

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

June 15, 2006

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, June 15, 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. Bolger.

APPROVAL OF AGENDA:

“Motion by Comr. Segal, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the June 15, 2006 agenda, as amended, to include Item Nos. 8.B. - Calhoun County Youth Council Activities Report, and C. - Tobacco Prevention Youth Coalition Presentation.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

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

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Mr. Clifford Marshall, Marshall resident, read the following:

“A Father’s Day Plea to Bring Home His Daughter”

“Can anyone help me with questions about my daughter, Mary, who has now been missing for over 27 months? Mary was 39 years old when she disappeared from her apartment in Marshall, Michigan. She was my adult daughter, but she will always be my “baby.” These are just some of my questions and those of our family:

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1. Why were non-certified civilian dog handlers permitted into the original police investigation by the Marshall Police Department, which gave the impression to our community that my Mary was just another adult runaway?
2. Why did the Marshall Police Department within the first week of Mary's disappearance tell the Federal Bureau of Investigation that their resources, and a task force were not needed in the case?
3. Why were family members laughed at, embarrassed and told outright lies by the Marshall Police Department during interviews about Mary's disappearance?
4. Why did it take 6 months for the Marshall Police Department to declare Mary a "victim of foul play?"
5. Why did it take 9 months for a search warrant to be executed at my daughter's home?
6. Why was Jim Carlin, a man volunteering his time and experience to our family, threatened with arrest simply for asking questions about Mary?
7. Why was it that then 9 months later the police didn't have any problem with Mr. Carlin working on behalf of our family on this case?
8. Why has the Marshall Police Department refused to interview Mary's daughter as she surely has a great deal of knowledge about her mother's life, and Mary's relationship with her boy-friend?
9. Why was it that our family did not realize our daughter was a severely battered woman?
10. Why after 27 months have the police failed to name a suspect or at least a "person of interest" in Mary's disappearance?
11. Why after working with the Marshall Police Department and providing information and tips to them was Jim Carlin, our private investigator who continues to donate his time and services, again threatened with arrest because he wanted to interview Mary's daughter?
12. Why is it that Mary's favorite brown leather winter jacket worn on the night of her disappearance was recovered at a flea market in Homer yet the Marshall Police do not seem interested in who was selling it along with many of her other personal items and property?

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13. Why has the Marshall Police not done more to inquire about Mary's boy-friend and other associates who might have information about this case?
14. Why does the Marshall Chief of Police refuse to permit the Federal Bureau of Investigation to take over primary jurisdiction of this case?
15. What is the Marshall Police Department hiding and who are they trying to protect?
16. Why is it that so many people in our community distrust the Marshall Police Department?
17. Why is it that only once in 27 months has any member of law enforcement ever visited our home to give us support? This single instance occurred for just 20 minutes last month and it was only after a plea by Jim Carlin to the Marshall Chief of Police.
18. It is well known that the Calhoun County Prosecutor will not criminally charge anyone in a case without a body. Why did Mr. Hallacy state to the editor of the Marshall Chronicle that he has prosecuted at least twice, but those cases cannot be verified in court records? If he has done so, why won't he consider such a prosecution in my daughter's case?
19. Why is it that it appears there are so many other criminal activities going on that are related to Mary's disappearance, but the Marshall Police Department can't seem to connect the dots?
20. Why does the Marshall Police Department have such a lack of respect and compassion for our family in this unbearable tragedy?

For over two years we have been asking, Where is Mary? and, When will we have justice for Mary?"

Mr. Gene Simpson advised that he is a non-smoker and the owner of the former Old Town Tavern. Mr. Simpson stated that enforcing no smoking in restaurants and bars shall cripple his business.

Mr. Gardy Berezonsky, Marengo Township resident, inquired whether the Board has the right to tell someone what they can do on their own property, and if so, by what authority. Mr. Berezonsky advised that he is a non-smoker, however, believes whatever someone wants to smoke that is their business.

Mr. Berezonsky addressed private contracting, questioning whether the Sheriff will have to hire another employee while the county's hiring freeze is in effect to provide the law enforcement services at the Battle Creek Air National Guard Base; further, inquired how much revenue the county shall receive from the law

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enforcement services agreement. Mr. Berezonsky stated that he has a hard time believing that the Federal Government will give up their authority at the Base.

Mr. Berezonsky stated that he considers the proposed agreement to be private police protection, and questioned whether it is the duty of the Sheriff Department to provide private security.

SPECIAL ORDER OF BUSINESS:

“Juneteenth National Freedom Day” Proclamation

Comr. Todd read the following proclamation:

Res. 101-2006

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

WHEREAS, the Calhoun County Board of Commissioners recognize that slavery existed in this country for more than 200 years; and

WHEREAS, millions of African-Americans were brought to this country as slaves, stacked in the bottom of slave ships on a 5 to 12 week journey across the Atlantic Ocean, known as the “middle passage;” and

WHEREAS, although approximately 11 ½ million African-Americans survived the voyage across the ocean, the number of those who died in the inhuman conditions of the passage is probably even higher. Once in this country the captives were subjected to whipping, castration, branding and rape; and

WHEREAS, the Board of Commissioners further observes that Congress passed the Thirteenth Amendment to the United State Constitution on January 31, 1863, abolishing slavery throughout the United States and its territories; and

WHEREAS, in the following months, spontaneous celebrations erupted throughout the country whenever African-Americans learned of their freedom. News of the amendment reached the states at different times, and it was not until June 19, 1865 that the message of freedom reached the slaves in the western states; and

WHEREAS, in honor of this great moment in the history of our nation, the Calhoun County Board of Commissioners recognize that the third Saturday in June of each year is known as “Juneteenth National Freedom Day;” and

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WHEREAS, the Calhoun County Board of Commissioners encourage individuals, educational institutions; and social, community, religious, labor and business organizations to pause on “Juneteenth National Freedom Day” and reflect upon the strong survival instinct of the African-American slaves and the excitement and great joy with which African-Americans first celebrated the abolition of slavery. It is a reminder to all Americans of the status and importance of Americans of African descent as American citizens.”

Voice Vote: Motion CARRIED

Chairman Miller announced that Saturday at 10:00 a.m. at Washington Heights Community Ministries there will be a parade which will continue with events in Claude Evans Park.

Calhoun County Youth Council Activities Report

Council Chairperson Segal advised that it is the end of another year for the Council and that the Council’s leadership is present to advise what the Council did. Comr. Segal introduced Ryan Bean, the VA Representative; Secretary Amanda Horan; and President Sarah Karr.

Mr. Bean advised that he attended the Veterans Affairs Voluntary Services Youth Committee and brought back volunteer opportunities for the Council.

Ms. Horan advised that the Council participated in a number of activities at the Veterans Administration Hospital; e.g., a concert, made valentines, and caroling during the Christmas season.

Ms. Karr advised that the Council focused upon substance abuse, alcohol and drugs and its effect upon teenagers.

Comr. Segal thanked the members for their work.

Tobacco Prevention Youth Coalition Presentation

Board of Health Chairman Larry Anderson stated that this Spring the Board of Health had a youth group initiate the smoking regulation resolution that is now before the Board for consideration. Mr. Anderson advised that the Board of Health supported the resolution with a vote of six to one. Mr. Anderson pointed out that Calhoun County has some very serious problems, many directly related to smoking and secondhand smoke.

Ms. Kathy Bloch, school nurse at Prairieview Elementary School, stated that she is pleased to have a couple students present from the Coalition, advising that the Coalition has educated over 8,000 students over the past nine years regarding the effects of smoking and are very committed.

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Coalition Member Libby Hendershot advised that Members are present to request the Board to ban smoking from all public places, not just for the children, but also for those that work in public places. Ms. Hendershot stated that 1,600 Michigan residents die each year from secondhand smoke and that 80 to 85 percent of Michigan deaths are attributed to smoking. Ms. Hendershot advised that 86 percent of Calhoun County residents want the county to be smoke free.

Coalition Member Renee Schmidt advised that one third of Michigan's counties are smoke free. Ms. Schmidt stated that people expect their government entities to protect their health.

CONSENT AGENDA:

Res. 102-2006

“Motion by Comr. Strowbridge, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following June 15, 2006 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice of a public hearing scheduled for June 12, 2006 regarding granting transfer of Industrial Facilities Exemption Certificate No. 2001-459 and transfer of property location for Certificate Nos. 2005-604, 2004-088, 2004-295 and 2005-198; and granting an Industrial Facilities Exemption Certificate for Jorgensen Steel Machining & Fabrication, Inc.; further, transfer of the real property portion of Industrial Facilities Exemption Certificate No. 2004-088 for Marking Machine Company received from Tekonsha Village. (Received and placed on file, with a copy remitted to Equalization Director David Lee)
- (2) Copy of a communication remitted to Ms. Patricia Polacco, Union City resident, received from the Michigan Department of Agriculture advising that the complaint against her livestock facility has been abated. (Received and placed on file, with a copy remitted to Environmental Health Director Ted Havens, Drain Commissioner Blaine VanSickle and Manure Management Specialist Natalie Rector)
- (3) Resolutions received from Bay County {1} opposing the Michigan Civil Rights Initiative to end affirmative action, and {2} urging the Legislature to address the problem of the uninsured in America. (Referred to the Legislative Liaisons)
- (4) Resolution received from Oceana County opposing House Bill No. 5924 {Elimination of Community Mental Health System Programs}. (Referred to the

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Legislative Liaisons, with a copy remitted to Summit Pointe C.E.O. Ervin Brinker)

- (5) Resolution received from Kalamazoo County supporting a Methamphetamine Laboratories Cleanup Ordinance and requesting contributions to fund a regional strategy to ensure cleanup of methamphetamine lab sites. (Referred to the Legislative Liaisons, with a copy remitted to Sheriff Allen Byam, Prosecutor John Hallacy, and Environmental Health Director Ted Havens)
- (6) Resolution received from Hillsdale County supporting restoration of state revenue sharing. (Referred to the Legislative Liaisons)
- (7) Resolution received from Crawford County requesting the Legislature pass legislation to impose a \$25 fee to process personal protection orders. (Referred to the Legislative Liaisons)
- (8) Resolution received from Springfield City approving the Inter-Governmental Agreement Establishing the South Central Michigan HOME Investment Partnerships Consortium FY 2006-2008. (Received and placed on file)
- (9) Resolutions received from Lake County {1} recommending the Legislature pursue 9-1-1 funding mechanisms that are reliable and equitable across technology lines, {2} urging the Legislature to include counties in the communities that can take advantage of economic development tools, {3} opposing House Bill No. 5924 {Elimination of Community Mental Health System Programs}, and {4} supporting House Bill No. 5389 without a sunset clause {Amendment of Public Act 280 - Social Welfare Act}. (Referred to the Legislative Liaisons, with a copy of {1} remitted to Emergency Telephone District Board Chairman Allen Byam, and a copy of {3} remitted to Summit Pointe C.E.O. Ervin Brinker)

B. Resolutions:

- (1) Senior Millage Allocation Committee Appointments
(Terms Expire June 15, 2009)
 - {a} Karin Hayes
 - {b} Jonathan Byrd

(2) Legal Counsel Workshop Dissolution

BE IT RESOLVED, that the Legal Counsel Workshop, created on August 18, 2005, is hereby dissolved.”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Administrator’s Review Workshop

Workshop Chairman Moore presented the Workshop’s annual performance evaluation report as required by Section 4.01 of the employment agreement between the Board and the County Administrator/Controller. Comr. Moore thanked Workshop members for their work in preparing the report. Comr. Moore advised that the Workshop utilized the performance management tool designed for the county in 1998 by Plante and Moran, LLP which provides for extensive peer review input from county department heads, elected officials and employees, community members, Commissioners, as well as a self-appraisal component. In addition, consideration was given to progress made and action taken on the 2005 strategic priorities established by the Board in April 2005; e.g., hiring a new Equalization Director and Health Officer, transfer of the planning function back to the county and negotiating with the City of Battle Creek regarding an E 9-1-1 agreement.

Comr. Moore advised that the Administrator’s agreement which runs through next year includes an allowance of \$4,000 for training, and the Workshop noted that Mr. Purcell has kept that expenditure well below that level.

Comr. Moore advised that 22 evaluation forms were sent out and 12 were returned, and upon summarizing the responses and determining the scores for each factor using a weighted average, Mr. Purcell received an overall rating of 1.83 out of a possible 3.00. The Workshop noted that this is the third year in a row in which the overall score has fallen and has discussed its concern regarding this trend with Mr. Purcell. The issues requiring additional work are the need for more personal communication with elected officials, the need to clarify when input is sought from the Board, the need to focus more on strategic visioning and the development of future plans and options for the Board to consider, and the need to continually evaluate the organization for potential efficiency and cost saving improvements.

Comr. Moore advised that as part of the review process the Workshop is tasked with developing and recommending to the Board a new set of strategic priorities for 2006, and presented the following five priorities:

1. Coordinate and oversee plans to ensure successful passage of Senior millage and Medical Care Facility millage renewals.
2. Research options and present recommendation(s) to the Board regarding replacement of the JD Edwards enterprise software system.

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3. Investigate and present options to the Board regarding opportunities for collaboration with other governmental units and community organizations which can help improve services, increase efficiencies and/or decrease costs.
4. Increase personal communication with elected officials, and more clearly indicate in communications with the Board, when feedback is desired.
5. Place greater emphasis on forward-looking strategy development for the county by working with department heads and elected officials to utilize the five-year financial model; explore “best practice” ideas from other counties, municipalities and organizations; identify innovative ways to do business differently.

Comr. Moore stated that based on the input received during the review process, the Workshop recommends, due to the need for continued work in meeting the goals established by the Board and the fact that an increase in contingent compensation was not included in the budget by the Administrator, no increase in contingent compensation be granted for 2006; however in recognition of the fact that the county has not increased its contribution to Mr. Purcell’s deferred compensation retirement plan since 2003, further recommends that the Board increase its annual contribution to Mr. Purcell’s 457 deferred compensation plan by \$500 beginning in 2006 which results in a total annual contribution of \$9,500.

Res. 103-2006

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Administrator’s Review Workshop Report as presented.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Comr. Todd inquired regarding the reason only 12 evaluations were received back. Comr. Moore responded that he does not know the rationale, that perhaps they forgot or were too busy.

Chairman Miller stated that he believes the evaluation of any non-elected official is difficult and that administration as a whole is doing a very good job. Chairman Miller thanked Workshop Chairman Moore and Members Segal and Bolger for the report.

Comr. Solis echoed the Chairman’s comments and stated that it seems to him that the Workshop could attempt to get a greater return of the evaluations. Comr. Solis advised that he supports the increase to Mr. Purcell’s 457 deferred compensation retirement plan.

Res. 104-2006

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Second Amendment to the Employment Agreement for the Calhoun County Administrator/Controller increasing the annual contribution to the Administrator/Controller’s 457 Deferred Compensation Plan by \$500 beginning in 2006 for a total annual contribution of \$9,500.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

County Administrator/Controller Greg Purcell thanked the Workshop for conducting his evaluation and providing him feedback. Mr. Purcell stated that given the difficult fiscal times with the county budget, he believes the feedback is expected. Mr. Purcell advised that this year he budgeted no compensation increase and no contingent compensation for himself; further, that he shall be taking eleven unpaid days off this year.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Tobacco Smoke Regulation Resolution

Environmental Health Director Ted Havens advised that he is representing Ms. Bowersox who is out of the state training this week. Mr. Havens encouraged the Board to favorably consider the proposed resolution to regulate smoking within restaurants and bars, stating that it is the right thing to do for the health of the county’s children and the entire community.

Res. 105-2006

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

WHEREAS, the Michigan Legislature has preempted local cities, townships and health departments from protecting the health of restaurant workers and its citizens from a Group A Carcinogen as declared by the Environmental Protection Agency, National Institutes of Health and US Center for Disease Control and Prevention; and

WHEREAS, the Michigan Food Law currently permits exposure of secondhand tobacco smoke, the third leading cause of preventable death in the country, which has been proven to cause cancer, heart disease, stroke, emphysema and asthma; and

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WHEREAS, studies show that children are especially vulnerable to secondhand tobacco smoke, suffering more respiratory problems, ear infections and asthma, as a result of exposure to it; and

WHEREAS, work sites and public places are locations where children, members of the community and employees are exposed to secondhand tobacco smoke; and

WHEREAS, smoke free air policies have been shown to discourage kids from starting to smoke, to prompt more smokers to quit and to reduce the number of cigarettes that smokers consume; and

WHEREAS, Michigan's Surgeon General has called on communities to work to reduce tobacco use and exposure to secondhand tobacco smoke; and

WHEREAS, local opinion surveys consistently demonstrate overwhelming popular demand for smoke free environments; and

WHEREAS, involuntary exposure to second hand tobacco smoke is a serious public health hazard that is preventable by adopting regulatory policies; and

WHEREAS, it is the responsibility of local public health departments to protect the public health of their citizens.

BE IT THEREFORE RESOLVED, that the Calhoun County Board of Commissioners support repealing preemption of the Michigan Public Health Code Act 368 PA 1978, as amended, to permit local units of government the ability to protect their workers and citizens from the deadly effects of second hand tobacco smoke in all Michigan restaurants and bars.”

Comr. Bolger commended the Youth Coalition and organizations for their interest and desire to raise awareness of tobacco smoke and expressed appreciation for their work. Comr. Bolger advised that when Commissioner Segal addressed the resolution a couple of months ago he indicated at that time that he would be fine with encouraging restaurants and bars to go smoke free; however that when it comes to having the government mandate this at the detriment of private businesses, he cannot support the regulation. Comr. Bolger explained that if he cannot support enforcement of the regulation, then he cannot support the resolution.

Comr. Moore thanked the Youth Coalition for their presentation. Comr. Moore stated that in discussing the proposed resolution with restaurant owners, the regulation would in effect set up a situation where restaurants on the opposite sides of the street would have different rules which sets up a difficult situation for businesses and economic development. Comr. Moore advised that he cannot support the resolution.

Comr. Moore advised that he and wife are non-smokers and that he has watched a great-grandmother hooked up to an oxygen machine; however, pointed out that the resolution is not addressing public buildings. Public

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buildings have already been regulated in Calhoun County. Comr. Moore stated that the resolution would attempt to regulate the rights of private business owners who should have the ability to determine whether there will be smoking or not in their establishments. Comr. Moore advised that he went to the Michigan Citizens For Smoke Free Air website and there are 4,025 smoke free establishments in Michigan and 57 smoke free establishments in Calhoun County, 18 of which are new establishments.

Comr. Strowbridge advised that he cannot support the resolution because of the disparity in regulation. Comr. Strowbridge stated that he believes such a regulation should be up to the state to regulate.

Comr. Solis also thanked the Youth Coalition for their presentation and encouraged them to continue their campaign of education regarding the effects of smoking. Comr. Solis advised that he shall support the resolution.

Comr. Segal advised that she is a non-smoker and grew up in a non-smoking house. Comr. Segal stated that everyone is aware of the effects of secondhand smoke and the economic factors of states that do not allow smoking. Comr. Segal advised that she received a lot of telephone calls from “snow birds” in the states of California, Utah, Arizona and Florida indicating that they want to come home and not have to deal with smoke. Comr. Segal pointed out that non-smokers are becoming the majority, and addressed the cost of providing health insurance for smokers. Comr. Segal advised that she will support the resolution and wished the Youth Coalition great success in their mission.

Chairman Miller also commended the efforts of the students. Chairman Miller stated that there are serious health indicator issues in Calhoun County, however, that approving the proposed resolution would have little effect upon those indicators. Chairman Miller stated that businesses must have the right of choice; and that until cigarette smoking is illegal, he believes it is inappropriate to attempt to regulate smoking. Chairman Miller advised that he will not be supporting the resolution.

Roll call vote: Yes - 2 (Comrs. Segal and Solis)
 No - 5 (Comrs. Bolger, Miller, Moore, Strowbridge and Todd)
 Motion DEFEATED

Sheriff Department 2006 Budget Amendment

Mr. Purcell advised that amendment of the Sheriff Department budget is required as the state has provided additional funding for the Secondary Road Patrol and Marine Safety Programs.

Sheriff Allen Byam advised that the additional grant funding shall be used for equipment purchase and personnel costs.

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Res. 106-2006

“Motion by Comr. Strowbridge, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following budget amendment to the 2006 Sheriff Department budget:

101-1331-54400	Marine Act	\$25,800
101-1331-98000	Equipment Purchase	\$15,800
265-2316-54000	State Grants	\$ 8,810
265-2316-98001	Small Equipment Purchase	\$ 800
265-2316-70600	Salaries - Regular	\$ 8,010"

Mr. Purcell requested the Sheriff elaborate on the equipment purchases. Sheriff Byam advised that the Department shall replace the motors on two boats and purchase tops for both.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Law Enforcement Services Agreement and 2006 Budget Amendment

Sheriff Byam introduced Chief Master Sargent Matthew Bartha from the 110th Squadron at the Battle Creek Air National Guard Base. Sheriff Byam advised that for many years the Department has entered into a cooperative agreement for things that occur on the Base, and that last year the Department was invited to respond to a request for proposals (RFP) to provide armed security guard services for the Base. Due to state budget constraints the RFP was withdrawn.

Sheriff Byam advised that discussions continued and resulted in the proposed agreement. Sheriff Byam further advised that the Department bid at a cost whereby the services can be provided utilizing existing personnel. Sheriff Byam stated that the Department will have one officer on the Base. Sheriff Byam pointed out that the agreement is for services commencing June 20 through September 30, after which there may be another RFP. Sheriff Byam advised that there shall be no cost to the county whatsoever.

Chief Master Sgt. Bartha advised that the agreement has been reviewed by the state’s legal counsel and that an RFP invitation for a three year agreement should be coming out at the end of July. Chief Master Sgt. Bartha advised that the Base is a state facility, and that there is no federal entity at the Base except the aircraft.

Res. 107-2006

“Motion by Comr. Strowbridge, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Law Enforcement Services Agreement (Contract for Armed Deputy Patrol Services) between the State of Michigan, Department of Military and Veterans Affairs Office of Financial Services, and Calhoun County

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for the Battle Creek Air National Guard Base for the period of June 20, 2006 through September 30, 2006, and authorize the Board Chairman to execute said Agreement on behalf of Calhoun County; further, approve the following Sheriff Department 2006 budget amendment:

67605	Reimb-Misc.	\$24,222
71200	Over Time	\$17,034
72400	FICA	\$ 1,302
72200	Worker Comp. Ins.	\$ 397
72100	Sick & Accident	\$ 257
72530	Retirement	\$ 1,190
80050	Misc Operating Expense	\$ 4,042"

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2006 Summer Property Tax Levy Resolution

Mr. Purcell stated that there was a shift in the payment of county taxes from one third due in the Summer of 2005 to two thirds due in the Summer of 2006. Mr. Purcell stated that the levy of a Summer property tax is part of the revenue sharing issue with the state.

Equalization Director David Lee advised that the General Property Tax Act was amended to require all Michigan counties to levy Summer property taxes, with the levy for 2005 to be in the amount of one third and for 2006 in the amount of two thirds, and the full amount of the mills in 2007 and after.

Mr. Lee addressed accompanying Form L-4029, the 2006 Tax Rate Request, advising that the senior millage is not included on the Form as the millage is not currently in place for 2006; however, that assuming the millage is approved in the August election, the Form will require amendment to include that millage rate.

Res. 108-2006

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

WHEREAS, Calhoun County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy County property taxes; and

WHEREAS, a public hearing concerning the budget was held on December 1, 2005; and

WHEREAS, the Calhoun County Board of Commissioners adopted a fiscal year 2006 Appropriations Act on December 15, 2005; and

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WHEREAS, the General Property Tax Act was amended by Public Act 357 of 2004, being Michigan Compiled Law 211.44a, to require all Michigan Counties to levy summer property taxes, with the summer tax levies for 2005 and 2006 to be in the amount of one-third and two-thirds, respectively, of the mills authorized for the County through a separate tax limitation vote, and with the full amount of the mills authorized for the County through a separate tax limitation vote to be levied and collected as a summer tax levy in 2007.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Pubic Act 357 of 2004, the 2006 Calhoun County operating taxes shall be levied and collected on July 1, 2006, at the rate of two-thirds of the mills authorized for the County through a separate tax limitation vote after application of the "Headlee" millage reduction fraction required under Michigan Compiled Law 211.34d, or 3.5853 mills; and

BE IT FURTHER RESOLVED, that the Treasurer of each City, Village, and Township in Calhoun County is directed to account for and deliver two-thirds of the total 2006 County operating taxes in accordance with the provisions of Public Act 357 of 2004; and

BE IT FURTHER RESOLVED, that this Resolution constitutes certification of the summer levy of taxes by the County and authorizes collection of the County operating taxes on July 1, 2006, at the rate of two-thirds of the total County operating taxes for 2006 after application of the "Headlee" millage reduction fraction, or 3.5853 mills; and

BE IT FINALLY RESOLVED, that the County Clerk shall deliver a copy of this Resolution by first-class mail to the Treasurer of each City, Village, and Township in Calhoun County."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

May 2006 Financial Statements

Mr. Purcell advised that there has been a change in the format of the statements to compare the actual activity to the budget, rather than to the prior year.

Interim Finance Director Pam Kline reported that the General Fund balance for the first five months reflects a \$942,781 deficit primarily because the Summer property taxes have yet to be collected. Ms. Kline stated that once the Summer taxes are received, revenue should be equal to expenditures.

Juvenile Home Golf Outing Announcement

Mr. Purcell advised that tomorrow is the Juvenile Home Golf Outing.

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CITIZENS' TIME:

Mr. Jim Carlin of Justinian Investigation Services repeated Mr. Marshall's plea for answers regarding the disappearance of his daughter Mary Lands, and advised that the case shall be receiving some national media attention that hopefully will result in some closure for the family.

COMMISSIONERS' TIME:

Comr. Moore advised that Jim Lonergan is celebrating his 70th birthday today and that Jim and Judy will be celebrating their anniversary this Saturday.

Comr. Strowbridge announced that Urbandale's Homecoming is this Saturday, with the parade commencing at 11:00 a.m.

Comr. Bolger invited everyone to attend Bean Day in Tekonsha this Saturday.

Chairman Miller announced that the Juneteenth Celebration commences this Saturday at 10:00 a.m. at Washington Heights Community Ministries.

CLAIMS PAYABLE LISTINGS:

Res. 109-2006

"Motion by Comr. Moore, supported by Comr. Strowbridge, 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 \$73,140.89 for the week of June 1, 2006; further, approve payment of the list of claims against the county in the total amount of \$621,903.04 for the week of June 6, 2006."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Segal announced that the deadline for submitting applications to serve on the Calhoun County Youth Council has been extended until the end of the month.

RECESS:

The Board recessed at 8:40 p.m. at the call of the Chair.

mlb