

CALHOUN COUNTY  
PROCEEDINGS OF THE  
BOARD OF COMMISSIONERS

June 21, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, June 21, 2007 in the Battle Creek City Commission Chambers, Battle Creek City Hall, 10 North Division Street, Battle Creek, Michigan.

Roll Call: Present: Comrs. Arnquist, Bolger, Moore, Rae, Segal, Solis and Todd.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the June 21, 2007 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

Ms. Pearl Gray-McWhorter, Battle Creek resident, urged the Board not to accept Ms. Schauer's resignation. Ms. Gray-McWhorter stated that Ms. Schauer is an honest woman, which is why she no longer wishes to work in that position.

Ms. Gray-McWhorter advised that she fell on black ice on January 19 and the City of Battle Creek refuses to pay for her medical expenses. Ms. Gray-McWhorter advised that her physician has ordered patches for her back which cost \$75 a day, and that she is a senior citizen. Ms. Gray-McWhorter requested the Board assist her.

Silver Leaf Renaissance Festival Assistant Manager Russ Gruber advised that since the Silver Leaf moved to Battle Creek they have built some stages, put in some plants, and provided additional parking spaces. Mr. Gruber stated that the Silver Leaf believes the partnership with the County is very beneficial to both the Silver Leaf and the citizens of Calhoun County.

Mr. Gruber advised that the Silver Leaf provided its expansion plan to the Road Commission on May 2 and is

**Board of Commissioners  
June 21, 2007**

continuing to look for new events. Mr. Gruber stated that the Silver Leaf hopes to continue to give back to the community and is currently working with the Humane Society, Housing for Humanity and the Susan G. Komen Foundation. Mr. Gruber thanked the staff of the Youth Academy for their assistance, Mr. Randolph and Ms. Johnson of the Road Commission, and the people of Calhoun County.

**SPECIAL ORDER OF BUSINESS:**

**Area Agency on Aging Annual Implementation Plan Presentation**

Executive Director Conrad Kramer introduced Karla Fales, Sherri Torres, and Council Member James Wright. Mr. Kramer advised that the Plan shall go before the Area Agency on Aging Council next week for final approval.

Ms. Fales advised that a copy of the Plan has been provided to both communities; and reported that the Elder Abuse Coalition is doing well in providing education, awareness and training to care givers and is working with the Prosecutor's Office, the Sheriff Department and law enforcement regarding procedures for reporting abuse.

Ms. Fales continued that money has been set aside to support the senior centers in the service area and a coordinated plan for seniors' transportation is being developed, for which the Agency received Michigan Department of Transportation funding.

Chairwoman Segal thanked Ms. Fales and Ms. Torres for the monthly reports, and questioned whether the Agency requires formal support of the Plan.

County Administrator/Controller Greg Purcell stated that he does not believe a formal resolution is required, just a letter of support.

**Special Tribute to Robert Redman**

Chairperson Segal read, and accompanied by Comr. Solis, presented the following tribute to Mr. Redman.

**Res. 89-2007**

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

The Calhoun County Senior Millage Allocation Committee and Board of Commissioners wish to thank Bob for his years of service with the Senior Millage Allocation Committee. Bob has served as a committee member on the Senior Millage Allocation Committee since 2003.

**Board of Commissioners  
June 21, 2007**

During his service on the committee he has been a strong supporter of services for seniors in Calhoun County that enable seniors to remain in their homes. Bob thank you for:

- Always being a steady calming force in any situation.
- Serving as chairperson of the Access sub-committee and sharing your knowledge and input.
- Always giving a well thought out response and strong leadership.
- Always being a reliable “bean counter”.

You have been a faithful volunteer, generously giving of your time and knowledge to serve the senior citizens of Calhoun County. The members of the Senior Millage Allocation Committee as well as the Senior Citizens of Calhoun County have greatly benefitted from your years of service.”

Voice Vote: Motion CARRIED

Special Tribute to Dr. Miriam Daly

Chairwoman Segal read the following tribute.

Res. 90-2007

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

The Calhoun County Senior Millage Allocation Committee and Board of Commissioners wish to thank Dr. Daly for her years of service with the Senior Millage Allocation Committee. Dr. Daly has served as a committee member on the Senior Millage Allocation Committee since 2000.

During her service on the committee she has been a strong supporter of services for seniors in Calhoun County that enable seniors to remain in their homes. Dr. Daly thank you for:

- Supporting the implementation of the Senior Prescription Discount Card for county seniors who do not have prescription coverage.
- Serving on the Health sub-committee and sharing your knowledge and input.
- Leading with thoughtfulness and caring.

You have been a faithful volunteer, generously giving of your time and knowledge to serve the senior citizens of Calhoun County. The members of the Senior Millage Allocation Committee as well as the Senior Citizens of Calhoun County have greatly benefitted from your years of service.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 91-2007

“Motion by Comr. Bolger, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following June 21, 2007 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolutions received from Van Buren County (1) opposing Senate Bill No. 220 {Convention Facility Development Fund Appropriation Reduction} and (2) opposing House Bill No. 4398 {State Mandated Bidding of Governmental Projects}. (Referred to the Legislative Liaisons, with a copy of (2) remitted to Administrative Services Director Bradley Wilcox)
- (2) Resolution received from the Michigan Association of County Clerks opposing House Bill No. 811 {State Mandates Regarding Elections}. (Referred to the Legislative Liaisons)
- (3) Resolution received from Berrien County opposing House Bill No. 4780 {State Mandate for County/Townships Consolidation of Services}. (Referred to the Legislative Liaisons)
- (4) Criminal Justice & Detention Facility Seminar information received from Pauly Jail Building Company of Noblesville, Indiana. (Received and placed on file, with a copy remitted to the Board of Commissioners and Sheriff Allan Byam)

B. Resolutions:

- (1) Senior Millage Allocation Committee Appointments  
(Terms Expire April 30, 2010)
  - {a} Mary Crowell
  - {b} Joanne Konkle
  - {c} Edward Scully
  - {d} Mary Jo Byrne”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Road Commission Composition Workshop

Workshop Chairman Solis reported that the Workshop, comprised to discuss whether the Road Commission membership should be expanded under the new legislation, held two meetings to review the legislation and the legislative history for allowing the expansion, discussed the opportunity for increased representation for the citizens of Calhoun County, and recommends that the Road Commission membership be expanded.

Res. 92-2007

“Motion by Comr. Rae, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Public Hearing Notice regarding Expanding Calhoun County Road Commission Membership as presented.”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Calhoun County Multi-Jurisdictional Hazard Mitigation Plan

Emergency Management Coordinator Larry Utterback advised that the Emergency Management Office in cooperation with the city, village and township governments, citizens and business owners of Calhoun County worked upon the Plan. Mr. Utterback stated that development of the Plan started in 2005 through a grant to get jurisdictions to assess their hazards and risks and establish plans to better prepare for disasters. Mr. Utterback advised that the Plan has been reviewed and conditionally approved by FEMA, with final approval pending receipt of the adopting resolution. Mr. Utterback stated that with the Plan’s approval when funding becomes available, the county shall be eligible to apply for those funds.

Res. 93-2007

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

WHEREAS, Calhoun County has developed a Multi-Jurisdictional Hazard Mitigation Plan that includes all hazards to which the county is susceptible per Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, Calhoun County has been assessed for its susceptibility to all hazards; and

WHEREAS, Calhoun County has compiled a list of all structural assets that could be affected by the identified hazards; and

WHEREAS, Calhoun County has estimated potential losses which structural assets could suffer in the event of a hazard; and

WHEREAS, Calhoun County has developed goals, objectives, and strategies to mitigate against the hazards that have been identified in the county; and

WHEREAS, Calhoun County has identified and analyzed mitigation measures; and

WHEREAS, Calhoun County has prioritized the aforementioned mitigation strategies; and

WHEREAS, the Calhoun County Hazard Mitigation Core Planning Committee and the Office of Emergency Management have agreed to periodically review and update the Multi-Jurisdictional Hazard Mitigation Plan.

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners hereby adopt and plan to implement the actions prescribed in the Multi-Jurisdictional Hazard Mitigation Plan.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Michigan Emergency Management Assistance Compact Agreement

Mr. Utterback advised that the Agreement allows the jurisdictions to provide interjurisdictional assistance and resources to participating jurisdictions within the state, and is tied to some federal funding.

Res. 94-2007

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

**Board of Commissioners  
June 21, 2007**

WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended M.C.L. 39.401 et. seq., authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended, among political subdivisions within the State.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster, we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2007-2009 Police Officers Association of Michigan Labor Agreement

Assistant County Administrator Wendee Woods advised that this is the first Agreement with the Police Officers Association of Michigan, that used to be the Police Officers Labor Council. The Agreement includes economic and non-economic changes and benefit changes. Ms. Woods advised that she has been notified that the Union has ratified the Agreement.

Sheriff Allen Byam advised that all parties received gains and cost increases. Sheriff Byam thanked Ms. Woods and Corporation Counsel Mullett for their work in negotiating the Agreement.

Res. 95-2007

“Motion by Comr. Arnquist, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Labor Agreement between the Calhoun County Board of Commissioners and the Police Officers Association of Michigan (POAM), effective January 1, 2007 through December 31, 2009; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County.”

**Board of Commissioners  
June 21, 2007**

Comr. Rae inquired regarding the percentage of salary increases for the first year of the Agreement. Ms. Woods responded that the percentage depends upon the position, however, that the average is three percent for 2007. Ms. Woods advised that the salary increases are effective tomorrow, with no retroactivity.

Comr. Rae questioned the advantage of removing the first step. Ms. Woods responded that when the salaries were compared to other counties, Calhoun County was behind except in clerical positions; therefore, to bring the positions closer in-line, the bottom step was removed and a step at the top was added.

Comr. Bolger questioned the total cost of the Agreement in comparison to revenue. Ms. Woods responded that it is very difficult to advise without a Finance and Equalization Director.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

May 2007 Financial Statements

Interim Finance Director Pam Kline reported that expenditures are exceeding revenues by \$3 Million, creating a reduction to the General Fund. Ms. Kline advised that activity should be at the targeted level of 41.67 percent of the budget. Currently revenues continue to run at 30.48 percent, while expenditures are closer to the target at 39.65 percent. Ms. Kline advised that the county will have a few more months where the budget will be in this situation; however the Finance Department is anticipating no problems, that it is simply a matter of timing differential.

Ms. Kline reported that the Treasurer spoke to her regarding pooled cash, and the Finance Department has released funds within the Revenue Sharing Account.

Comr. Moore questioned the impact upon accrual of interest. Mr. Purcell responded that there shall be a reduction of interest earnings, however, pointed out that Calhoun County is in better shape than some of the other counties. Mr. Purcell addressed legislation proposed providing for changes to Public Act 2 funding, and the potential for the state to mandate replenishment of the Revenue Sharing Account. Comr. Moore inquired whether the Treasurer could provide the information regarding interest earnings. Ms. Kline responded Yes.

Comr. Rae advised that he received the Michigan Department of Treasury's fiscal distress indicator report which indicates that Calhoun County is basically in good financial shape. Mr. Purcell advised that Calhoun County's bond rating has held firm and that he believes the county is doing well overall.

Comr. Moore voiced concern regarding the "draw down" situation of the Revenue Sharing Account, pointing out that should something occur which has not been anticipated, the county shall have less time to react. Ms. Kline responded that each department receives a monthly financial report for review, and that she has not been advised of any potential problem at this time.

2007 Byrne Justice Assistance Grant Program Award Interlocal Agreement

Mr. Purcell advised that the Agreement with the City of Battle Creek is in the amount of \$20,000.

Prosecutor John Hallacy stated that the Agreement is similar to last year's and shall provide \$20,000 to fund a portion of the personnel costs of an Asst. Prosecuting Attorney within the Family Division. Prosecutor Hallacy advised that he talked with Mr. Purcell prior to the meeting, and shall determine when the money will be utilized.

Res. 96-2007

“Motion by Comr. Arnquist, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Interlocal Agreement between the City of Battle Creek and Calhoun County regarding the 2007 Byrne Justice Assistance Grant Program Award; further, authorize the County Administrator/Controller to execute said Agreement on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Equalization Director Appointment and Professional Services Agreement

Mr. Purcell advised that Mr. Lee assisted in recruiting Mr. David Jager, who is retiring June 22 as Kent County's Equalization Director and has agreed to serve as Calhoun County's Equalization Director until such time as the county can recruit and hire a permanent full-time Director.

Mr. Jager introduced himself and advised of his previous responsibilities as Equalization Director. Mr. Jager advised that he met the staff and looks forward to working with them.

Mr. Purcell advised that the county's long term solution is to acquire a certified Level IV Assessor.

Res. 97-2007

“Motion by Comr. Rae, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Professional Service Agreement between the Calhoun County Board of Commissioners and David G. Jager and appoint David G. Jager Calhoun County Equalization Director effective June 25, 2007; further, authorize the Board Chairwoman to execute said Agreement on behalf of the Calhoun County Board of Commissioners.

**Board of Commissioners  
June 21, 2007**

Comr. Moore inquired to whom questions for that Office should be directed. Mr. Jager requested he be contacted, advising that he has a cell phone and an email account and can be contacted at any time.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS' TIME:

Prosecutor Hallacy announced that the reuben eating contest is coming up and invited everyone to join the event; further, announced that August 23 is the Sexual Assault Services Golf Outing at Krystalfalls Golf and challenged the Commissioners to play. Prosecutor Hallacy advised that this year the funding raised shall go to the new Child Advocacy Center in Battle Creek.

Prosecutor Hallacy also advised that August 17 is the Celebrity Waiter Fund Raiser to raise money for Safe Place.

Ms. Gray-McWhorter advised that she attended a Community Action Agency Board meeting at which it was advised that the Agency has approximately \$80,000 for energy, however, that at the World's Longest Breakfast Table an Agency representative advised her that the Agency has no more money for energy payments and would like to get out of the energy and transportation business.

Ms. Gray-McWhorter requested a copy of the budget, and reminded the Board that she needs the patches for her back.

COMMISSIONERS' TIME:

Comr. Moore advised that Saturday, June 30, from 11:00 a.m. through 3:00 p.m. is the Annual Bridge Park Demonstrations and encouraged everyone to attend the events.

CLAIMS PAYABLE LISTINGS:

Res. 98-2007

“Motion by Comr. Rae, 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 \$351,693.44 for the week of June 5, 2007; further, approve payment of the list of claims against the county in the total amount of \$1,175,096.36 for the week of June 12, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ADJOURNMENT:

The meeting adjourned at 8:20 p.m. at the call of the Chair.

mlb