Bolt stated he spoke with Mr. Burrows about the pot holes and would investigate the matter.

8. SPECIAL ORDER OF BUSINESS

- A. Presentation on the Neighborhood Health Visitors Program by Tom Brown II and Barb Fredericks of the Albion Healthcare Alliance

Nadia Wolf, Tom Brown and Barb Fredericks of the Albion Healthcare Alliance and the Neighborhood Health Visitors Program gave an overview of their services.

9. CONSENT AGENDA

- A. Petitions, Communications, Reports
- B. Resolutions

There was none.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

There was none.

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 county is once again hosting the local chapter of the Michigan Township Association's meeting on Wednesday, June 24 at 7pm in the Garden Level Conference Room.

Scott stated the Commissioners had been sent a copy of the financial presentation she had given to the Judicial Council. She stated we were getting ready to kick off the 2016 budgeting season. She explained that the presentation highlights how we ended our 2014 fiscal year. She stated we were still wrapping up the audit but the financial results were positive. She stated we ended up with a small surplus and were able to transfer about \$400,000 into our Capital Improvement Plan fund to help keep reserves in that fund. She stated the presentation also presented the initial forecast for next year, showing about \$600,000 less in revenue, mainly due to decreases we see in the areas of licenses and permits, charges for services, fines and forfeitures, as well as the liquor tax we receive being cut in half. She stated property taxes were slowly growing and we expect to be fully reimbursed for the personal property tax elimination. She stated we would have about a 3% budget deficit going into next year. She noted we continue to look at about thirty-eight authorized vacant positions following the early retirement incentive from last year. She stated even though we were looking at a deficit, she was hopeful because health insurance costs continue to be lower and there was continued work with union groups, beginning with bargaining with seven next year. She stated we would be convening the budget committee soon to start the process.

Scott stated the Governor signed the 2016 State Budget, which includes full funding of revenue sharing. She stated this was positive news for our General Fund. She noted the budget also included \$400 million for road funding statewide.

B. New Business

1. Notice and Intent Resolution and Bond Authorizing Resolution for 2015 General Obligation Limited Tax Bonds

Administrator/Controller Scott stated these bonds would offer long term financing with up to \$6.5 million in General Obligation Limited Tax Bonds. She explained this was part of a newly developed CIP for the Road Department to replace equipment. She stated the salt barn was almost three quarters funded by a state grant and these replacements would bring the Road Department up to date. She stated the overall plan was to issue bonds with full faith and credit of the county but the Road Department would pay the payments. She introduced the county's financial experts Bill Danhof of Miller Canfield and Bobby Bendzinski of Bendzinski & Co. She explained that Assistant County Administrator Wilcox brought the purchasing group together to decide on plan. She stated the Road Department made no equipment purchases for a long time and now 70% of the Road Department fleet was in poor or critical condition. She stated this would better leverage the percentage rate and the resolution would authorize the notice of intent then execute the bond sale without further need for the board to approve more at another meeting.

Assistant Administrator Wilcox stated that we have known for a long time the Road Department didn't keep up with purchasing vehicles and from 2001 - 2011 there were no equipment purchases at all. He stated that we were now in a situation where there wasn't an adequate fleet for snow removal. He explained that we were spending a tremendous amount of money on repairs and putting good money into vehicles that were not safe or sound. He stated this plan uses a MDOT reimbursement in which each truck would be committed to MDOT roads so we could then can apply 60% of the depreciation. He stated we would sell off what's left of the fleet of nineteen. He stated the purchasing team and Road Department would look for creative ways and many sources to obtain vehicles, with the MDOT reimbursement and sale of older equipment to cover the payments. He stated that within six years there would be no critical or fair vehicles and the fleet will be completely updated.

Scott stated the Road Department budget does include dedicated money for capital improvements and that money would be used to cover debt service.

Comr. Haadsma asked if we could have done this kind of financing if the Road Commission wasn't dissolved.

Miller Canfield's Bill Danhof stated it was very difficult for a Road Commission to borrow over the longer length of time the county as the county was able to.

Comr. Reynolds asked how many trucks the Road Department was purchasing.

Wilcox stated there would be eight in the first year and four every year after for a total of forty-four vehicles. He stated we would totally turn over the fleet in ten years.

Scott noted there was a whole list of other equipment that would be purchased in addition to the trucks.

Res. 95-2015

"Motion by Comr. VanSickle, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the attached Notice of Intent and Bond Authorizing Resolution for up to \$6,500,000 in General Obligation Limited Tax Bonds for the purchase of Road Department trucks and other capital equipment, as presented, and authorizes the County Administrator/Controller to execute necessary procedures and documents to procure such equipment within the parameters specified in the Resolution and according to Road Department Capital Improvement Plans."

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

2. Resolution Authorizing Issuance and Sale of 2015 Transportation Fund Notes

Administrator/Controller Scott stated this request was to issue up to \$13.5 million in transportation notes with a limit of a ten year payback period. She stated the strategy was to address the partnership with townships that had increased this year as they create ways to address their road issues. She stated the proposal was to sell bonds to cover the Road Department's 30% match for township road repairs except for the bridge repair in Clarence Township that is 50/50 match. She explained that the county was able to get a better interest rate so the township match amounts were included as well. She stated there was no impact to the county, it would not impact the General Fund and did not require the full faith and credit of the county. She stated they hoped to begin in Bedford and Pennfield soon and the work in Emmett was already under way. She stated it was an ambitious schedule to get things done and this was the only way we can get this volume of work done. She stated there was a committed list of projects to be done this year and we will be successful to show the taxpayers this is a good return on investment.

Comr. Dunn stated it was imperative that we finish the projects we say we will this year because that had been part of the difficulties in the past.

Corporation Counsel Lindsey stated the townships have had a problem with not having a say in the work being done so we have taken a huge step to work with them.

Road Department Managing Director Bolt stated we made a huge commitment and there were contingencies just in case.

Comr. Frisbie stated this would not have happened in 2012 because there was no trust from the townships when this was the Road Commission. He stated we were taking care of what we were supposed to be taking care of. He stated this was the focus of infrastructure and he was happy we progressed this far. He encouraged other townships to talk to Sally Shaw from Bedford about the effort she put forth in moving the township forward with road projects.

Res. 96-2015

"Moved Comr. Bearman, second by Comr. Dunn to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Resolution Authorizing Issuance and Sale of 2015 Transportation Fund Notes, not to exceed \$13,500,000, as presented."

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

3. Pennfield Township Road Agreement

Administrator/Controller Scott stated agenda items 12B3, 12B4 and 12B5 were the individual agreements with the townships. She stated this was one in a million times Corporation Counsel Lindsey had earned his worth by coming up with something that was a great model. She stated these agreements have everything from guarantees on workmanship to making sure the county would be made whole as far as funding. She stated Pennfield Township chose to issue their own bonds so their agreement relates to just the roles and responsibility of each party to get the improvements done, to get them paid for and to make sure both sides were protected if anything goes wrong.

Lindsey stated these agreements grew from what we learned in the Road Commission Task Force. He stated with the old Road Commission there were no agreements to define what the land owners or townships were getting or who had responsibility for what. He stated that if there was a question of what was promised, it was in the agreement and Bedford and Pennfield Townships have committed to informing their citizens of what they were getting. He stated Bedford passed a special assessment and Pennfield got bonds to do this work. He stated there was a specific scope of work that the agreement laid out, if we did something wrong, we were going to fix it. He hoped that this became the pattern we go to with other townships.

Scott stated all three agreements were identical other than the scope of work in the township. She noted the Bedford and Emmett agreements included the county bond issuance and their payment.

Res. 97-2015

“Moved Comr. Dunn, second by Comr. Frisbie to approve the following:

Resolved the Calhoun County Board of Commissioners does hereby approve the Pennfield Local Road Maintenance and Improvement Agreement as presented and that the Administrator/Controller or her designee is authorized to approve changes in the scope of work or specific work to be performed that do not increase the total amount budgeted for the work as described in the Agreement.”

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

4. Local Road Agreement – Emmett Township

Administrator/Controller Scott stated this agreement was for the Woodland Beach neighborhood project, just over \$300,000.

Comr. King stated this was a long time coming for that neighborhood. He stated that at one time there was a special assessment from the township but the Road Commission couldn't come up with the funds and the work wasn't done.

Res. 98-2015

“Moved Comr. Dunn, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Local Road Maintenance and Improvement Agreement with Emmett Township as presented.”

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

5. Bedford Township Road Agreement

Administrator/Controller Scott stated this agreement was for about \$7 million over the next three years and Bedford’s match was just over \$4 million.

Res. 99-2015

“Moved Comr. Reynolds, second by Comr. Bearman to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approved the Bedford Township Local Road Maintenance and Improvement Agreement as presented and the Administrator/Controller or her designee is authorized to sign any amendments to scope of work or the specific work to be performed, so long as said amendments do not increase the total sum budgeted for the work set forth in the Agreement.”

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

6. BCATS FY 2016 Local Funding Resolution

Administrator/Controller Scott stated the next item was the annual Battle Creek Area Transportation Study (BCATS) local shared participation resolution. She explained that BCATS is the authorized regional transportation organization and it covers planning for Battle Creek city and the surrounding townships according to the federal definition of an urban area. She stated BCATS was funded through contributions from the City of Battle Creek, the County Road Department and the City of Springfield. She stated the request for next year was similar to what it had been in the past, our share based on population would be \$20,000. She explained that we contribute \$20,000 and about half of that comes back to the Road Department to do road ratings and asset management planning. She stated this was required if we wanted to be eligible for grants through BCATS, which includes a lot of our federal funding. She noted this resolution had already been approved through the BCATS policy committee, which Comr. Frisbie serves on.

Res. 100-2015

“Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Battle Creek Area Transportation Study's Fiscal Year 2016 Local Funding Resolution as presented.”

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

7. Inter-Agency Agreement between the Calhoun County Sheriff's Office and the Calhoun County Circuit Court

Administrator/Controller Scott stated the interagency agreement between the Sheriff's Office the Circuit Court was a proposal to fund a full time Deputy Sheriff to serve warrants for the Friend of the Court. She explained the position would be funded through Friend of the Court budget.

Circuit Court Administrator Jeff Albaugh stated there used to be two full time positions deputized by the Sheriff to go out in the field to make arrests on bench warrants for failure to appear. He explained that since 2001, due to budgetary reasons, there have not been any such positions in the court. He stated there were approximately 1,800 such warrants in a year. He stated some people come in voluntarily but there are some that need to be tracked down and brought in for noncompliance.

Sheriff Matt Saxton explained that this agreement provides a fully fledged law enforcement officer to the court so they can handle any other illegal activity discovered while serving bench warrants. He stated he looked forward to the good things this would bring for the county.

Comr. Dunn stated this was something that was really needed and would quickly clear up noncompliance issues.

Res. 101-2015

"Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the proposed inter-agency agreement between the Calhoun County Sheriff and the Calhoun County Circuit Court to provide a full time deputy sheriff to serve warrants issued by the Court under the Support and Parenting Time Enforcement Act for a period ending September 30, 2016. The Board does further authorize the County Administrator/Controller to make necessary budget adjustment and increased staffing allocation of one full-time Deputy for the Sheriff and Friend of the Court to implement the agreement for the remainder of the 2015 budget year."

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

8. Amendment to the Friend of Court 2012-15 Cooperative Reimbursement Agreement CSFOC13

Administrator/Controller Scott stated that under county's grant policy, the Board was required to approve the amendment to add another year to the Friend of Court's Cooperative Grant Reimbursement.

Res. 102-2015

“Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the amendment to the Friend of the Court 2012-15 Cooperative Reimbursement Agreement CSFOC13-13001 as presented and authorizes the Board Chairperson to sign the amendment on behalf of the county. Nothing in this approval shall be construed as to prohibit the county from asserting a claim against the state for reimbursement of mandated local expenditures for providing services required by federal and/or state law/regulation.”

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

9. Professional Services Agreement with Roger McEvers

Administrator/Controller Scott stated 12B9 and 10 were related to the leadership in the Equalization Office. She stated we have had a very successful past few years contracting for our required Level Four services. She stated our Equalization Director Judy Nelson and also a Level Three, our consultant Roger McEvers. She explained that it was time to renew the contracts and we were recommending a pay increase of about 4 ½ % relating to another contractual arrangement ending. She stated that one of our appraisers left and we were unable to replace that position so Roger was overseeing the contract. She explained that because he was ultimately responsible for the work, it required an increase in compensation. She stated we were requesting a one year contract with a one year automatic increase. She noted she’s been very, very pleased with Roger's level of expertise and he had greatly improved the level of service and quality of our Equalization work.

Res. 103-2015

“Moved Comr. Bearman, second by Comr. Dunn to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Professional Service Agreement with Roger McEvers as presented.”

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

10. Professional Service Agreement with Judy Nelson

Administrator/Controller Scott stated we were lucky to have Level Four in the office, as there aren’t many in the state. She stated the agreement was building in a cost of living increase that coincides with published inflationary figure from the state.

Res. 104-2015

“Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Professional Service Agreement with Judy Nelson as presented.”

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

11. Submission of Act 51 Annual Financial Report to the State of Michigan

Administrator/Controller Scott stated we were asking for approval of the Act 51 report, the required financial report that would be sent to the state. She stated it summarizes the Road Department's 2014 financial history and statistics that coincide with the annual audit.

Road Department Managing Director Christopher Bolt reviewed the report. He noted the actions the Board took with bonds will assist helping the road department see a much healthier report in the future.

Res. 105-2015

"Moved Comr. Frisbie, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the submission of the Calhoun County Road Department Annual Financial Report (Act 51) to the State of Michigan as presented."

Scott stated this report was much more positive in comparison to past years and even though we are not where we want to be, a lot of progress has been made.

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

12. Award of RFQ#102J-15, Radio System Contract

Administrator/Controller Scott stated this contract was for the replacement of the Road Department radio communication system for an estimated amount of \$470,000 for both Calhoun and Jackson Counties.

Assistant Administrator Wilcox stated this change would pay huge dividends in the future. He explained it had been a collaborative effort not just with core purchasing team but with the Sheriff's Office, dispatch and others. He explained the process of determining the best company to design, support and install a radio communication system. He stated the key to the collaboration was that we had a network of communication that would not interfere with public safety and would work well for everyone. He explained there would be one tower in Jackson, one in the middle for transfer, and one in Calhoun. He stated it allowed for communication with dispatch and public safety for both Jackson and Calhoun and was FCC compliant. He noted Jackson's participation was contingent on approval by the Jackson County Board.

Res. 106-2015

"Moved Comr. Frisbie, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the contract with ROE-COMM., Inc., to provide radio communication system equipment, design services, installation and support as presented."

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

13. Award of RFB #115J-15, Sodium Chloride

Administrator/Controller Scott stated we were asking for approval of the Road Department bid award for road salt.

Assistant Administrator Wilcox stated this bid was for road salt and the county had the option to join the MiDeal contract with the state. He explained to use MiDeal, you send the state the tonnage you need in February then they tell you what you are paying in September. He stated that last year the Board awarded a contract for \$56.17 per ton while Barry, Branch and Kalamazoo Counties and others all paid over \$80 under the MiDeal contract. He stated we have been successful in getting a lower rate because we bid early and the mining companies can set aside our tonnage.

Res. 107-2015

“Moved Comr. Bearman, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the contract for the purchase of up to 45,000 tons of sodium chloride from Detroit Salt Company as presented.”

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

14. IBM AS400 Lease

Administrator/Controller Scott stated this equipment was needed to replace the current server to post court information.

Res. 108-2015

“Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve \$38,478 for payment of the lease with IBM Credit LLC, to purchase the replacement AS400 as presented.”

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

15. Approval of Calhoun County FOIA Policy #223

Administrator/Controller Scott stated this policy change was in response to the new statute to amend the Freedom of Information Act. She stated we need to make the FOIA process more clear and we need to comply as of July 1.

Corporation Counsel Lindsey stated this change was in response to a number of things happening across the state. He explained there was effort to thwart news agencies from gathering information so the news agencies went to the Legislature and asked them to fix it. He stated the Legislature required us to act reasonably in turning over documents. He stated the amount charged was all over the board but now would be standard charges. He stated the effort was to make it easier for the public to access information.

Res. 109-2015

“Moved Comr. Dunn, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve FOIA Policy 233 and attachments as presented.”

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

16. May 2015 Financials

Administrator/Controller Scott stated the most significant thing to point out was that this was the time of year when we request input from Department Heads for any significant deviances from the budget. She stated there was no property tax revenue yet but as far as we could see from comparison, things were on track. She stated the mid-year review was coming up.

Res. 110-2015

“Moved Comr. Haadsma, second by Comr. Dunn to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby accept the May 2015 Financial Statements for informational purposes as presented.”

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

13. CITIZEN’S TIME

Bob Coward, Golden Avenue in Emmett Township, talked about the importance of trees in the environment.

14. COMMISSIONERS TIME

There was none.

15. CLAIMS PAYABLE

- A. Calhoun County Claims Payable from May 28 – June 10, 2015 in the amount of \$12,539,645.24

Res. 111-2015

“Moved Comr. Dunn, second by Comr. Bearman to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Calhoun County Claims Payable from May 28 – June 10, 2015 in the amount of \$12,539,645.24 as presented.”

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

16. ANNOUNCEMENTS

Comr. Bearman reminded everyone of Swinging at the Shell at 6:00 p.m. on Sundays in Albion all summer.

Comr. King announced the next Board of Commissioners' meeting would be July 16 at 7:00 p.m. due to the Independence Day holiday.

17. ADJOURNMENT

The meeting was adjourned at 9:00 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County