

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

December 21, 2006

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, December 21, 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. Segal.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 21, 2006 agenda and addendum, as amended, to include Item No. 11.A. (16) - Communication to Summit Pointe C.E.O. Ervin Brinker.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Calhoun County Farm Bureau President Melvin Bowden addressed the proposed Road Commission appointment, stating that it is his understanding that the decision of whom will be appointed has already been shared and that Mr. Piepkow did not receive the appointment. Mr. Bowden stated that the Farm Bureau believes Mr. Piepkow is very well-qualified, and questioned whether the appointment is based upon politics or whether Mr. Brown is more qualified.

Mr. Bowden stated that he understands that Mr. Brown lives in Albion, and pointed out that the Road Commission does not have anything to do with the City of Albion. Mr. Bowden urged the Board to reconsider their decision and appoint Mr. Piepkow, stating that he believes Mr. Piepkow would do an excellent job.

Mr. Joseph Bramble, Convis Township resident, advised that he has a lot of experience working with the Road Commission and has found that the Road Commission has improved greatly under its new management. Mr. Bramble stated that he is aware that someone has already been chosen to fill the Road Commission vacancy, and inquired who interviewed the candidates.

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Mr. Bramble pointed out that the cities have their own Road Commission/Board of Public Works and that he cannot envision why a person that lives in a city has been chosen for the position. Mr. Bramble further questioned whether Mr. Brown's affiliation with Hoffman Brothers' Laborers' Local 355 may be a conflict of interest. Mr. Bramble advised that he supports the re-appointment of Mr. Veramay, advising that Mr. Veramay has been of great assistance to him when he was a township supervisor; further, pointed out that Mr. Veramay has attended every Road Commission meeting since 1988. Mr. Bramble questioned how Commissioners that hardly ever attend Road Commission meetings have the ability to choose a Road Commissioner.

Attorney Brandon Hultink, Eaton County resident, advised that he works as an Assistant Prosecuting Attorney in the Prosecutor's Office. Atty. Hultink stated that he was an intern in the Prosecutor's Office a year ago and that from the first day he started rarely has he not seen the attorneys not taking their files home and was stunned that the Office is extremely understaffed. Atty. Hultink stated that he is aware of the reality that the Board faces with the budget; however pointed out that if he is released, there will be significant additional work that the other attorneys shall have to do. Atty. Hultink thanked the Board for any consideration given his position.

Ms. Barbara Frederick, Sheridan Township resident, stated that she was appalled when she heard that a person had been selected for the Road Commission position two weeks ago. Ms. Frederick stated that the cities take care of their own roads, and that the Road Commissioner should be someone from the townships with a history in that area. Ms. Frederick requested that the Board not support the appointment of Mr. Brown.

Mr. Charles Letts, Marshall resident, stated that he is very proud of the Prosecutor's Office, pointing out that the county is very fortunate to have their Check Recovery Program which saves the courts money and time by businesses not having to go through court to collect their money on bad checks.

Mr. Letts stated that he has heard that the Board has already made a decision regarding who to appoint as the new Road Commissioner. Mr. Letts advised that he serves on the Lee Township Board and that he believes the Road Commission position should be filled by someone from a township, not the cities, and requested the Board reconsider the appointment. Mr. Letts stated that he supports the appointment of Mr. Piepkow, who was born and raised in the townships and knows the townships' needs.

Mr. Jerry Boyce, East Leroy resident, advised that he has lived in East Leroy his entire life of 72 years and the roads there are very important to the residents. Mr. Boyce stated that he has seen the roads slowly deteriorate to the point where they are almost impossible to work with. Mr. Boyce stated that he believes the Board should put aside the politics and appoint a candidate that can work with the people in the townships and correct the road conditions. Mr. Boyce stated that Road Commissioner Monaweck is doing an excellent job and that the Road Commission needs more Road Commissioners like Mr. Monaweck.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Prosecutor John Hallacy thanked Lakeview High School for converting the Prosecutor Office's crime victims' information into Spanish. Prosecutor Hallacy stated that it has been an issue that the Office has needed to deal with and now the Office has taken the first step towards making government open to all.

Juvenile Home Director Reggie LaGrand introduced the Home's new Assistant Director Pablo Lerma. Mr. Lerma stated that he is honored and thankful for the opportunity.

Chairman Miller recognized his Mother and Father, his Irish Uncle Timothy O'Dea, and his girlfriend.

SPECIAL ORDER OF BUSINESS:

Special Tribute to Daniel A. Strowbridge

Comr. Moore read and presented the tribute to Commissioner Strowbridge, and thanked Comr. Strowbridge for his conviction and integrity and for sharing his wisdom and experience with him.

Res. 194-2006

"Motion by Comr. Moore, supported by Comr. Bolger, resolved by the Calhoun County Board of Commissioners approve the following Special Tribute:

WHEREAS, **DANIEL A. STROWBRIDGE** has served on the Calhoun County Board of Commissioners for Four {4} Years from 2003 to 2006, representing the citizens of District 4; and

WHEREAS, Daniel Strowbridge further served the Board through his membership on many committees and workshops during his tenure with the County Commission; i.e., the Calhoun County Retirement Committee, the Calhoun County Community Corrections Advisory Board, the Criminal Justice System Workshop, the Emergency Telephone District Board, and the Local Emergency Planning Committee, to list a few; and

WHEREAS, Daniel Strowbridge shall be missed by fellow Board members and everyone in the Calhoun County "family."

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that **DANIEL A. STROWBRIDGE** is hereby honored and thanked for his years of service to the residents of Calhoun County. On behalf of all of Calhoun County and its citizens, we offer this tribute as our thanks for all Dan has accomplished and extend our best wishes in his future endeavors."

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Voice Vote: Motion CARRIED

Comr. Strowbridge thanked his colleagues and the citizens of District 4 that supported him for the past four years.

Special Tribute to Benjamin A. Miller

Comr. Segal read and presented the tribute to Chairman Miller, stating that it has been a pleasure for her to have worked with him during the past four years of his six years on the Board.

Res. 195-2006

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

WHEREAS, **BENJAMIN A. MILLER** has served on the Calhoun County Board of Commissioners for Six {6} Years from 2001 to 2006, during which he served as its Chairman for Two Years, from January 20, 2005 until December 31, 2006; and

WHEREAS, Benjamin Miller also served as Vice Chairman of the Board of Commissioners for One year in 2004; and

WHEREAS, Benjamin Miller further served the Board by his membership on many committees and workshops during his tenure with the County Commission; i.e., the Community Action Agency of South Central Michigan Governing Board of Directors, the Drainage Board, the Employee Recognition and Relations Committee, the Board of Health, the Keyperson Committee, the Mid-South Substance Abuse Commission, the Plat Board, the Road Commission Applicant Review Workshop, the United Way FEMA Board and the Calhoun County Youth Council, to list a few; and

WHEREAS, Benjamin Miller has contributed significant time and energy not only with his service on the Calhoun County Board of Commissioners, but also to the various county committees and boards enhancing the interests of all Calhoun County’s citizens; and

WHEREAS, Benjamin Miller shall be sorely missed by fellow Board members and everyone in the Calhoun County “family.” He shall be remembered for his fair and impartial leadership.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that **BENJAMIN A. MILLER** is hereby honored and thanked for his many years of service to the residents of Calhoun County. On behalf of all of Calhoun County and its citizens, we offer this tribute as our thanks for all he has accomplished and extend our best wishes in his future

endeavors.”

Voice Vote: Motion CARRIED

Chairman Miller thanked his family, girlfriend, colleagues; and especially the citizens of District 3 for their support.

Michigan Housing Development Authority Community Development Block Grant Application
Public Hearing

Res. 196-2006

“Motion by Comr. Segal, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners open the Michigan Housing Development Authority Community Development Block Grant Application Public Hearing for discussion.”

Voice Vote: Motion CARRIED

The public hearing commenced at 7:38 p.m. until 7:45 p.m.

Planning Consultant Jennifer Bomba advised that the Planning Department shall be applying for Community Development Block Grant funding to administer a county-wide housing rehabilitation program, excluding the City of Battle Creek that has their own housing rehabilitation program. The Department is proposing a \$290,000 program budget to rehabilitate seven structures of home owners who are at 80 percent or below the poverty level.

Comr. Bolger questioned the amount of local match required. Ms. Bomba responded that no match is required. Ms. Bomba advised that the grant shall provide \$35,000 per structure, plus 18 percent for administration of the program.

Comr. Moore requested Ms. Bomba explain administration of the program. Ms. Bomba responded that administration of the program is very intensive and includes advertising of services, verifying eligibility for the program, inspections, bidding the work and completing any paperwork that is required by the state.

Chairman Miller inquired whether any citizens wished to comment. No comments were offered.

Res. 196-A-2006

“Motion by Comr. Moore, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners close the Michigan Housing Development Authority Community Development Block Grant Application Public Hearing.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 197-2006

“Motion by Comr. Moore, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following December 21, 2006 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Copy of a communication remitted to Mr. Jerry Beaudoin and Ms. Kathleen White, Battle Creek residents, requesting soil tests of their equine facility received from the Michigan Department of Agriculture. (Received and placed on file, with a copy remitted to Environmental Health Director Ted Havens and Drain Commissioner Blaine VanSickle)
- (2) Resolutions received from Antrim County {1} opposing House Bill No. 6391 {General Property Tax Act Amendment}, {2} urging the Governor and Legislature to provide more stringent enforcement of the State’s tribal compact agreements, {3} supporting legislation to guard against mortgage and appraisal fraud, and {4} supporting maximum timber harvest yields and reforestation, and Michigan’s tourism industry. (Referred to the Legislative Liaisons, with a copy of {1} remitted to Equalization Director David Lee)
- (3) Notice of a public hearing scheduled for December 11, 2006 regarding granting an Industrial Facilities Exemption Certificate Application for Jorgensen Steel Machining & Fabrication, Inc. received from Tekonsha Village. (Received and placed on file, with a copy remitted to Equalization Director David Lee)
- (4) Resolution received from Clinton County opposing House Bill No. 6391 {General Property Tax Act Amendment}. (Referred to the Legislative Liaisons, with a copy remitted to Equalization Director David Lee)
- (5) Notice of a public hearing scheduled for December 19, 2006 regarding granting three Industrial Facilities Exemption Certificate Applications for the Kellogg Company received from Battle Creek City. (Received and placed on file, with copies remitted to Equalization Director David Lee)

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- (6) Resolution received from the Lakeview School District advising that the District will be collecting one-half of school property taxes in the Summer of 2007. (Received and placed on file)
- (7) Employees' Defined Benefit Pension Plan Third Amendment
- (8) Employees' Defined Benefit Pension Plan Fourth Amendment
- (9) Marshall Public Schools Board of Education Resolution. (Received and placed on file, with a copy remitted to Juvenile Home Director Reggie LaGrand)

B. Resolutions:

- (1) Calhoun County Economic Development Corporation Appointment
 - {a} William Stoffer -- Term Shall Expire December 31, 2012"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Road Commission Applicant Review Workshop

Workshop Chairman Miller reported that the Workshop met twice in a row and interviewed all four applicants for half an hour each. Chairman Miller stated that a number of the applicants are qualified.

Chairman Miller advised that the Workshop voted two to one to recommend the Board appoint Mr. Brown to the Road Commission Board. Chairman Miller stated that there had been comment regarding whether a workshop comprised of three Commissioners is qualified to determine the best candidate, and pointed out that the Workshop previously made the appointment recommendation of Road Commissioner Monaweck. Chairman Miller stated that Mr. Brown lives within the City of Albion; however, that it is not unprecedented to appoint someone from a city, and such has been done before. Chairman Miller advised regarding the question of potential conflict of interest, that Mr. Brown does not negotiate contracts for the union and does not bargain on behalf of the Road Commission. Chairman Miller stated that Mr. Brown is within his right to offer information on contract bids, and would not be the sole voice of the Road Commission Board which is comprised of three Road Commissioners.

Chairman Miller stated that he believes Mr. Brown is the most qualified candidate as he has served on a number

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of committees, has extensive experience with management and employees, and is experienced in personnel issues and construction.

Workshop Member Bolger reported that he was the dissenting vote as he was not convinced that Mr. Brown had the best experience.

Workshop Member Solis stated that he voted for Mr. Brown due to his ability to deal with personnel and his marketing skills. Comr. Solis advised that 95 percent of the comments he receives is in the area of the Road Commission which tells him that something must be done differently. Comr. Solis reported that the decision to recommend Mr. Brown was not predetermined, that the decision was based upon Mr. Brown's qualifications for the position.

Comr. Solis stated that he believes Calhoun County is fortunate to have so many qualified individuals apply to its boards and committees. Comr. Solis thanked Mr. Veramay for his assistance through the years.

Comr. Moore advised that the Road Commission is the number one issue that people discuss with him. Comr. Moore stated that he cannot speak to past practice, however, pointed out that the workshop that recommended Road Commissioner Monaweck also included the Assistant Administrator and a member of the Road Commission Board.

Comr. Strowbridge addressed the audience's comments that the appointment decision was already made, and stated that since there is no paperwork presented regarding the applicants, nor regarding the Workshop's recommendation; that it probably is a political appointment; further, pointed out that he finds the most contentious thing is that the majority of the Workshop is comprised of members of the Democratic Committee. Comr. Strowbridge stated that he does not know how to vote because he received no information.

Comr. Segal inquired what questions had been asked of the applicants. Chairman Miller responded that he shall afford the Workshop members an opportunity to also respond; however, advised that applicants were asked how they would be available to answer constituent concerns. Chairman Miller stated that Mr. Brown responded that he would attend the meetings at the town halls, is responsive to emails and can be contacted by telephone.

Res. 198-2006

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners accept the Road Commission Applicant Review Workshop's appointment recommendation and appoint Scott Brown to the Calhoun County Road Commission Board, with appointment term to expire December 31, 2012.”

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

Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Resolution to Borrow Against Anticipated 2006 Delinquent Taxes

Treasurer Ann Petredean announced that the Office has knocked on 800 doors and posted foreclosure notices. Ms. Petredean advised that hardship hearings will be held the week of January 19, and recommended that anyone having difficulty call 2-1-1 to meet with someone from Legal Services or to call the Office at 781-0817 to schedule an appointment to meet with her.

Ms. Petredean stated that the resolution presented is the same resolution that has been approved since 1974 which allows her to borrow to pay back the schools and cities. Ms. Petredean advised that total delinquent taxes last year amounted to \$10 Million and the amount is increasing each year. Ms. Petredean advised that the Office will not be borrowing the total \$10 Million.

Res. 199-2006

“Motion by Comr. Strowbridge, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Resolution to Borrow Against Anticipated Delinquent 2006 Taxes (ATTACHMENT A) as presented by the Calhoun County Treasurer.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

County Agent Designation in Connection with 2007 General Obligation Limited Tax Notes

Ms. Petredean advised that the resolution designates her as Agent for the County in connection with the delinquent tax notes.

Res. 200-2006

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

WHEREAS, the County Board of Commissioners of the County of Calhoun, Michigan (the “County”) has adopted a resolution authorizing issuance of the County’s General Obligation Limited Tax Notes, Series 2007 (the “Notes”) for the purpose of establishing a fund to pay the 2006 delinquent taxes on real property to the county and political subdivisions therein pursuant to Act No. 206 of the Public Acts of 1893, as amended; and

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WHEREAS, the County Treasurer is eligible for payment for services as Agent for the County pursuant to Section 87c subsections 3 and 15, of Act No. 206 of the Public Acts of 1893, as amended; and

WHEREAS, at this time it is appropriate for the County Board of Commissioners to appoint the County Treasurer as Agent for the County with respect to issuance of the Notes.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Treasurer is eligible for payment for services as Agent for the County pursuant to Section 87c subsections 3 and 15, of Act No. 206 of the Public Acts of 1893, as amended, and is hereby designated as Agent for the County in connection with the County's Notes, and the County Treasurer and the Treasurer's Office shall respectively receive such sums as are therein provided for the services as Agent for the County and to cover administrative expenses, after current debt service requirements on the Notes have been met. Such sums may be surplus monies in the 100% Tax Payment Fund or from County property tax administration fees before such fees are applied to debt service on the Notes.
2. All resolutions or parts of resolutions conflicting with this resolution are hereby repealed."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Ms. Petredean thanked Commissioners Miller and Strowbridge for working with the Treasurer's Office through the years.

2007 Senior Millage Supplemental Funding Recommendations

Senior Services Manager Christine Schauer advised that a supplemental request for proposals (RFPs) in the total amount of \$195,000 was issued this year and are a carry-over from the original RFP for which contracts were approved in November.

Ms. Schauer advised that the Senior Millage Allocation Committee recommends that the Fountain Clinic receive \$90,500 to provide dental services; and that the Burnham Brook Center receive three allocations of \$29,500 for benefits counseling, \$45,000 for hearing assistance, and \$30,000 for vision assistance.

Res. 201-2006

"Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Senior Millage Supplemental

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Funding Recommendations totaling \$195,000 as recommended by the Senior Millage Allocation Committee, and authorize the Administrative Services Department and the Senior Services Department to prepare Service Provider Agreements for the Burnham Brook Center for benefits counseling in the amount of \$29,500, hearing assistance in the amount of \$45,000, and vision assistance in the amount of \$30,000; further, for the Fountain Clinic for dental services in the amount of \$90,500; and finally, authorize the Board Chairman to execute said Service Provider Agreements in an aggregate amount not to exceed \$195,000 on behalf of Calhoun County.”

Comr. Segal inquired why the recommendations are more than the amounts requested by the service providers. Ms. Schauer responded that the recommendation for the Burnham Brook Center is due to an error. The Center originally submitted a proposal for a combined hearing and vision assistance program and the RFP Review Committee decided that the two services should be split, and since additional money is available, decided the money should go for the new programs. Ms. Schauer advised that for the Fountain Clinic, \$10,000 had been allocated for respite services, however, no proposals were received; therefore, the Committee is aware that requests for dental services are great and recommends that the money be put towards dental services. Ms. Schauer advised that the Fountain Clinic has spent the entire 2006 allocation already.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007-2009 Command Officers Association of Michigan Memorandum of Contract Changes

County Administrator/Controller Greg Purcell pointed out that a revised Memorandum of Contract Changes is listed on the addendum.

Asst. County Administrator Wendee Woods advised that the bargaining unit represents 17 employees within the Sheriff Department whose current contract expires December 31, 2006. Ms. Woods stated that during the negotiation process the negotiating team focused upon the pay scale and moving the unit closer to comparable salaries paid by other counties. Ms. Woods advised that the wage increase is 1.5 percent for 2007, 1 percent for 2008 and 1.5 percent for 2009, and recommended approval of the 3 year agreement.

Sheriff Allen Byam advised that the negotiations were handled with a great deal of professionalism and stated that he appreciated everyone’s efforts.

Res. 202-2006

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the revised Memorandum of Contract Changes between the Command Officers Association of Michigan (COAM), the Calhoun County Board of Commissioners, and the Calhoun County Sheriff to the COAM Labor Agreement for the period of January 1, 2007 through December 31, 2009.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Appointed Officials'/Non-Union Employees' 2007 Salary Schedule

Mr. Purcell advised that factored into the 2007 budget is a 1.5 percent increase for the appointed officials and county non-union employees. Mr. Purcell recommended a one percent increase effective pay period two of 2007 and a one percent increase effective pay period fourteen, for an overall 1.4 percent increase.

Res. 203-2006

“Motion by Comr. Strowbridge, supported by Comr. Segal, 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 Non-bargaining Unit Employees, Department Heads, and Appointed Officials (excluding Deputies to Elected Officials); and

WHEREAS, the 2007 budget recommended by the County Administrator/Controller, shall provide sufficient funding for a raise equivalent to 1.5% for Non-bargaining Unit Employees, Department Heads, and Appointed Officials (excluding Deputies to Elected Officials).

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve a one (1) percent increase effective pay period two, 2007 and one (1) percent increase effective pay period fourteen, 2007 for all Non-bargaining Unit Employees, Department Heads, and Appointed Officials (excluding Deputies to Elected Officials).”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007 Employees' Defined Benefit Pension Plan Employer/Employee Contribution Rates

Ms. Woods stated that in December 2005 the Board approved an increase in the multiplier from 1 percent to 2 percent effective for 2006 for future service only, with the cost to be paid by the employees. Ms. Woods stated that for 2006 the employee contribution rate was determined to be 9.5 percent and that based upon the actuarial valuation report of December 31, 2005 Watkins, Ross and Company recommends the employee contribution rate for 2007 remain the same.

Res. 204-2006

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the employee contribution rate of 9.5 percent for all employees in the enhanced Employees' Defined Benefit Plan (2% multiplier) as recommended by Watkins, Ross & Co. per the Actuarial Valuation Report as of December 31, 2005. The two {2} employees remaining in the original Plan (1% multiplier) will continue to

pay 6 percent in accordance with the terms of their labor agreement. The employer contribution rate will be 7 percent.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Michigan Housing Community Development Block Grant Application

Mr. Purcell stated that the application was addressed in the public hearing. Mr. Purcell advised that administration for the program is contracted out to the Community Action Agency, that does a good job in administering the program and bringing in other grants for the homeowners.

Ms. Bomba advised that upon state approval, she will bring the grant agreement back before the Board.

Res. 205-2006

“Motion by Comr. Segal, supported by Comr. Stowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the Planning Department to submit an application for up to \$300,000 of Community Development Block Grant funds from the Michigan State Housing Development Authority to administer a county-wide housing rehabilitation program on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007 Survey and Remonumentation Grant Application

Mr. Purcell advised that the application is for \$190,462.

Ms. Bomba advised that the county contracts with the surveyors to remount property markers, and that the program is for 20 years and that the county is in its 14th year of the program. Ms. Bomba further advised that the program has facilitated the remonumentation of approximately 1,725 section corners to date, and this year 235 more corners are proposed for 2007. The budget for the 2007 program totals \$230,962 and includes the \$190,462 of state funding and \$40,500 in county match, with the matching funds to be provided from the grant administration account and \$5,000 each from the remonumentation funds from Planning, Drain and Equalization.

Res. 206-2006

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Application for a Survey and Remonumentation Grant in the amount of \$190,462 for remittance to the Michigan Department of Labor & Economic Growth, Office of Land Survey and Remonumentation, on behalf of Calhoun County.”

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Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007 Solid Waste Function Memorandum of Understanding

Mr. Purcell stated that Joanna Johnson is present to address the one year extension of the Memorandum of Understanding for the Board of Public Works to provide services for the Solid Waste Program. Mr. Purcell advised that there are two changes; e.g., the creation of a solid waste planning workshop to conduct a strategic planning process to address long-term solid waste issues and prepare a plan, and \$15,000 to hire a consultant to assist with the plan and solicit proposals from qualified consultants. Mr. Purcell stated that the anticipated date for the plan is August 31, 2007.

Ms. Johnson stated that the planning session will include individuals from the Board of Public Works and the Solid Waste Management Planning Advisory Committee. Ms. Johnson advised that the consultant's fee shall come from the Solid Waste Fund Balance.

Res. 207-2006

“Motion by Comr. Solis, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Memorandum of Understanding between the Calhoun County Board of Commissioners and the Calhoun County Board of Public Works for solid waste services for 2007; further, authorize the County Administrator/Controller to execute said Memorandum of Understanding on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

RECESS:

Res. 208-2006

“Motion by Comr. Segal, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners recess the December 21, 2006 Board of Commissioners Meeting at 8:30 p.m. until 8:40 p.m.”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS CONTINUED:

Amendment of County Policy No. 340 - Employee Benefits

Ms. Woods advised that there are no substantial changes, only standard updates required as a result of Board action when approving the health and welfare recommendations, changes by the insurance carriers, or changes suggested by Administration.

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Res. 209-2006

“Motion by Comr. Strowbridge, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners amend County Policy No. 340 - Employee Benefits effective Pay Period 1 of 2007, as recommended by County Administration.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007 County Budget Adoption

Mr. Purcell stated that the resolution presented adopts the 2007 budget and establishes the millages for the county. Mr. Purcell advised that there were a number of changes after the December 7 public hearing due to new information or additional revenue.

Interim Finance Director Pam Kline advised regarding additional revenue of \$202,716, that the county will receive an additional payment from Kelloggs and the Sheriff has offered \$35,000 in new jail bed rental revenue. Ms. Kline advised regarding expenditures, that there were some salary corrections within the Prosecutor’s Office and the Circuit Court Clerk’s Office, \$52,000 within the Sheriff Department for vehicles, \$53,200 for Information Technology for imaging, \$38,714 to various business units for additional unemployment expenses and \$4,298 to various business units for data processing. Ms. Kline advised that the remaining revenue of \$47,725 will be allocated to the Fund Balance.

Res. 210-2006

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

WHEREAS, the Calhoun County Board of Commissioners has examined the fiscal reports for Year 2007 of the various departments, agencies, offices and activities, which it by law must finance or assist in financing; and

WHEREAS, the Board has taken into consideration the fact that there are certain required functions of County Government or operations which must be budgeted at a serviceable level in order to provide statutory and constitutionally required services and programs; and

WHEREAS, the Uniform Budgeting and Accounting Act, MCLA 141.421 et. seq. requires that the Board enact a General Appropriations Act designed to meet all County-funded expenditures; and

WHEREAS, the Board has determined the maximum authorized 2007 millage rate and estimates the property tax revenue generated to be as follows; and

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General Operating	5.3779 mills	\$16,458,394
Medical Care Facility	.2482 mills	\$ 810,915
Senior Services	.7452 mills	\$ 2,497,276
Total	6.3713 mills	\$19,766,585

WHEREAS, the Board shall order that money raised by taxation, within statutory and charter limitations, to be paid into the funds of the local unit; and

WHEREAS, no budget transfer to or from the personnel services and fringe benefit account groups nor capital outlay, mailing, copying, data processing and telephone line items shall occur without the approval of the Calhoun County Administrator/Controller.

NOW, THEREFORE, BE IT RESOLVED, that the amounts indicated in the Calhoun County 2007 Budget, as presented on December 21, 2006 are hereby appropriated for the General and other funds of Calhoun County.”

Comr. Bolger voiced concern that the allocation for public safety is again being reduced. Comr. Bolger addressed the direct correlation of crime rates affecting economic development. Comr. Bolger stated that although he believes placing more money towards reserves is a good goal; however there is “the human face” in doing such which can be seen in the newspapers; i.e., the face of victims.

Res. 210-A-2006

“Substitute Motion by Comr. Bolger, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Calhoun County Budget, with amendment, by increasing the Calhoun County Prosecutor Office’s budget allocation by \$45,000 to fund a Juvenile Justice Assistant Prosecuting Attorney position, with the allocation to come from the Fund Balance .”

Comr. Segal pointed out that the position was grant funded and that the grant ceases at the end of this year. Comr. Segal stated that the county has a situation where it continues to spend more money than received; further, pointed out that the Budget Committee also considered the position in lead poisoning and within the Friend of the Court. Comr. Segal addressed the \$1.6 Million taken from the Fund Balance. Comr. Segal stated that the county needs to be a responsible government, review what the taxpayers are paying for and what is being spent out. Comr. Segal further addressed the new imaging system that will be implemented within the Prosecutor’s Office that shall assist the Office, and encouraged the Board to oppose amendment of the budget.

Comr. Strowbridge stated that two years ago at the Board Retreat juvenile justice was determined to be extremely high on the Commission’s priority list. Comr. Strowbridge stated that he would request to continue to fund the Juvenile Justice position at the expense of the money that would be going into the Fund Balance, pointing out that the amount is minuscule in comparison to the amount that shall be placed in reserve.

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Comr. Solis advised that in the past five to six years the Prosecutor's Office has grown, and that after review of the workload, there has been no major changes in the number of cases, no huge spike; and the population has not grown. Comr. Solis stated that the Board must look at the big picture and increase the county's ability to attract economic development.

Comr. Solis stated that the Board is on a road to curing a budget that was in trouble; and addressed lower property taxes, important millages approved and the new Medical Care Facility construction project. Comr. Solis advised that he shall be voting against amendment of the budget.

Comr. Bolger pointed out that the Fund Balance would still be increased by \$702,000 with the budget amendment. Comr. Bolger stated that the county's first responsibility to its citizens is to provide public safety.

Chairman Miller stated that he is also dismayed by the increase of crime and violence within the county, however, that he cannot draw a cause and effect comparison between a reduction in the Prosecutor's Office and the increase in crime within the communities, mainly within the City of Battle Creek; therefore, to suggest that some of the criminals shall be "let off the hook" because of the workload in the Prosecutor's Office is not true.

Chairman Miller addressed the Prosecutor's 2007 priorities; e.g., domestic violence, imaging, alternative sentencing, the Drug Court, and at the bottom of the list was juvenile justice. Chairman Miller stated that if he was the Prosecutor, he would not make prosecution of uttering and publishing a priority over juvenile justice.

Chairman Miller continued that there has been discussion regarding Board policies, pointing out that with the amendment and even without the amendment, the Board will not meet its policy of maintaining an eight percent Fund Balance. Chairman Miller stated that the amendment goes against that goal and is in opposition to the Board's policy, therefore, he cannot support the amendment.

Comr. Moore addressed the Prosecutor's 2007 priorities, stating that he did not read any documentation that determined the order of those priorities.

Prosecutor Hallacy advised that his priorities were not listed in any order, however, is pleased to hear that his priorities are actually being read. Prosecutor Hallacy stated that juvenile justice has been a priority of the Board and himself throughout the years.

Comr. Moore stated that juvenile justice has been important to the Board for a number of years, and that the Board requested the Prosecutor retain the Juvenile Justice position.

Roll call vote on Substitute Resolution 210-A-2006:

Yes - 3 (Comrs. Moore, Strowbridge and Bolger)

No - 4 (Comrs. Segal, Solis, Todd and Miller)

Motion DEFEATED

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Res. 210-B-2006

“Substitute Motion by Comr. Moore, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Calhoun County Budget, with amendment, by increasing the Calhoun County Prosecutor Office’s budget allocation by \$26,718 to allow for the continuation of a Juvenile Justice Assistant Prosecuting Attorney position for the first six {6} months of 2007, with the continued funding of the position to be reconsidered by the Board prior to the conclusion of the six-month period.”

Comr. Segal stated that funding the Juvenile Justice position for six months had been a discussion item within the budget as an idea of a compromise, however, was not finalized as the budget would be in the same position within six months. Comr. Segal questioned why the Health Department positions have not been discussed. Comr. Segal recommended the proposed amendment be opposed.

Comr. Bolger stated that only \$26,718 of the \$38 Million budget is being considered and urged that the proposed amendment be approved in the spirit of cooperation.

Comr. Moore pointed out that it has been mentioned that the Juvenile Justice position was a discussion item, however, the Budget Committee did not meet again after the public hearing. Comr. Moore stated that he is sorry to see the positions within the Health Department be eliminated as well, however, those positions were eliminated after a departmental process. Comr. Moore advised that he shall only vote regarding the budget if the amendment is included.

Chairman Miller questioned whether he is correct that it is within the Prosecutor’s purview to take money from another area of the Office’s budget to put it towards funding the Juvenile Justice position and that funding of the Office’s programs is the Prosecutor’s responsibility. Prosecutor Hallacy responded yes, however, advised that 96 percent of the Office’s budget is for personnel. Prosecutor Hallacy advised that to fund the Juvenile Justice position would result in the elimination of one to two staff support positions, which would not be prudent or in the best interests of the Office nor of the public.

Chairman Miller advised that the Board gathered August 26 to receive department requests and directed the Budget Committee to assume the task of reviewing the requests.

Comr. Todd stated that it would be totally foolish for someone to believe that a man of his character is not in support of juvenile justice, however, that a priority of the county is to be fiscally sound. Comr. Todd stated that the Board needs to ensure that it is accountable for where the peoples’ money is going, therefore, advised that he will have to oppose the amendment. Comr. Todd stated that he has faith that the Prosecutor shall do what he must to operate his Office.

Prosecutor Hallacy advised that he appreciates the support, however, is witness to a great loss of morale; therefore, requested that the amendment to the budget be withdrawn and the 2007 budget be adopted as presented.

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Roll call vote on Substitute Resolution 210-B-2006:

Yes - 3 (Comrs. Strowbridge, Bolger and Moore)

No - 4 (Comrs. Segal, Solis, Todd and Miller)

Motion DEFEATED

Comr. Moore pointed out that the budget increased 44 percent due to health care costs for which the county can do nothing, and that health care is a large issue not just affecting Calhoun County.

Comr. Segal thanked the members of the Budget Committee for their time and effort in preparing the budget, and Ms. Kline for her assistance.

Comr. Bolger advised that inside he is livid and frustrated. Comr. Bolger stated that it was a big step for the Prosecutor to request the amendment be withdrawn. Comr. Bolger advised that he wants the Board to work together, therefore with that in mind, he shall cast his vote.

Roll call vote on Resolution 210-2006: Yes - 7 Motion CARRIED Unanimously

November 2006 Financial Statements

Mr. Purcell reported that the November statements reflect a contribution totaling \$962,958 to the General Fund for eleven months of 2006. Both revenues and expenditures are below the targeted budget levels. Mr. Purcell advised that there is only one item on the watch list; e.g., property tax revenue collections.

Marshall Public School Board of Education Resolution Discussion

Mr. Purcell addressed Agenda Item No. 8.A. (9), Marshall Public School's resolution giving notice of termination of education services provided at the Juvenile Home, advising that he met with representatives of the School, the Calhoun Intermediate School District (ISD), and the teachers involved. Mr. Purcell advised that he will enter into negotiations with ISD to develop an agreement which he believes will provide an opportunity for those teachers' employment, and that he plans to bring the agreement before the Board at the first of next year.

Health Department's Request for Position Creation

Mr. Purcell advised that state funding for the Vision and Hearing Program has been restored and that to meet the state mandate regarding additional staff for the Program, the Health Department requests to create a part-time position to be funded utilizing savings from a vacant position.

Res. 211-2006

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

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WHEREAS, the Calhoun County Board of Commissioners approved the 2006-2007 Health Department Budget which provided funding for one full time Hearing and Vision Technician position; and

WHEREAS, the Michigan Department of Community Health informed the Calhoun County Public Health Department that the Vision and Hearing mandate was fully restored for 2007, which requires additional staff to fulfill this mandate; and

WHEREAS, the Calhoun County Public Health Department will utilize savings from the vacant Epidemiologist position to fund this position.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve the creation of a Part Time (.76 FTE) Hearing and Vision Technician position effective January 1, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Amended Employees’ Defined Benefit Pension Plan

Ms. Woods advised that the Plan Document has been amended to reflect the original Plan when first adopted plus four amendments since adoption.

Res. 212-2006

“Motion by Comr. Segal, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the amended Calhoun County Defined Benefit Plan Document as presented.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Communication Remittance Authorization

Chairman Miller recommended that the Board authorize the Vice Chairperson to remit the communication presented to Summit Pointe C.E.O. Ervin Brinker.

Res. 213-2006

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the Board Vice Chairperson to remit a communication to Summit Pointe C.E.O. Ervin Brinker requesting a status report regarding Summit Pointe becoming the Substance Abuse Coordinating Agency for Calhoun County, and

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to convene a county-wide planning session to prepare a preliminary plan for treatment and prevention services, and to present the draft plan at the March 15, 2007 Board of Commissioners Meeting.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Agenda Amendment

Res. 214-2006

“Motion by Comr. Miller, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve a friendly amendment to the December 21, 2006 agenda to list Item No. 15. - Announcements as Item No. 13 and list Item No. 13 - Commissioners’ Time as Item No. 15.”

Voice Vote: Motion CARRIED

CITIZENS’ TIME:

Mr. Gardy Berezonsky, Marengo Township resident, advised that he has a copy of the Road Commission’s agenda which listed a fee schedule for a Freedom of Information Act request, and the Road Commission is charging \$30 for someone’s salary. Mr. Berezonsky advised that according to the law, the fee for salary must be assessed upon the hourly wage of the lowest paid employee capable of retrieving the information necessary to comply with the request under the Act.

Mr. Berezonsky continued that also on the agenda the Road Commission Board acted to approve contracts for some of their employees that provided a two percent salary increase, and to give the Finance Director and the Assistant Manager a computer allowance. Mr. Berezonsky stated that he hopes that those employees shall not be taking their computers home.

Chairman Miller advised Mr. Berezonsky that he appreciates his insight and interest, and that he watches every dime.

Ms. Woods thanked Mr. Veramay for his many years of dedicated service to Calhoun County.

ANNOUNCEMENTS:

Comr. Bolger offered best wishes to all those employees that accepted early retirement, and that they are enjoying their retirement time with their families. Comr. Bolger wished everyone a Happy Holiday Season and a Happy New Year.

CLAIMS PAYABLE LISTINGS:

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Res. 215-2006

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve payment of the list of claims against the county in the total amount of \$1,600,983.96 for the week of December 5, 2006; further, approve payment of the list of claims against the county in the total amount of \$609,572.40 for the week of December 12, 2006.”

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

Comr. Strowbridge advised that he has always wanted to vote no on approval of the claims.

COMMISSIONERS' TIME:

Comr. Strowbridge thanked Administration for all of their assistance through the years. Comr. Strowbridge stated that he has learned more about government than he ever learned in a classroom. Comr. Strowbridge thanked all the employees who “put up” with him every day; and his colleague, Commissioner Moore, who has a greater knowledge regarding government than most. Comr. Strowbridge stated that he is sure he is going to enjoy his Thursday evenings more in the future.

Comr. Todd thanked Sheriff Byam and the Sheriff Department for contracting with the school district to conduct fingerprinting of all school employees.

Chairman Miller offered the following:

“I would like to use this opportunity to thank my friends, family and supporters who made my six years of service on the County Commission possible. I promised them that I would serve honestly and effectively. I tried to meet that standard to the best of my ability and it is my sincerest hope that I did not disappoint them.

I have learned a great deal over the last six years about serving people and trying to make government work for its citizens. I have no doubt failed as much as I have succeeded. So, if in the course of that endeavor if I have offended or unduly upset anyone, please accept my apology.

It is always the hope of an elected official to make a positive impact on the lives of our citizens. While not without some failures, over the course of the last six years, the Board of Commissioners has done that. During my time the Board has created a Prescription Drug Plan for senior citizens, begun an expansion of the County Medical Care Facility, updated the county purchasing policy, increased the efficiency of county services, assisted in attracting new jobs,

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upgraded the jail security system, repaired the indigent defense contract and protected ourselves against large legal costs, all while reducing the county tax levy.

Yet, there is still work to be done. I have the utmost confidence that the new and returning members will address issues with candor and diligence. As this body goes forward, I wish it well and hope that it achieves the goals it lays out for itself and this county. To that end, I would offer these parting ideas on how those goals might be achieved.

Do not forget your constitutional and statutory responsibilities. You are the policy making body for Calhoun County. This should be in your thinking as you deal with county policy and county budgets. While duties are prescribed for individual offices and departments, the ultimate authority rests with this body. Do not handcuff yourselves to, defer or dilute those responsibilities with recommendations from appointed bodies. They are only that, recommendations. And ultimately from those recommendations, only the County Commission is answerable.

I have witnessed both unqualified success and abysmal failures develop from the use of appointed bodies. I will stop short of specific citations here, however, I would strongly encourage this body to resist its historic tendency to shield itself by using these bodies to present to the Commission solutions to county problems.

Finally in the same manner Andrew Jackson warned against “sowing the seeds of discord,” I would encourage new and returning members to guard against unnecessary obstruction and objection. While it is not only a right, but a duty of members to represent his or her constituents, constituents also expect that he or she will work towards consensus on points of disagreement, not simply oppose without purpose. One of the greatest disappoints of my term as Chair has been the seemingly endless effort to put partisan divisions ahead of public policy.

Prior to my election as Chair, at least three times I could not bridge a gap of difference with the then Chairmen. Those who could not bridge a gap of difference with me nearly exceeded that number before I had even taken the oath as Chair. For the sake of the county and her citizens I hope that the next Commission further heed the words of Andrew Jackson and “delude not yourselves with the belief that a breach once made, may be afterward repaired.”

Before I conclude, I would be remiss if I did not thank the employees and staff of county government. From the moment I was elected to this body you have been helpful, thoughtful and constructive. I have said before and will say again, I believe Calhoun County has some of the finest and hardest working employees in the state. You are to be commended and celebrated, and I wish you the best as you go forward. Thank you for your service.

While tonight is the conclusion of a chapter in my life, it is not goodbye. The spirit and value of public service is as strong with me today as it was six years ago. Though I will not be serving

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the community in this capacity, I will not stop giving back to the community that has given me so much. With that, I say goodnight, good luck and Godspeed.”

ADJOURNMENT:

The meeting adjourned for 2006 at 10:04 p.m. at the call of the Chair.

mlb