

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

April 18, 2006

The Equalization Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, April 18, 2006 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

Roll Call: Present: Comrs. Bolger, Miller, Moore, Segal, Solis, Strowbridge and Todd.

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Personal Prayer was observed; followed by the Pledge of Allegiance, led by Comr. Todd.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 18, 2006 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the March 2, 2006 minutes as presented.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

National Business Women’s Week Proclamation

Comr. Solis read and presented the following proclamation to Business Women’s Albion Chapter President Gail Loveless and Chapter Vice President Barbara Frederick.

Res. 65-2006

“Motion by Comr. Segal, supported by Comr. Todd, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, working women constitute 66 million of the nation's work force and strive to serve their communities, their states and their nation in professional, civic and cultural capacities; and

WHEREAS, women-owned businesses account for 28 percent of all U.S. business, generating \$1.15 Trillion in sales; and

WHEREAS, the major goals of Business and Professional Women/USA and Business and Professional Women/MI are to promote equality for all women and to help create better conditions for working women through the study of social, educational, economic and political problems; all of us are proud of their leadership in these many fields of endeavor; and

WHEREAS, for 78 years Business and Professional Women/USA and Business and Professional Women/MI have been spotlighting the achievements and contributions of working women during National Business Women's Week.

THEREFORE, WE, the Calhoun County Board of Commissioners, do hereby proclaim April 24 through April 29, 2006

NATIONAL BUSINESS WOMEN'S WEEK

in Calhoun County and urge the citizens of Calhoun County, all civic and fraternal groups, all educational associations, all news media and other community organizations to join this salute to working women and encourage and promote the celebration of the achievements of all business and professional women as they contribute to our economic, civic and cultural purposes."

Voice Vote: Motion CARRIED

Ms. Loveless advised that Tuesday of Business Women's Week is Equal Pay Day and the Chapter shall be holding an expo at the Sheridan Township Hall.

Ms. Frederick thanked the Commission for the proclamation and for their support for equal pay for women.

Crime Victims' Rights Week Proclamation

Comr. Strowbridge read and presented the following proclamation to Prosecutor Hallacy.

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Res. 66-2006

“Motion by Comr. Bolger, supported by Comr. Segal, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, President Ronald W. Reagan first declared “National Crime Victims’ Rights Week” in 1981 to focus our Nation’s attention on the plight of crime victims; and

WHEREAS, since 1981, America has joined together annually to recognize the needs and rights of crime victims and survivors during National Crime Victims’ Rights Week; and

WHEREAS, the week of April 23-29, 2006 has been designated as National Crime Victims’ Rights Week; and

WHEREAS, despite impressive accomplishments in crime victims’ rights and services, there remain many challenges to ensure that all crime victims and survivors are treated with dignity and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April 23-29, 2006 is recognized as **Crime Victims’ Rights Week in Calhoun County**. The Calhoun County Board of Commissioners thanks and recognizes those Victims of Crime, members of the Calhoun County Prosecutor’s Office, the Calhoun County Sheriff’s Department and other Law Enforcement and Service Agencies, who, through their cooperative effort in coordinating the events of Crime Victims’ Rights Week, help heighten awareness of the plight of those who are or become a victim of crime.”

Voice Vote: Motion CARRIED

Prosecutor John Hallacy expressed appreciation to the Board for taking the time to recognize the week and invited Board members, county staff and the community to attend the ceremony that shall be held on the steps of the Calhoun County Justice Center.

Sexual Assault Awareness Month Proclamation

Comr. Segal read and presented the following proclamation to Prosecutor Hallacy.

Res. 67-2006

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“Motion by Comr. Bolger, supported by Comr. Solis, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, the month of April 2006 has been designated as National Sexual Assault Awareness Month; and

WHEREAS, only 36% of rapes and sexual assaults are reported to law enforcement; and

WHEREAS, among female victims of rape and sexual assault, 67% of the crimes were committed by intimate partners, relatives, friends or acquaintances; and

WHEREAS, one in four girls/women and one in seven boys/men will be sexually assaulted in their lifetime.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April, 2006 is recognized as **Sexual Assault Awareness Month in Calhoun County**. The Calhoun County Board of Commissioners thanks and recognizes Sexual Assault Services of Calhoun County, the Calhoun County Prosecutor’s Office, the Calhoun County Sheriff’s Department and other Law Enforcement and Service Agencies, who, through their cooperative effort have coordinated the events of Sexual Assault Awareness Month.”

Voice Vote: Motion CARRIED

Prosecutor Hallacy thanked the Commission for their support, stating that it is important to heighten awareness regarding the issue of sexual assaults. Prosecutor Hallacy advised that ten years ago sexual assault services in Calhoun County came into existence.

Alcohol Awareness Month Proclamation

Comr. Moore read and presented the following proclamation to Ms. Carol Meyer-Neidzwicki of the Substance Abuse Council.

Res. 68-2006

“Motion by Comr. Moore, supported by Comr. Segal, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, each year about 1,900 persons who are under 21 die in motor vehicle crashes that involve underage drinking; and

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WHEREAS, alcohol is also involved in about 1,600 homicides and 300 suicides each year among persons under 21; and

WHEREAS, alcohol is the most frequently used drug by high school seniors; and

WHEREAS, young people begin drinking, on average, at 13.1 years of age; and

WHEREAS, young people who begin drinking before age 15 are 5 times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex among youth, increasing their risk of contracting HIV or other transmitted diseases; and

WHEREAS, the typical American young person will see 100,000 beer commercials before he or she turns 18 (that is more than for sneakers, gum, and jeans); and

WHEREAS, 13 percent of all youth, ages 12 -17, had at least one serious problem related to drinking in the past year.

- A town hall meeting to reduce underage drinking was held on March 28th to discuss actions to be taken and to kick off alcohol awareness month in Calhoun County.
- A follow-up meeting will take place on April 25th.
- Local leaders and citizens throughout the county are invited to be part of the solution by volunteering to teach a lesson about alcohol to 5th and 6th grade students during the last two weeks in April or the first two weeks in May. The Substance Abuse Council will provide training and materials for “Teach-In” presenters at sessions on April 13th and April 19th.
- The Substance Abuse Council will provide schools in Calhoun County with a letter addressed to parents to make them aware of underage drinking events that may take place during the prom and graduation season.
- A media campaign will be conducted throughout the month, including information about the dangers of underage drinking during prom and graduation, as well as the community’s responsibilities to help prevent underage drinking.

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- The Substance Abuse Council will present a display throughout the community to inform parents and youth about underage drinking.

NOW THEREFORE, the Substance Abuse Council hereby proclaims that **April 2006 is Alcohol Awareness Month in Calhoun County**. We also call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses and workplaces, hospitals, and schools in Calhoun County to support efforts that will reduce and prevent underage drinking in our community.”

Voice Vote: Motion CARRIED

Ms. Meyer-Neidzwicki thanked the Board for the proclamation and invited Board members to the Council’s next forum.

2006 Equalization Report

Equalization Director David Lee advised regarding the assessment process. Mr. Lee reported that with one exception; e.g., Homer Township’s industrial real property category, all of the values recommended are the same as recommended by the local units. Mr. Lee advised that there was fairly good growth in values; e.g., an increase of 4.68 percent for 2006. Mr. Lee recommended approval of the Report.

Comr. Strowbridge noted that from 2001 to 2006 the agricultural classification has increased 53 percent.

Res. 69-2006

“Motion by Comr. Segal, supported by Comr. Bolger, resolved by the Calhoun County Board of Commissioners adopt the following:

WHEREAS, the Equalization Department has examined the assessment rolls of the 19 Townships and four Cities within Calhoun County to determine whether the real and personal property in the respective Townships and Cities has been equally and uniformly assessed; and

WHEREAS, based on this examination and studies it conducted, the Equalization Department has prepared and presented to the County Board of Commissioners the 2006 Equalization Report; and

WHEREAS, said Equalization Report presents recommended County equalized valuations for each of the 19 Townships and four Cities within the County; and

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WHEREAS, the recommended County equalized valuations were determined by adding to or deducting from the assessed valuations of taxable property in the 19 Townships and four Cities within the County an amount which represents true cash value.

NOW, THEREFORE BE IT RESOLVED, that the Calhoun County Board of Commissioners accepts and adopts the recommended County equalized valuations presented in the 2006 Equalization Report prepared by the Calhoun County Equalization Department for a total 2006 equalized valuation of real and personal property of \$4,305,027,216, with the breakdown of equalized valuation by property classification as follows:

Agricultural Real Property	\$ 381,903,983
Commercial Real Property	\$ 547,919,215
Industrial Real Property	\$ 201,823,719
Residential Real Property	\$2,643,131,761
Developmental Real Property	<u>\$ 5,378,800</u>
 Total Real Property	 \$3,780,157,478
 Total Personal Property	 <u>\$ 524,869,738</u>
 Total Real and Personal Property	 \$4,305,027,216

BE IT FURTHER RESOLVED, that the Calhoun County Board Chairman and the County Clerk/Register of Deeds are authorized to sign the Report; further, that the County Administrator/Controller and the Equalization Director are authorized to represent Calhoun County at both preliminary and final State equalization sessions, if deemed necessary.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CONSENT AGENDA:

Res. 70-2006

“Motion by Comr. Strowbridge, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following April 18, 2006 Consent Agenda as presented:

A. Petitions, Communications, Reports:

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- (1) Notice received from the Michigan Department of Environmental Quality advising that Presbyterian Villages of Michigan of Southfield, Michigan has applied for a permit to construct a senior housing development on a parcel located southeast of the intersection of Dickman Road and Carl Avenue. (Received and placed on file)
- (2) Resolution received from Oceana County supporting passage of legislation to allow County Boards of Commissioners the option to assume the powers, functions and duties of its Road Commission and to dissolve its Board of County Road Commissioners. (Referred to the Legislative Liaisons, with a copy remitted to Road Commission Managing Director Dennis Randolph)

B. Reports:

- (1) 2006 First Quarter Out-of-State Travel Report”

Voice Vote: Motion CARRIED

UNFINISHED AND OLD BUSINESS:

Amendment of Board Resolution 36-2006 -- Senior Millage Renewal Ballot Proposal

Res. 71-2006

“Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners amend Resolution 36-2006 as follows:

Resolved by the Calhoun County Board of Commissioners approve the proposed Senior Millage Renewal ballot language (ATTACHMENT A) and the placing of the ballot proposal on the August 8, 2006 election ballot **as County Proposal 1.**”

Comr. Bolger pointed out that the amendment only designates the proposal as County Proposal 1 on the ballot.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

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2004 Homeland Security Grant Program Agreement and
FY 2006 Emergency Management Budget Amendment

County Administrator/Controller Greg Purcell advised that the grant in the amount of \$22,000 shall be used to purchase communications equipment.

Sheriff Allen Byam advised that the grant is from the Michigan Emergency Management and Homeland Security Division and requires no county matching funds.

Res. 72-2006

“Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the State of Michigan 2004 Homeland Security Grant Program Grant Agreement between the Michigan Department of State Police, Emergency Management and Homeland Security Division, and Calhoun County in the amount of \$22,000 for the period of April 1, 2006 through August 31, 2006, and authorize the Board Chairman to execute said Agreement on behalf of Calhoun County; further, approve the following budget amendment to the Sheriff Department’s 2006 Emergency Management budget:

266-2301-50200	SHSP: Interoperable Communications Equipment	\$22,000
266-2301-98000	Equipment Purchase	\$22,000"

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Calhoun County Medical Care Facility Millage Re-authorization

Mr. Purcell stated that the resolution presented is for re-authorization of the Medical Care Facility’s current millage. Mr. Purcell advised that the millage does not expire until 2007; however that there is no county-wide election in 2007, and the county is attempting to avoid the cost of a special election.

Medical Care Facility Finance Director Jill Robbins advised that the Facility is a 120 bed skilled nursing home which is owned and operated by the county and governed by the Human Services Board that is appointed by the Board of Commissioners. Ms. Robbins addressed services provided by the Facility; e.g., the Adult Day Care Center, transportation services, a 24-hour Respite Program; and offered to provide a brochure advising regarding the programs. Ms. Robbins also pointed out that the Facility is the employer of 170 full time employees, with two unions, one for the services unit and one for the nurses.

Ms. Robbins advised that the Facility has received the millage for 15 years at the same rate of one-quarter mil which has allowed the Facility to provide the same level of care for the residents and assisted in keeping the buildings in good repair. Ms. Robbins stated that the cost of the millage to the taxpayers equates to \$12.41 a

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year on a \$100,000 home.

“Motion by Comr. Moore, supported by Comr. Segal, resolved by the Calhoun County Board of Commissioners adopt the following:

WHEREAS, the County of Calhoun, State of Michigan (the “County”) currently levies extra voted mills in the amount of 0.2482 mill to provide funding for operation of the Calhoun County Medical Care Facility, a County owned medical care facility; and

WHEREAS, the County’s authorization to levy the mills expires in 2007; and

WHEREAS, the County has not been required to reduce the mills by operation of the Headlee amendment; and

WHEREAS, in order to continue the levy of mills to operate the Calhoun County Medical Care Facility, it is necessary to submit the question of renewing the levy of the mills to the qualified electors of the County for a vote; and

WHEREAS, the County Board of Commissioners wishes to submit the question of renewing the levy of mills to the vote of the qualified electors of the County at the primary election which is to be held in the County on Tuesday, August 8, 2006.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. At the primary election which is to be held on Tuesday, August 8, 2006 the proposal shown on Exhibit A of this Resolution shall be submitted to a vote of the qualified electors of the County.
2. The County Clerk is directed to publish notice of the last day of registration and of the election as required by law and take all other necessary actions to conduct the special election.
3. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this Resolution, are hereby repealed.”

Comr. Strowbridge inquired whether the re-authorization is for another five year period. Corporation Counsel Nancy Mullett responded Yes. Comr. Strowbridge inquired why the re-authorization cannot be for a four or six year period of time. Ms. Mullett responded that the period could be changed, however, that she would have to review the issue to determine whether changing the period of years would make the proposal a new proposal rather than a re-authorization of the previous millage approved by the voters.

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Ms. Robbins stated that it is her understanding that if the period of time is changed the millage rate requested would actually be considered an increase and would have to be stated as such on the ballot. Mr. Purcell concurred.

Res. 73-2006

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners amend the proposed Resolution Submitting Proposal For Renewal of Operating Millage For The Calhoun County Medical Care Facility to be County Proposal 2 on the August 8, 2006 election ballot.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Res. 73-A-2006

“Motion by Comr. Moore, supported by Comr. Segal, resolved by the Calhoun County Board of Commissioners adopt the following as amended:

WHEREAS, the County of Calhoun, State of Michigan (the “County”) currently levies extra voted mills in the amount of 0.2482 mill to provide funding for operation of the Calhoun County Medical Care Facility, a County owned medical care facility; and

WHEREAS, the County’s authorization to levy the mills expires in 2007; and

WHEREAS, the County has not been required to reduce the mills by operation of the Headlee amendment; and

WHEREAS, in order to continue the levy of mills to operate the Calhoun County Medical Care Facility, it is necessary to submit the question of renewing the levy of the mills to the qualified electors of the County for a vote; and

WHEREAS, the County Board of Commissioners wishes to submit the question of renewing the levy of mills to the vote of the qualified electors of the County at the primary election which is to be held in the County on Tuesday, August 8, 2006.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. At the primary election which is to be held on Tuesday, August 8, 2006 the proposal shown on Exhibit A of this Resolution shall be submitted to a vote of

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the qualified electors of the County as County Proposal 2. (ATTACHMENT B)

2. The County Clerk is directed to publish notice of the last day of registration and of the election as required by law and take all other necessary actions to conduct the special election.
3. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this Resolution, are hereby repealed.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Calhoun County Medical Care Facility Bond Issuance Authorization

Mr. Purcell advised that the request presented is for authorization to issue bonds not to exceed \$8 Million for capital improvements to the Facility.

Medical Care Facility Administrator Donna Mahoney stated that in Spring of 2005 Governor Granholm initiated a Long Term Care Facility Innovative Design Supplemental Program. An application for the construction project of a 53,800 square foot, two-story building addition was submitted in October of 2005, and acceptance was received in February 2006. Ms. Mahoney advised that although the total bed count will remain the same, the addition will add 84 new private rooms adhering to a neighborhood concept, new living and dining areas and nursing stations, and a large common activity area. Ms. Mahoney further advised that the present Facility will also be upgraded with a fire suppression system, a wireless nurse call system, wander management systems, also upgrade of the mechanical and electrical systems.

Ms. Mahoney advised that groundbreaking must occur by October of this year; further, that the Facility will contribute \$7.5 Million from reserves and requests that the Board issue a general obligation bond not to exceed \$8 Million for the balance of the funding. Ms. Mahoney stated that the construction plans will be presented tonight, and introduced Architect Pat Horan of Plante and Moran and Construction Manager Mark Hires.

Mr. Horan advised that the project's financial statements provided were based upon the 2005 audit, and stated that he believes it is a conservative projection. Mr. Horan stated that Plante and Moran works with all 36 medical care facilities in the state, and that the Calhoun County Medical Care Facility is in outstanding condition.

Ms. Katie Jacobs of Plante and Moran added that the project shall provide 70 additional square feet of space, a new entry, new residential rooms, a new chapel, a laundry, and new lounge for the staff; further, renovations to the existing facilities.

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Comr. Todd noted the age of the existing Facility, and questioned its structural integrity. Mr. Horan responded that structurally, the building is very strong.

Mr. Hires addressed the four phases of the project which will take two years to complete.

Comr. Todd inquired how frequently the Facility is inspected. Mr. Hires responded that the Facility is inspected annually by the state, and then the “Feds” conduct a follow-up survey. Comr. Todd inquired whether the Facility has been in compliance. Mr. Hires responded Yes, advising that if the Facility was not in compliance, it would lose its license.

Comr. Todd inquired whether more staff will be required for the increased facilities. Ms. Mahoney responded Yes, that there will be more space to cover and additional house cleaners will be required; however, pointed out that the laundry being added will provide a substantial savings. Comr. Todd inquired regarding the number of additional employees that shall be required. Ms. Mahoney responded that a total of eight additional employees are in the forecast, two being licensed nurses.

Chairman Miller inquired whether the project is contingent upon the county issuing the bonds. Mr. Hires responded Yes, advising that the application will not be approved without approval of the certificate of need by the county.

Human Services Board of Directors Vice Chairman Michael Lind addressed the functions of the Human Services Board, and stated that the project will provide a cultural change for the residents wherein they shall be able to live in such a manner as they were “brought up,” with safety features added and some control whereby they do not miss their medications. Mr. Lind advised that the Facility shall be using its “nest egg” and a minimal amount of bonding.

Comr. Moore inquired whether there will be an increase in cost to the residents. Mr. Lind stated that the project shall offset itself, advising that every facet in the construction is being reviewed to save money.

Res. 74-2006

“Motion by Comr. Bolger, supported by Comr. Segal, resolved by the Calhoun County Board of Commissioners adopt the following:

WHEREAS, the County of Calhoun, Michigan (the “County”) determines it to be necessary for the public health, safety and welfare of the County and its residents to acquire and construct an addition to and renovation of the Calhoun County Medical Care Facility and any related furnishings and equipment and site improvements therefor (collectively, the “Capital Improvements”); and

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WHEREAS, under the provisions of Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended (“Act 34”) a county may issue municipal securities to pay the cost of any capital improvement items within the limitations provided by law; and

WHEREAS, the issuance by the County of bonds under Section 517 of Act 34 in one or more series in an amount not to exceed Eight Million Dollars (\$8,000,000) (the “Bonds”) for the purpose of financing part of the costs of acquisition and construction of the Capital Improvements appears to be the most practical means to that end; and

WHEREAS, Section 517 of Act 34 requires that the aggregate outstanding balance of municipal securities issued under Section 517 by a county shall not exceed 5% of the state equalized valuation of the property assessed in that county, and after the issuance of the Bonds the outstanding balance of all municipal securities issued under Section 517 of Act 34 by the County will not exceed this limit; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulation § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for reimbursement, pursuant to which the County must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Battle Creek Enquirer*, a newspaper of general circulation in the County.
2. The notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

**NOTICE TO ELECTORS
OF THE COUNTY OF CALHOUN
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE COUNTY AND RIGHT OF REFERENDUM THEREON**

PLEASE TAKE NOTICE that the County Board of Commissioners of the County of Calhoun, Michigan, intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed Eight Million Dollars (\$8,000,000) for the

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purpose of paying part of the cost to acquire and construct an addition to and renovation of the Calhoun County Medical Care Facility and any related furnishings and equipment and site improvements therefor.

The bonds may be issued in one or more series as shall be determined by the County Board of Commissioners. Each series of the bonds will mature in annual installments not to exceed twenty-five (25) in number, with interest on the unpaid balance from time to time remaining outstanding on said bonds to be payable at rates to be determined at sale of the bonds but in no event to exceed such rates as may be permitted by law.

SOURCE OF PAYMENT OF BONDS

The County intends to pay the principal and interest of the bonds from a portion of the millage which the County levies for operation of the Calhoun County Medical Care Facility. In the event of the insufficiency of the millage, the principal and interest of the bonds shall be payable from the general funds of the County lawfully available for such purposes including property taxes levied within applicable statutory and constitutional limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OR 15,000 OF THE REGISTERED ELECTORS, WHICHEVER IS LESS, RESIDING WITHIN THE COUNTY, IS FILED WITH THE COUNTY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE COUNTY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended. Additional information regarding the construction to be financed with bond proceeds can be obtained from the office of the Calhoun County Administrator.

Anne B. Norlander
Calhoun County Clerk

3. The County Board of Commissioners does hereby determine that the foregoing form of Notice of Intent to Issue Bonds, and the manner of publication directed, is adequate notice to the electors of the County and is the method best calculated to give them notice of the County's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed, and the

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newspaper complies with the requirements of Act No. 247, Public Acts of Michigan, 1963.

4. The County hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(1) The County reasonably expects to reimburse itself with proceeds of debt to be incurred by the County for the expenditures made to pay certain costs associated with the Capital Improvements which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the County.

(2) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$8,000,000.

(3) A reimbursement allocation of the expenditures described in paragraph (1) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (I) the date on which the expenditure is paid, or (ii) the date the Capital Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the debt to be issued for the Capital Improvements to reimburse the County for a capital expenditure made pursuant to this Resolution.

(4) The expenditures for the Capital Improvements are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c) under general Federal income tax principles (as determined at the time the expenditure is paid).

(5) No proceeds of the borrowing paid to the County in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to

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abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (3) above.

5. The County recognizes that Miller, Canfield, Paddock and Stone, P.L.C., has represented from time to time, and currently represents various financial institutions and other potential participants in the bond financing process for unrelated projects, any of which might offer to purchase the County's Bonds or to act as Transfer Agent for the Bonds. The County appoints Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds, notwithstanding the potential concurrent representation of any such bidder regarding any unrelated matter.
6. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this Resolution, are hereby repealed."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

March 2006 Financial Statements

Mr. Purcell advised that there is an \$8.2 Million difference in revenue collected at this time as compared to last year.

Finance Director James Latham reported that the difference is due to the State of Michigan not paying revenue sharing; and the shift in the property taxes, which is affecting the county for the first time this year. Mr. Latham advised that under the new financing arrangement, the county has to wait until July through December to collect the summer taxes.

Mr. Latham advised that the remainder of the difference is due to the timing of receipt of certain revenue and certain expenditures falling in a different time frame. Mr. Latham stated that there is no major area of overspending for the first three months of the year. Mr. Latham advised that property tax revenue is on the watch list.

Title V Juvenile Justice and Delinquency Prevention Act Grant Application

Mr. Purcell advised that the application in the amount of \$30,000 is the first step in receiving some funding for

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juvenile justice and delinquency prevention. Mr. Purcell stated that the county had hoped for such funding a few years ago, however, the county now has a strong likelihood in receiving that funding with this grant application.

Calhoun Intermediate School District (ISD) Assistant Superintendent Rebecca Rocho advised that with the grant funding ISD and Summit Pointe shall attempt to impact juvenile delinquency by looking at the primary causes; e.g., family problems and peer relationships, and shall utilize the existing community structures. Ms. Rocho stated that area intervention is the key. Ms. Rocho continued that the strategies of what has helped shall be evaluated.

Res. 75-2006

“Motion by Comr. Bolger, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Title V Juvenile Justice and Delinquency Prevention Act Grant in the amount of \$30,000 for remittance to the Michigan Department of Human Services, Bureau of Juvenile Justice-Justice Grant Unit, on behalf of Calhoun County.”

Comr. Segal inquired regarding the local share listed on the budget summary. Ms. Rocho explained that all of the amounts listed as local share shall be “soft match” of in-kind contributions from the partners.

Comr. Strowbridge pointed out that three years ago he supported a \$50,000 Title V grant application. Mr. Purcell stated that the grant application presented is almost the same exact application as was submitted in 2003, however, the county did not receive the implementation funding. Mr. Purcell stated that he is hopeful that this time the county will have a better opportunity to receive that funding.

Comr. Strowbridge inquired what happened to the last grant funding. Mr. Purcell responded that the funds were spent on the planning process, the application was submitted to the state; however, the county did not receive the award.

Ms. Rocho advised that in reviewing the previous implementation grant application there were a lot of items that were not submitted, and therefore the application was not competitive. ISD and Summit Pointe have evaluated the comments, further there are now different “players at the table.” Ms. Rocho further advised that the partners have made a larger contribution to the grant. Ms. Rocho stated that she believes they have paid attention to where they have been successful in the past and the comments of the grant application reviewers.

Comr. Strowbridge stated that the county received \$50,000 and basically “chalked” it up to a learning process. Mr. Purcell stated “Yes, it was a learning process.” Mr. Purcell pointed out that one of the Board’s strategic priorities is to address the juvenile system and juvenile delinquency prevention. Mr. Purcell stated that it is true that the county spent the money and got nowhere last time. Mr. Purcell stated that he believes this time the application will be competitive and that the county will have an opportunity to improve services to Calhoun

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County's youth.

Ms. Rocho stated that she has taken the grant writing very seriously and that the partners have put together a great team.

Comr. Strowbridge requested progress updates.

Comr. Moore addressed items that did not come out of the last grant process; i.e., progress reports, stating that all too often the county goes after money for the sake of getting it. Comr. Moore pointed out that the goal of the planning grant last time was to go after the implementation funding, and advised that he has a problem with doing that again.

Ms. Rocho assured the Board that they will receive reports throughout the process.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Sheriff Department Lobbyist Agreement Extension

Sheriff Byam advised that the Sheriff Department has been working with Mr. Summerill of Dykema Gossett to prepare, file and negotiate a higher inmate per diem rate for federal detainees housed at the jail. Sheriff Byam addressed his April 13th letter to Board members advising of the work of the first phase which is nearly completed. Sheriff Byam stated that at this point it is clear that more work and time will need to be invested in the project to file the request and negotiate the final approval with the Bureau of Immigration and Customs Enforcement and the U.S. Marshal's Office. Sheriff Byam stated that he is pleased to state that the rate increase could range as high as \$58 per detainee per day compared to the current rate of \$51.25, which could mean an annualized revenue increase for the county of as much as \$394,000.

Sheriff Byam stated that he is pleased with the progress of Dykema Gossett, advising that Mr. Summerill and his assistant Mr. Bryan have been very aggressive in seeking the necessary data from the Department and the Finance Department and in moving the project consistently forward.

Sheriff Byam requested that the Board authorize continuation of the agreement.

Res. 76-2006

"Motion by Comr. Bolger, supported by Comr. Strowbridge, adopt the following: Resolved by

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the Calhoun County Board of Commissioners authorize continuation of the Agreement between Dykema Gossett PLLC and Calhoun County through December 31, 2006, with the Sheriff to provide no less than quarterly progress reports to the Board.”

Comr. Bolger pointed out that the Sheriff Department budget is at great risk this year, therefore, he shall support the request.

Comr. Moore advised that he also has no problem with supporting continuation of the agreement. Comr. Moore questioned the reason of extending the agreement from a three month term through the remainder of year as opposed to another three month period.

Ms. Mullett responded that the agreement provides for quarterly renewals, and that by extending the agreement to the end of the year the Sheriff will not have to come back before the Board for another extension. Ms. Mullett stated that if at the end of the next quarter should the Sheriff be dissatisfied, the agreement can be terminated prior to commencement of the next quarter. Ms. Mullett advised that the extension to the end of the year is more of a convenience than a necessity.

Mr. Purcell addressed the potential revenue increase. Mr. Purcell advised that the Sheriff is in the process of scheduling a meeting with the Budget Committee, and that this revenue increase is a critical piece in the Department making revenue projections for the year.

Comr. Moore stated that he does not “buy” the convenience from a taxpayer’s stand point and believes the three month extensions should be kept to make the consultants prove their worth, which was the Board’s expectation when the agreement was approved.

“Substitute Motion by Comr. Moore, supported by Comr. Strowbridge, adopt the following:
Resolved by the Calhoun County Board of Commissioners authorize continuation of the Agreement between Dykema Gossett PLLC and Calhoun County through July 31, 2006, with the Sheriff to provide no less than quarterly progress reports to the Board.”

Sheriff Byam stated that the Department is dealing with a professional individual with high integrity who has been working aggressively, and voiced concern with placing the individual in limbo every three months. Sheriff Byam pointed out that the relationship with the individual is important as well, and that he would just as soon not have to go through the process of wondering whether the agreement shall be renewed every three months.

Comr. Segal inquired regarding the length of period to terminate the agreement prior to the quarterly renewal. Ms. Mullett responded that there is a two week termination period prior to automatic renewal of the agreement.

Comr. Moore withdrew the substitute resolution and Comr. Strowbridge withdrew his support of the substitute

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resolution.

Comr. Solis stated that the reports are very general and suggested that perhaps the Firm could provide an itemized billing as well as the reports.

Chairman Miller stated that he has no reason to doubt the statements from Sheriff Byam or Mr. Summerill; however that as a fellow lobbyist, he is aware of the billing statements of those firms. Chairman Miller advised that he requested an itemized statement of the first three months and Mr. Summerill indicated that the Firm is unable to provide such a document, and provided only the number of hours worked by himself, Mr. Bryan and Mr. Sharp. Chairman Miller further advised that he contacted Mr. Summerill's administrative assistant and again requested the information, and that as of 7:00 p.m. tonight no one contacted him. Chairman Miller advised that it is for this reason alone that he shall vote against extending the agreement as he believes for \$12,000 the Firm should be able to provide an itemized invoice.

Comr. Segal requested that a progress report be placed on the July 6 Board agenda.

Roll call vote: Yes - 6 (Comrs. Todd, Bolger, Moore, Segal, Solis and Strowbridge)
No - 1 (Comr. Miller)
Motion CARRIED

CITIZENS' TIME:

Senior Services Manager Christine Schauer thanked the Board for clarifying the senior millage proposal.

COMMISSIONERS' TIME:

Comr. Todd stated regarding the recent approval of special use permits, that he finds it unsettling that the Board approved a proclamation tonight to make people aware of alcohol and requesting that everyone in Calhoun County support the events to reduce alcohol use in the county. Comr. Todd advised that he supports the economic growth of the community, however, cannot support someone coming into the county's parks and setting up a beer tent. Comr. Todd stated that he is upset regarding the morals of the Board saying "Do away with drinking," but under special circumstances it is okay.

Comr. Todd advised that May 17 he is hosting the second annual banquet for the Future Leaders at which he shall be honoring Battle Creek School District youths in the fifth, eighth and twelfth grades for their achievements in government and social studies. Comr. Todd stated that the event will be conducted in the Battle Creek Urban League Building from 5:30 p.m. to 7:00 p.m. and invited everyone to come to support the youth. Comr. Todd also stated that anyone wishing to make a contribution towards the event may do so through the Battle Creek Community Foundation. Comr. Todd thanked Commissioner Solis and Mr. Purcell for their contribution.

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CLAIMS PAYABLE LISTINGS:

Res. 77-2006

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve payment of the list of claims against the county in the total amount of \$724,363.60 for the week of April 7, 2006.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

RECESS:

The Board recessed at 9:12 p.m. at the call of the Chair.

mlb