

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

August 3, 2006

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, August 3, 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. Strowbridge.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Solis, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the August 3, 2006 agenda and addendum, as amended, with deletion of Items 12.A. (3) -- FY 2007 Title IV Cooperative Reimbursement Contract and 12.A. (4) -- FY 2007 Victim Services Grant Contract.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Moore, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the June 1, 2006 and July 6, 2006 minutes as presented.”

Voice Vote: Motion CARRIED

“Motion by Comr. Bolger, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners table the May 18, 2006, June 15, 2006 and July 20, 2006 minutes until the August 17, 2006 Board of Commissioners Meeting.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

Farmland Preservation Program Ordinance Amendment Public Hearing

Planning Consultant Jennifer Bomba stated that in 2003 the Board approved the ordinance that created the Calhoun County Farmland Preservation Program and established the framework for the Agricultural Preservation Board, including the membership. Ms. Bomba advised that the Agricultural Preservation Board has been working since 2003 to develop the Program and has found two items within the ordinance that the Board believes should be amended. The first deals with membership on the Agricultural Preservation Board. Ms. Bomba advised that currently the ordinance allows for an elected township official to sit on that Board. The Agricultural Preservation Board has had a vacancy for two years when the initial township official did not seek reelection. Ms. Bomba advised that the Agricultural Preservation Board suggests amending the ordinance to allow for a township representative to sit on the Board, pointing out that when the ordinance was created the intent was to have someone from a local planning commission which would allow the Board to capture some money from the local planning commission and would make a better liaison back to the township for this Program.

Ms. Bomba continued that the other item involves the method for which the Agricultural Preservation Board will determine the value of the development rights. Currently the ordinance only allows for a point based appraisal system, which in the infancy of the Program the Agricultural Preservation Board is finding out that the Board does not have the adequate base value to create that formula to arrive at an accurate development rights value. Ms. Bomba advised that the Agricultural Preservation Board proposes a state certified appraiser or the points based appraisal system be used whereby when there is adequate base values, the Agricultural Preservation Board will be able to use the points based appraisal system.

Comr. Todd inquired how the township representative shall be selected. Ms. Bomba responded that the Agricultural Preservation Board's bylaws call for a person to apply through the county's appointment procedures. Ms. Bomba advised that there is an application available on-line whereby someone can apply. The application would come before the Agricultural Preservation Board that would provide its recommendation to the Board of Commissioners for appointment to the Agricultural Preservation Board. Ms. Bomba advised that the Agricultural Preservation Board is aware of some individuals interested and once the ordinance is amended shall direct them to apply.

Comr. Strowbridge inquired whether the state certified appraiser shall be a representative of the township where the particular property is located or whether a county state certified appraiser shall be appointed. Ms. Bomba responded that the Agricultural Preservation Board has consulted with the state and the Michigan Department of Agriculture has a list of certified state appraisers who have knowledge of the agricultural field; therefore, it would probably be someone from that list that Board would consult and typically the Board would be looking for someone from this area.

Comr. Strowbridge inquired how the appraiser's services shall be paid for. Ms. Bomba responded that at this time there is no funding to pay for an appraiser and that the Agricultural Preservation Board is not at the point to do anything with a state certified appraiser. Ms. Bomba advised that at the point when the appraiser is

required the Agricultural Preservation Board has some support coming in from the townships and farm related agencies and organizations that have indicated their willingness to donate money for the initial start up of the Program. Comr. Strowbridge requested clarification of whether the Agricultural Preservation Board shall be responsible for paying for the state certified appraiser. Ms. Bomba responded “Yes, absolutely.”

Res. 121-2006

“Motion by Comr. Bolger, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners declare the Farmland Preservation Program Ordinance Amendment Public Hearing open for public comment.”

Voice Vote: Motion CARRIED

The public hearing commenced at 7:13 p.m. No public comments were received.

Res. 121-A-2006

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners close the Farmland Preservation Program Ordinance Amendment Public Hearing.”

Voice Vote: Motion CARRIED

The public hearing concluded at 7:14 p.m.

CONSENT AGENDA:

Res. 122-2006

“Motion by Comr. Todd, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following August 3, 2006 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from St. Joseph County opposing House Bill No. 5924 {Community Mental Health System Programs Consolidation}. (Referred to the Legislative Liaisons, with a copy remitted to Summit Pointe C.E.O. Ervin Brinker)
- (2) Resolutions received from Muskegon County { 1 } opposing the Michigan Civil Rights Initiative to amend Article 1 of the Michigan Constitution, and {2} supporting restoration of state revenue sharing. (Referred to the Legislative Liaisons)

- (3) Resolution received from Antrim County urging the Legislature to include counties in economic development decisions and eligibility for economic tools proposed for cities, townships and villages under proposed legislation. (Referred to the Legislative Liaisons, with a copy remitted to Calhoun County Economic Development Corporation President William Stoffer)
- (4) Notice of a public hearing scheduled for August 1, 2006 regarding adoption of a Brownfield Plan for land situated at 115-121 West Michigan Avenue and 15 Carlyle Street, Battle Creek, Michigan 49017 received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Lee)
- (5) Copy of a communication remitted to Mr. Jeffery Merrild, Albion resident, received from the Michigan Department of Agriculture advising that the complaint against his farm operation shall be classified as not verified and the file will be closed. (Received and placed on file, with a copy remitted to Environmental Health Director Ted Havens, Manure Management Specialist Natalie Rector and Drain Commissioner Blaine VanSickle)”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Highway Safety Grant Application for Click it or Ticket and
You Drink & Drive, You Lose Programs

County Administrator/Controller Greg Purcell advised that the grant shall provide funding to cover the deputies’ overtime wages for the Click it or Ticket and the You Drink & Drive, You Lose Programs. No match is required for the grant in the amount of \$25,000. Mr. Purcell stated that the grant is a cooperative effort with the Albion Department of Public Safety and the Marshall Police Department.

Res. 123-2006

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the Office of the Sheriff to electronically submit the Highway Safety Grant Application in the amount of \$25,000 for the grant year October 1, 2006 through September 30, 2007 which will enable the Office of the Sheriff to coordinate enforcement and public information activities. Click it or Ticket is a statewide enforcement and public information effort to enforce the mandatory safety belt usage laws. You Drink & Drive, You Lose is a national enforcement educational campaign to warn motorists

about the dangers of drinking and driving.”

Comr. Strowbridge advised that he shall abstain from voting since the Department with which he is employed will benefit in some way from the funds derived from the grant.

Roll call vote: Yes - 6 (Comrs. Todd, Bolger, Miller, Moore, Segal and Solis)
Abstain - 1 (Comr. Strowbridge)
Motion CARRIED

Highway Safety Grant Application for the Youth Alcohol Enforcement Program

Mr. Purcell stated that the application is for another Highway Safety Grant to commence October 1 in the amount of \$17,500 for the Youth Alcohol Enforcement Program. Mr. Purcell advised that the grant application is due to be submitted electronically by August 15.

Res. 124-2006

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the Office of the Sheriff to electronically submit the Highway Safety Grant Application in the amount of \$17,500 for the grant year October 1, 2006 through September 30, 2007 for youth alcohol enforcement.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS' TIME:

Mr. Gardy Berezonsky, Marengo Township resident, noted that the Fair Office is listed under county departments within the County Directory and inquired whether the Fair Office is a county department. Mr. Purcell responded No.

Mr. Berezonsky advised that he is making a citizen's complaint against the person who was operating the vehicle with license plate number 004 on July 26 at approximately 8:30 a.m. Mr. Berezonsky stated that he observed that vehicle running a stop light at the corner of Green and Grand Street in Marshall, and wants the complaint to be placed in that person's personnel file. Mr. Berezonsky advised that he went to the Sheriff Department on the day the incident occurred, and the first thing the Department inquired was whether he was sure that the incident was not committed by someone from the Marshall Police Department, to which he advised that he wrote the license plate number down. Mr. Berezonsky continued that someone from the Sheriff Department then went outside to look for that license plate number and did not even know who had that vehicle.

Mr. Berezonsky advised that he shall leave his complaint with Corporation Counsel tonight after the Board meeting.

Mr. Chris Dubois, Battle Creek resident, advised that he is present solely as a citizen tonight as he resigned from

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Community Corrections this afternoon and faxed his resignation to the County Administrator/Controller.

Mr. Dubois stated that he is really frustrated and could talk for hours regarding why. Mr. Dubois advised that back in December 2005 on the 11th hour in order to circumvent layoffs within the Sheriff Department, a promise was made to start a tether program that would generate nearly \$100,000. Mr. Dubois stated that at that time he was very eager to do that as previously he operated a tether program within the Sheriff Department which made money. Mr. Dubois stated that the program could have worked, and that many programs can work within Community Corrections, pointing out that Kalamazoo receives millions of dollars for their Community Corrections Department and is self-funding themselves. Mr. Dubois continued that the key in the western side of the state is the Michigan Prisoner Reentry Act. Those counties have lots of money coming in and are doing things with it.

Mr. Dubois advised that Community Corrections receives a large grant from the state annually and literally does nothing with it. Mr. Dubois implored Board members to get involved, pointing out that all of that state funding is going to disappear. Mr. Dubois stated that the county needs to address a system to eliminate the in-fighting between the Circuit Court, District Court, the judges, Community Corrections and the Sheriff Department. Mr. Dubois stated that it is “twisted” to the point where Jail Population Committee members sit in the meetings and say the same things, advising that he has been with the Sheriff Department for ten years and nothing productive has come of addressing the jail population. Mr. Dubois stated that the situation is a huge problem that fails to be addressed because of politics.

Mr. Dubois addressed successful programs; e.g. the Friend of the Court Program, stating that programs can work if communication is there; however if the communication is not and an agency like Community Corrections is allowed to exist without adequate supervision, nothing can be accomplished.

Mr. Dubois admitted that he is part of the “dead weight” in this county that has been drawing off the county’s budget. Mr. Dubois advised that since January he has taken a month leave of absence to go to New Orleans with his second job with the Department of Homeland Security, plus took a month off on sick and accident because he was thoroughly disgusted when he met with the Sheriff who advised him that there is no “buy-in” to the tether program by the courts.

Mr. Dubois addressed the contract with Immigration, advising that he worked with the Department of Homeland Security as a contracted employee at the Federal Center and in April the staff had three days notification to cut the staff in half. Mr. Dubois pointed out that the funding is Department of Homeland Security money. Mr. Dubois stated that kind of decision can be made with the contract to house inmates. Mr. Dubois continued that the county has been riding that fat hog for too long and needs to venture out and start community programs to find money to address the jail population within the community.

COMMISSIONERS’ TIME:

Comr. Segal reminded all county employees and Board members that August 12 is the county’s annual employees picnic. Comr. Segal advised that the Employee Recognition and Relations Committee has been doing fund raising to help with the cost of the picnic, and requested donations from Board members to assist in helping to provide the entertainment for the children this year.

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Chairman Miller advised that this is the last Board meeting prior to the August 8 primary election and encouraged everyone to vote. Chairman Miller reminded everyone that they cannot split their ticket.

CLAIMS PAYABLE LISTINGS:

Res. 125-2006

“Motion by Comr. Bolger, supported by Comr. Solis, 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 \$293,674.91 for the week of July 19, 2006; further, approve payment of the list of claims against the county in the total amount of \$908,678.32 for the week of July 25, 2006.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Solis announced that the Village of Homer is having their annual Hogstravaganza beginning this Friday with a dinner at 5:00 p.m. and a parade and all day long events on Saturday, and encouraged everyone to attend.

Mr. Purcell advised that Administration did the survey with the Health Department and shall be doing a presentation to Commissioners in the future. Mr. Purcell stated that the survey asked questions regarding the senior millage and came back with 58 percent support of the general public showing substantial support for the proposition on the ballot.

RECESS:

The Board recessed at 7:28 p.m. at the call of the Chair.

mlb