

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

October 19, 2006

The Regular Session of the Calhoun County Board of Commissioners convened at 7:07 p.m., Thursday, October 19, 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/ADDENDUMS:

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the October 19, 2006 agenda and addendums, as amended, to consider revised Item No. 12.A. (10) -- Affirmative Action Resolution.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Solis, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the September 21, 2006 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Ms. Pearl Gray-McWhorter, Battle Creek resident, thanked her medical staff, Hospice and staff of the Burnham Brook Center for assisting her during her illnesses.

Ms. Gray-McWhorter advised regarding the loss of her family home on Ann Avenue, that she questioned Mr. Wiley regarding Battle Creek City employees taking her wheelchair ramp and his response was a grumble.

Mr. William Piepkow, Lee Township resident, advised that he completed an appointment application for the Road Commission Board last week. Mr. Piepkow stated that he received his two year degree in Agricultural Technology from Michigan State University in 1968 and went home to his farm and made it into a corporation.

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Mr. Piepkow advised that he has served on the Olivet School Board of Education for fourteen years, eight years as Treasurer of the Calhoun County Farm Bureau's Board of Directors, and is currently serving as Vice President of the Lee Township Board of Review. Mr. Piepkow stated that he has "no axe to grind" and simply wants to improve the roads for the people of Calhoun County. Mr. Piepkow stated that twenty years ago Calhoun County's roads were the envy of other counties and now they have deteriorated to the point of being a disgrace. Mr. Piepkow stated that he would appreciate the Commission's consideration of appointment to the Road Commission Board. Mr. Piepkow inquired regarding the time frame for the appointment.

Chairman Miller advised Mr. Piepkow that he shall advise him regarding the appointment time frame during Commissioners' Time.

Homer Township Supervisor Jim Lingenfelter addressed the upcoming appointment of a Road Commissioner, advising that he is here on behalf of the Township Board and the citizens of the Township who would like to see a change. Mr. Lingenfelter advised that he receives a lot of complaints, that the Township does not get serviced and is not happy, and neither are some of the other townships. Mr. Lingenfelter stated that he believes the Road Commission needs new leadership with new ideas. Mr. Lingenfelter stated that he hopes that the Commission shall take all of the appointment applications into consideration.

SPECIAL ORDER OF BUSINESS:

Calhoun County Creative Industries Incubator Presentation

Arts and Industry Council Executive Director Kathy Eftekhari advised that two years ago the Council went through a complete transition to provide more comprehensive services with new partnerships in support of economic development in the arts. The Council completed its plan last September after receiving county-wide community input. Ms. Eftekhari stated that the Council's strategic areas of action are marketing the arts, growing the arts, advocating for the arts and facilitating regional cooperation through its plan focusing upon education and youth, downtown development, diversity and equity, health and wellness, and regional cooperation.

Ms. Eftekhari advised that the 2006-2007 programs are marketing, a murals project, grant making and creative industries incubators. Ms. Eftekhari advised that the Council will launch the murals project this year, accepting proposals for five murals which must celebrate our heritage. Fifteen thousand dollars for each mural has been budgeted and proposals are due December 1.

Ms. Eftekhari continued that commencing November 1 the Council shall have an online events calendar, an arts directory and a newsletter. The Council shall be launching a large marketing campaign, "Where is Art," and there will be billboards across the county as well as post cards going out. Ms. Eftekhari addressed the tie between art and economic development, pointing out that art increases property values, enhances the quality of life, and brings in new businesses and jobs.

Ms. Eftekhari advised that the incubator network will provide low cost studio and gallery space, sharing of equipment, and business development services. Ms. Eftekhari stated that networks are being developed in Albion, Battle Creek and Homer and that partners include Battle Creek Unlimited, Albion Economic Development, Marshall Economic Development, the Calhoun Intermediate School District, Kellogg Community College and Michigan Works.

National Business Women's Week Proclamation

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

Res. 162-2006

"Motion by Comr. Solis, 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 October 16 through October 20, 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 thanked the Commission for acknowledging the week and advised that the Albion Chapter meets the fourth Monday of every month at the Sheridan Township Hall at 6:30 p.m. Ms. Loveless requested that all members vote no on Proposal 2.

CONSENT AGENDA:

Res. 163-2006

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following October 19, 2006 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Communication received from the United States Department of the Interior, Bureau of Indian Affairs, advising that on August 31, 2006 a proposed trust application was submitted for Pine Creek Parcels I, II, III and inviting the Board of Commissioners comments. (Received and placed on file, with a copy remitted to County Administrator/Controller Greg Purcell)
- (2) Notice of a public hearing scheduled for October 17, 2006 regarding granting an Industrial Facilities Exemption Certificate to TRMI, Inc. received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Lee)
- (3) Resolution received from Benzie County requesting the Legislature amend the 1974 Michigan Mental Health Code, specifically MCL 330.1224, {Appointment Process of County Commissioners to CMH Boards}. (Referred to the Legislative Liaisons, with a copy remitted to Summit Pointe C.E.O. Ervin Brinker)
- (4) Notice of the Second Prehearing Conference on October 12, 2006 regarding Michigan Gas Utilities Corporation, MPSC Case No. U-14941, received from Miller, Canfield, Paddock and Stone, P.L.C. (Received and placed on file)

- (5) Resolution received from Hillsdale County opposing House Bill No. 6391 {Amendment of the General Property Tax Act}. (Referred to the Legislative Liaisons, with a copy remitted to Equalization Director David Lee)”

Voice Vote: Motion CARRIED

County Administrator/Controller Greg Purcell advised that the proposed industrial facilities exemption certificate for TRMI, Inc. represents \$16,225.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

2007 and 2008 Board of Commissioners’ Salary Increase

Mr. Purcell stated that the recommended increase is 1.5 percent for 2007 and 2008. Mr. Purcell advised that an increase of 1.5 percent has been budgeted for the non-union employees and a little more for the unions. Mr. Purcell pointed out that last year the Board gave up their increase for 2006, and addressed the ramifications of foregoing the incremental increases.

Res. 164-2006

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

WHEREAS, the 2007 recommended Calhoun County Budget shall provide funding for salary increases for the Calhoun County Board of Commissioners; and

WHEREAS, the Calhoun County Board of Commissioners is duly authorized by law to fix its compensation, such changes in compensation to become effective at the time members of the County Board of Commissioners commence their terms of office after a general election, MCL 46.415; MSA 5.359(15); and

WHEREAS, Board Resolution 157-1998 states "that as part of the budget process in 2000 for the year beginning 2001 and thereafter, the County Administrator/Controller shall include compensation recommendations for the County Board of Commissioners in his/her Elected and Appointed Officials’ compensation recommendation to the Board."

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NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve a one and one half (1.5) percent salary increase for the Board of Commissioners for the fiscal years of 2007 and 2008.”

Comr. Segal advised that the increase was discussed by the Budget Committee, and encouraged Board members to defeat the resolution.

Comr. Bolger stated that he believes the Commissioners’ total compensation should be reviewed and that the Board should eliminate Commissioners’ benefits for a savings of \$35,000 which could be used elsewhere in the budget. Comr. Bolger pointed out that other part-time employees do not receive benefits. Comr. Bolger advised that he intends to vote no on the increase, and asked Chairman Miller what he intends to do to eliminate Commissioners’ benefits.

Chairman Miller advised Comr. Bolger that if he wishes to discuss elimination of benefits for Commissioners and elected officials, that the discussion should be directed to the Budget Committee for its consideration.

Chairman Miller stated that one of the Legislature’s great failings was the pay increases approved by many senators who where ineligible for election. Chairman Miller advised that because he is not in front of the voters in November he shall abstain from voting regarding this issue.

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

2007 Elected Officials’ Salary Increase

Mr. Purcell recommended a 1.5 percent salary increase for elected officials. Mr. Purcell advised that Prosecutor Hallacy will be declining his increase.

Res. 165-2006

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

WHEREAS, the 2007 recommended Calhoun County Budget shall provide funding for salary increases for elected officials; and

WHEREAS, the 2007 budget shall be recommended by the County Administrator/Controller, shall provide sufficient funding for a raise equivalent to 1.5% for elected officials (excluding Board of Commissioners).

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NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve a one and one half (1.5) percent salary increase for elected officials (excluding Board of Commissioners) effective the first full pay period of 2007.”

Comr. Solis stated that he understands the arguments to keep parity with the salaries of other counties, however, that it is his understanding that the officials’ salaries were reviewed three years ago. Comr. Solis advised that although voting the increase down will not have a major impact upon the budget, he shall be voting no.

Comr. Strowbridge pointed out that not approving the salary increase also affects the officials’ deputy.

Comr. Segal pointed out that the increase also increases the officials’ base salary, and that due to the economic issues facing the county, she believes this is one year that the Board needs to think of what services shall be provided. Comr. Segal further pointed out that the county shall be conducting another salary survey.

Comr. Strowbridge stated that he cannot honestly believe that the sitting Board will give a 4 or 6 percent salary increase even if the salary survey determines salaries are not comparable. Comr. Strowbridge stated that it is one thing for the Board to vote down a salary increase for themselves, however, that he does not wish to punish the elected officials. Comr. Strowbridge advised that he shall be supporting the salary increase, as Commissioners are only part-time employees while the elected officials are full time employees and deserve the 1.5 percent increase.

Comr. Solis pointed out that the decision is not the elected officials,’ that the Board establishes the budget.

Comr. Solis inquired when the salary survey had been conducted for all county employees. Assistant County Administrator Wendee Woods responded “In 2003.” Mr. Purcell advised that the officials, except for perhaps the Drain Commissioner, received no increase as a result of the survey.

Chairman Miller stated that he is sympathetic with the thought that no Commission will give any elected official a salary increase, however, that in remembering that the Commission conducted a recent salary survey that placed the officials comparable to other counties’ officials, he shall be voting no.

Roll call vote: Yes - 3 (Comrs. Bolger, Moore and Strowbridge)
No - 4 (Comrs. Miller, Segal, Solis and Todd)
Motion DEFEATED

Secure Our Schools Grant Agreement

Mr. Purcell advised that grant is in the total amount of \$125,359 of which Pennfield Schools shall provide the federal match.

Sheriff Allen Byam stated that he is very pleased to receive the grant and thanked Deputy Luis Rivera that

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serves at the schools. Sheriff Byam stated that the grant will provide for better monitoring of the buildings and provide the capability to monitor from a secure remote location. Sheriff Byam advised that half of the monies shall be coming from the Federal Government and the other half from Pennfield Schools.

Res. 166-2006

“Motion by Comr. Segal, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Secure Our School Grant Agreement between the U.S. Department of Justice and the Calhoun County Sheriff Department in the amount of \$62,679 for the period of September 1, 2006 through August 31, 2008; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County and the Calhoun County Sheriff Department.”

Chairman Miller inquired whether the Department’s staffing shall be impacted. Sheriff Byam responded no, advising that the grant funding shall be utilized for equipment; i.e., cameras and monitors. Chairman Miller inquired whether the school has the authority to view the monitors. Sheriff Byam responded Yes. Chairman Miller inquired whether other schools have a monitoring system. Sheriff Byam responded Yes.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Community Corrections Grant Agreement & Probation Residential Service Provider Agreements

Community Corrections Manager Roselynn Goff advised that the grant totals \$682,272.50 with the bulk to provide residential treatment as an alternative sanction to incarceration at the jail. Ms. Goff stated that the grant requires no matching funds.

Res. 167-2006

“Motion by Comr. Moore, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Community Corrections Comprehensive Corrections Plan, Drunk Driver Jail Reduction and Community Treatment Plan Agreement between the Michigan Department of Corrections and Calhoun County in the amount of \$682,272.50 for the period of October 1, 2006 through September 30, 2007; further, approve the Probation Residential Service Provider Agreements between the Calhoun County Board of Commissioners and Community Programs, Inc., between the Calhoun County Board of Commissioners and the Community Mental Health Authority of Clinton-Eaton-Ingham Counties on behalf of its House of Commons Program, between the Calhoun County Board of Commissioners and Pine Rest Christian Mental Health Services, between the Calhoun County Board of Commissioners and Kalamazoo Probation Enhancement Program, Inc., and between the Calhoun County Board of Commissioners and Home of New Vision each for the period of October 1, 2006 through September 30, 2007; and finally, authorize the Board Chairman to execute said Agreements on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2006 Apportionment Report

Equalization Director David Lee advised that the Report in the amount of \$124 Million is for the 19 townships, 18 school districts, 5 intermediate school districts, the colleges, district libraries and the county. Mr. Lee advised that the Board is responsible for ensuring that the taxing authorities' millages are authorized and appropriate under the law, and the Report presented has been reviewed by the Equalization Department and is in compliance with the 50 mill constitutional limitation.

Res. 168-2006

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

WHEREAS, Michigan Compiled Law 211.36 requires each Township Clerk to submit to the County Clerk on or before September 30 each year a statement which sets forth the amount of money to be raised in the Township by taxation; and

WHEREAS, Michigan Compiled Law 211.37 requires the County Board of Commissioners to hold an apportionment session and approve an Apportionment Report in October of each year; and

WHEREAS, at the annual apportionment session, the County Board of Commissioners must examine documents and records submitted to the Board that show the amount of money to be raised by ad valorem levies in each Township for school, highway, drain, Township, and other purposes and authorize and require the correction of any defects or omissions with regard to those levies; and

WHEREAS, the action of the County Board of Commissioners concerning the spread of these levies is final, except in situations where a change is made to the equalization of the County through an equalization appeal to the Michigan Tax Tribunal; and

WHEREAS, the Apportionment Report approved by the County Board of Commissioners for 2006 will be the official authorization for approximately 50 taxing authorities within the county to levy property taxes in 2006; and

WHEREAS, the Calhoun County Equalization Department has prepared an Apportionment Report for consideration by the County Board of Commissioners; and

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WHEREAS, the proposed Apportionment Report, if approved, will provide final authorization for the levy of more than \$124.7 Million Dollars in property taxes upon which taxing authorities depend to provide educational, health, economic development, public safety, and other services which are important to the well-being of the county’s economy and Calhoun County residents; and

WHEREAS, the estimated property taxes associated with approval of the Apportionment Report can be broken down by category of taxing authority as follows:

<u>Taxing Authority Category</u>	<u>Estimated Property Tax Amount</u>	<u>Portion of Total</u>
Fire Authorities, DDAs, etc.	\$ 362,523	0.29%
Townships	\$ 4,081,519	3.27%
District Libraries	\$ 5,363,206	4.30%
Community Colleges	\$ 11,980,555	9.60%
State Education Tax	\$ 20,227,930	16.21%
Intermediate School Districts	\$ 20,883,802	16.74%
County	\$ 21,479,702	17.21%
Local School Districts	<u>\$ 40,402,508</u>	<u>32.38%</u>
TOTAL	<u>\$124,781,745</u>	<u>100.00%</u>

NOW, THEREFORE, BE IT RESOLVED, that the attached 2006 Apportionment Report (ATTACHMENT A) showing the millage levies apportioned to various taxing authorities in Calhoun County for the year 2006 is hereby approved in accordance with Michigan Compiled Law 211.37; and

BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners, under the authority of Michigan Compiled Law 211.37, directs that the millage rates specified in the attached 2006 Apportionment Report for Township, school, highway, drain, and all other purposes as authorized by law shall be spread against the taxable value of properties on the proper assessment rolls of the Cities and Townships in the County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007-2009 District Court U.A.W. Employees Labor Agreement Ratification

District Court Administrator Michelle Hill addressed the changes to the agreement from the existing agreement; e.g., the addition of a voluntary layoff/voluntary work hour reduction provision; elimination of longevity

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benefits for employees hired after December 31, 2009; allowance for the employees to leave the premises during their breaks if traveling on foot to areas within walking distances; establishes direct deposit of payroll checks effective January 1, 2007; clarifies that seniority is frozen during personal leave; changes bereavement leave to allow for up to five workdays for a death in the employee's immediate family and up to three workdays for the death of a grandparent, grandchild, sister-in-law or brother-in-law and one workday on the day of the funeral or memorial service in the death of an aunt, uncle, niece or nephew; changes military leave to be consistent with county policy for non-union employees; removes language that limits total leave allowed to 40 hours during any 12 month period; establishes the health insurance premiums and addresses employment requirements for dental, life, and sickness and accident insurance; establishes a Joint Health Care Cost Containment Committee; and provides for a wage increase of 1 percent for 2007 effective Pay Period 2 and another 1 percent effective Pay Period 14; and a wage increase of 2 percent for 2008 and 2009.

Ms. Hill advised that negotiations went extremely well with Corporation Counsel Mullett's counsel.

Res. 169-2006

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Employees Labor Agreement between the Tenth Judicial District Court and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, U.A.W., and its Local Union 1294 (U.A.W.) for the period of January 1, 2007 through December 31, 2009; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007 Employees' Benefits Recommendations

Mr. Purcell advised that the Administrative team worked on the recommendation for a long time, and commended Ms. Woods for her work.

Ms. Woods recommended for 2007 that the county continue to offer the three health plans; to decrease the opt-out amount to \$1,300; to maintain the employee co-share of the medical premium at 10 percent; to change from BC/BS prescription drug coverage to Express Scripts; move to aggressive coordination of benefits; add a gastric bypass rider and an employee assistance program; offer retirees a traditional 80/20 plan with prescription drugs and Community Blues 1; offer long term care insurance at the employees' expense; and change the way in which voluntary life insurance is purchased to \$10,000 increments. Ms. Woods recommended no changes to the dental and vision plans.

Ms. Woods stated that Administration shall continue to monitor the plans, prescriptions, aggregate and stop loss, and providers, and pointed out that over the past three years the changes have resulted in a savings of over \$1.6 Million.

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Res. 170-2006

“Motion by Comr. Bolger, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Employees’ Health and Benefits Recommendations effective Pay Period 1 of 2007 for employee changes and effective January 1, 2007 for service provider changes, as recommended by County Administration.”

Comr. Moore inquired regarding the cap for purchasing optional life insurance. Human Resource Director Jennifer Bucienski advised that the cap is \$500,000. Comr. Moore inquired how the change to aggressive coordination of benefits shall be communicated to the employees. Ms. Woods responded that the change will be highlighted during open enrollment, and shall also be addressed on the intranet and in the county newsletter.

Chairman Miller inquired regarding the changes by going to Express Scripts. Ms. Woods advised that the employees will be issued new insurance cards to give to the pharmacist and there will be a different address for mail in orders.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

September Financial Statements

Interim Finance Director Pam Kline reported that the contribution to the General Fund for nine months of 2006 totals \$1,303,801 which is just below the targeted level of 75 percent. Ms. Kline advised that expenditures are slightly less than the target at 70.74 percent.

Affirmative Action Resolution

Res. 171-2006

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

WHEREAS, Calhoun County opposes discrimination and supports programs to advance equal opportunity and access for women and minorities in public education, contracting and employment; and

WHEREAS, Calhoun County has a proud history as the home of heroes in the ongoing fight against discrimination; and

WHEREAS, affirmative action programs, including recruitment, outreach, and training initiatives offered to qualified women and minorities remedies past discrimination, fights present-day disparities, and promotes diversity in our society; and

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WHEREAS, though progress has been made in reducing the present effects of past discrimination in public education, contracting and employment, temporary race- or gender-specific programs to redress remaining disparities are still needed and necessary; and

WHEREAS, the U.S. Supreme Court agrees that in order to “. . . cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity” (Supreme Court majority opinion in *Grutter v. Bollinger*, 2003); and

WHEREAS, enactment of anti-equal opportunity and affirmative action initiatives such as California’s Proposition 209 (1996) and Washington State’s Initiative 200 (1998) have resulted in the abolishment of programs to recruit women and minorities into non-traditional professions in math, sciences, and the trades, caused a precipitous drop in the enrollment of minorities in the top higher education institutions in those states and threatened efforts to integrate the public schools.

BE IT RESOLVED, that the Calhoun County Board of Commissioners support continuation of voluntary public-sector affirmative action programs in education, contracting, and employment; and

BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners oppose the Michigan Civil Rights Initiative and support efforts to educate Michigan’s voters about the threat to equal opportunity and affirmative action programs and join with Michigan United, a coalition of organizations supporting continuation of affirmative action programs in Michigan, and urge its members to inform themselves about this important public issue.”

Res. 171-A-2006

“Substitute Motion by Comr. Bolger, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners postpone consideration of Item No. 12.A. (10) -- Affirmative Action Resolution until the November 2, 2006 Board of Commissioners Meeting to receive a recommendation from the Legislative Liaisons regarding all five {5} November 7, 2006 election ballot proposals.”

Comr. Moore stated that he has watched the debate regarding affirmative action in Lansing and is disgusted that the decision was made that the issue should go before the voters. Comr. Moore stated that like many issues in which emotion is involved the facts get lost or skewed in the discussion. Comr. Moore pointed out that Proposal 2 does not eliminate all affirmative action programs, and advised that he shall be voting against the original resolution as it is inconsistent with County Policy No. 315.

Comr. Strowbridge stated that he cannot understand the politics behind why this proposal was chosen for the Board to address; and that he believes if the Board takes a stand on one proposal, the Board should take a stand

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on all five proposals.

Comr. Solis stated that in the real world there is discrimination; e.g., women receive considerable lower salaries than their male counterparts; and in the real world some people are disadvantaged. Comr. Solis advised that he is a person of color, the father of a young man that is African American, has three daughters and a spouse in the workforce, and another daughter that will be in the workforce; therefore, shall be supporting the original resolution and opposing Proposal 2.

Chairman Miller pointed out that the proposed resolution states that the Board does not support a proposal that eliminates affirmative action programs within the state. Chairman Miller stated that if Proposal 2 is approved, it will eliminate affirmative action programs which includes admissions in universities and hiring of employees, and would circumvent any local affirmative action policy. Chairman Miller stated that Calhoun County is an equal opportunity employer, which would be eliminated with Proposal 2.

Chairman Miller continued that a federal judge said in his ruling of whether the proposal should go before the voters that the language on the ballot is deceptive. Chairman Miller addressed the reason why the issue came to be a proposal.

Comr. Todd stated that for him the issue is personal being an African American and a father of three daughters. Comr. Todd commended Representative Nofs for standing up and advising that he would be opposing Proposal 2.

Comr. Moore advised that the statement that all affirmative action plans would be eliminated if Proposal 2 passes is a flat-out falsehood. Comr. Moore advised that the Citizens Research Council did a memo regarding Proposal 2 which stated that units of local government that have affirmative action plans that do not exclude any group should not be affected by Proposal 2.

Comr. Segal addressed the impact upon public education, pointing out that African American boys are falling behind by the seventh grade and girls do not have equal educational opportunities. Comr. Segal stated that without affirmative action, there would be no special programs for those falling behind.

Roll call vote on Substitute Resolution 171-A-2006: Yes - 3 (Comrs. Bolger, Moore and Strowbridge)
No - 4 (Comrs. Todd, Miller, Segal and Solis)
Motion DEFEATED

Roll call vote on Resolution 171-2006: Yes - 5 (Comrs. Bolger, Miller, Segal, Solis and Todd)
No - 2 (Comrs. Moore and Strowbridge)
Motion CARRIED

FY 2006-2007 Michigan Department of Environmental Quality Grant Agreement

Mr. Purcell advised that the grant is \$2,827 less than last year's grant, and requested Ms. Bowersox address the

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Board of Health's recommendation not to accept the funding for campground inspections.

Health Officer Dottie-Kay Bowersox advised that campground inspections are not mandated and the annual cost to the Health Department for those inspections is approximately \$15,000. The State has allocated \$375 for the inspections; therefore the Department will relinquish this service to the State, but shall continue to monitor the State inspections for 2006 and 2007.

Res. 172-2006

“Motion by Comr. Miller, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners amend the amount of the proposed FY 2006-2007 Michigan Department of Environmental Quality Grant Agreement from \$205,552 to \$205,177 to not accept \$375 of state funding for campground inspections.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Res. 172-A-2006

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following, as amended: Resolved by the Calhoun County Board of Commissioners approve the FY 2006-2007 Grant Agreement between the State of Michigan Department of Environmental Quality and the Calhoun County Department of Public Health in the amount of \$205,177 for the period of October 1, 2006 through September 30, 2007; further authorize the Board Chairman to execute said Grant Agreement on behalf of the County and the Calhoun County Department of Public Health.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Resolution Authorizing Bank Qualification of General Obligation Limited Tax
Medical Care Facility Bonds

Mr. Purcell advised that the Southwest Regional Rehabilitation Center bond issue has “gone away,” therefore, the bonds for the Medical Care Facility can be issued as qualified tax-exempt obligations for the purpose of deduction of interest expense by the banks. Mr. Purcell recommended approval of the resolution presented.

Res. 173-2006

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

WHEREAS, the County Board of Commissioners of the County of Calhoun, State of Michigan (the “County”) approved a resolution on October 5, 2006 to authorize issuance of the County’s

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\$8,000,000 General Obligation Limited Tax Medical Care Facility Bonds (the “Bonds”); and

WHEREAS, it is possible that in the 2006 calendar year the County and all entities which issue bonds on behalf of the County will issue less than \$10,000,000 of bonds or other obligations, the interest on which is excluded from gross income for Federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended, and consequently the County may be able to designate the Bonds as “qualified tax-exempt obligations” for the purpose of deduction of interest expense by financial institutions; and

WHEREAS, the County has been advised by Bendzinski & Co., Municipal Finance Advisors, that the County could save interest costs if the County can designate the Bonds as “qualified tax-exempt obligations” for the purpose of deduction of interest expense by financial institutions.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. If the County Administrator determines that the County and all entities which issue bonds on behalf of the County will issue less than \$10,000,000 of tax-exempt bonds or other obligations within the 2006 calendar year, then the County Administrator may designate the Bonds as “qualified tax-exempt obligations” for purposes of deduction of interest expense by financial institutions. Any such designation shall be evidenced by execution of the Non-Arbitrage and Tax Compliance Certificate to be signed by the County Administrator at the time of delivery of the Bonds.
2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS’ TIME:

Mr. Gray-McWhorter again thanked her medical staff.

Ms. Gray-McWhorter advised that in the 1980's she borrowed money to get her home “together,” and that while she was in the hospital the City of Battle Creek invaded her home and boarded up the windows. Ms. Gray-McWhorter voiced outrage with the City’s actions.

COMMISSIONERS’ TIME:

**Board of Commissioners
October 19, 2006**

Comr. Segal advised that the Veterans Affairs Department has been ranked eighth in the state for bringing in money to assist Calhoun County's veterans. Comr. Segal commended Mr. Losey and Ms. Lonergan.

Comr. Segal also advised that October is Breast Cancer Awareness Month and invited women to attend Mammograms Matter, an evening of chocolate, desserts and discussion regarding breast cancer and breast cancer screening conducted by Senior Health Partners and Battle Creek Health Systems on Tuesday, October 24 at 6:30 p.m. at Battle Creek Health Systems.

Comr. Moore advised that there will be the annual land use tour to view an agricultural operation on October 24 from 4:00 p.m. to 7:00 p.m. at Bosserd's Farm on Verona Road in Marshall Township.

Comr. Moore also advised of the upcoming Underage Drinking Task Force Meeting on October 24 at 7:00 p.m. at Central Christian Church on Riverside Drive.

Comr. Moore addressed salary increases for elected officials, stating that there is no good time to give a raise to someone in the "public eye." Comr. Moore stated that he believes the Board acted responsibly in turning down the Commissioners' increase, however, believes that the Board is running a risk if raises are granted in a "hodge podge" manner. Comr. Moore stated that he believes salary increases should either be based upon a salary survey or upon the rate of inflation; however, that the Board should be consistent.

Comr. Strowbridge advised that Urbandale's Annual Pancake Dinner, which provides money for their Christmas lights, is tomorrow with two seatings; e.g., one at 5:00 p.m. and the other at 5:30 p.m. at Christ United Church on M-37 just north of Michigan Avenue.

Comr. Bolger exclaimed "Let's go, Tigers!"

Chairman Miller advised Mr. Piepkow that applications for the Road Commission Board are due November 30 and that application forms are available on the county's website or can be acquired from the Board Office. Chairman Miller advised that a committee has been appointed to review the applications and conduct the interviews, and that the appointment will be made at the December 21 Board of Commissioners Meeting.

CLAIMS PAYABLE LISTINGS:

Res. 174-2006

"Motion by Comr. Moore, supported by Comr. Todd, 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 \$225,920.48 for the week of October 5, 2006; further, approve payment of the list of claims against the county in the total amount of \$1,258,489.12 for the week of October 10, 2006."

**Board of Commissioners
October 19, 2006**

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Ms. Woods advised that the employees have exceeded the county's United Way goal of \$20,000 this year, and that there are still events going on. Ms. Woods advised that the United Way baskets will be circulating around the buildings.

RECESS:

The meeting recessed at 9:50 p.m. at the call of the Chair.

mlb