

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

February 7, 2008

The Regular Session of the Calhoun County Board of Commissioners convened at 7:03 p.m., Thursday, February 7, 2008 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Silent Prayer was observed in memory of the victims of tornados; followed by the Pledge of Allegiance, led by Comr. Solis.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the February 7, 2008 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Rae, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the January 17, 2008 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Mr. Rich Logan, Emmett Township resident, stated that he supports the E 9-1-1 surcharge rate and consolidation of dispatch services. Mr. Logan inquired how many cell phones will be charged, how revenue will be generated, and how the revenue shall be utilized.

Mr. Gardy Berezonsky, Marengo Township resident, noted that 25 percent of the new surcharge rate is to be spent for a new consolidated dispatch center which does not exist, and questioned whether the Board is “putting the cart before the horse.” Mr. Berezonsky questioned whether all the law enforcement agencies unanimously voted in support of the new surcharge and consolidation of dispatch services.

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Marshall City Mayor Bruce Smith stated that the City will be happy to work with the rest of the county for a consolidated dispatch center.

Albion City Mayor William Wheaton advised that the City supports the E 9-1-1 surcharge rate.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Introduction of New Deputy Equalization Director

County Administrator/Controller Greg Purcell introduced John Hippensteel, and advised that Commissioner Moore had been a member of the interview panel.

Mr. Hippensteel advised that he was raised in Matawan, received a bachelors degree in criminal justice, and worked for the past four years as a property appraiser for the City of Battle Creek.

Mr. Purcell advised that Mr. Hippensteel is a level four appraiser, and that Mr. Lee will be assisting Mr. Hippensteel in acquiring his certification. Mr. Purcell stated that Mr. Hippensteel has been introduced to the staff, and welcomed him to his new position.

Comr. Moore stated that Mr. Hippensteel brings a lot to the "table," and that he is confident Mr. Hippensteel has the skills to do the job.

CONSENT AGENDA:

Res. 18-2008

"Motion by Comr. Rae, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following February 7, 2008 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice of a public hearing scheduled for January 22, 2008 regarding granting an Industrial Facilities Exemption Certificate to Prairie Farms Dairy received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Jager)
- (2) Copy of a communication received from the Calhoun Intermediate School District addressing snow plowing. (Received and placed on file, with a copy remitted to Road Commission Chairman Scott Brown)

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- (3) Resolution received from Bay County calling upon Congress to re-authorize the Beaches Environmental Assessment and Coastal Health Act and to increase and distribute more equitably funding for beach water quality monitoring. (Referred to the Legislative Liaisons)
- (4) January 3, 2008 Order Approving Historic Properties Management Plan In Part And Requesting Additional Information for the City of Marshall's Hydroelectric Project received from the U.S. Federal Energy Regulatory Commission. (Received and placed on file)
- (5) January 10, 2008 Order Modifying and Approving Water Quality Monitoring Plan for the City of Marshall's Hydroelectric Project received from the U.S. Federal Energy Regulatory Commission. (Received and placed on file)
- (6) Amended Calhoun County Economic Development Corporation Bylaws (Received and placed on file)

B. Resolutions:

- (1) Calhoun County Agricultural Preservation Board Appointment
 - {a} Ken Blight -- Term Expires December 31, 2010
- (2) Summit Pointe Board of Directors Appointments (Terms Expire March 31, 2011)
 - {a} Allen Schipper
 - {b} John Seita
 - {c} Paul Tackett
 - {d} Nidia Wolf

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Senior Millage Allocation Committee

Committee Chairman Solis announced that the Committee is seeking volunteers interested in serving on the Committee. Comr. Solis advised that anyone interested should contact Rodna Stealy at 781-0846 or may apply on line on the county's website, www.calhouncountymi.org. Comr. Solis advised that applications must be received by Tuesday, February 19 at 9:00 a.m.

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Solid Waste Management Planning Advisory Committee

Comr. Rae announced that the Committee shall be conducting a public hearing regarding the proposed Solid Waste Management Plan on Monday, March 3 at 5:30 p.m. at the Road Commission Board Room.

Battle Creek Area Transportation Study Policy Committee

Committee Member Todd reported that February is no longer the month for Child Passenger Safety Week. Comr. Todd advised that Child Passenger Safety Week shall now be observed in September; further, reported that there will be road paving occurring this summer on I-94 from Helmer Road to 40th Street going westbound to Galesburg.

Substance Abuse Council of Greater Battle Creek

Comr. Todd advised that Board members will be receiving an invitation from the Council to attend a workshop on meth and prescription drug abuse. Comr. Todd stated that the workshop is February 13 from 8:00 a.m. to 12:00 p.m. at the Calhoun Intermediate School District.

Comr. Todd further reported that he has information regarding businesses that have complied with alcohol compliance checks. Comr. Todd advised that the checks are to ensure that businesses are not selling alcohol to minors. Comr. Todd stated that he would like Board members to recognize those businesses within their districts that are in compliance.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Resolution Amending the Resolution Authorizing Calhoun County Water Supply System
(Charter Township of Pennfield) Refunding Bonds, Series 2007

Mr. Purcell advised that Pennfield Township Supervisor Robert Behnke could not be present as he is attending his son's band concert. Mr. Purcell addressed the Board's previous action approving the issuance of the bonds, advising that the amendment to the authorizing resolution is required to reflect the underwriter's new affiliation to Raymond James & Associates.

Res. 19-2008

“Motion by Comr. Rae, supported by Comr. Bolton, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Resolution Amending the Resolution Adopted January 7, 2007 Authorizing Calhoun County Water Supply System (Charter Township of Pennfield) Refunding Bonds, Series 2007 (ATTACHMENT A) to provide for changing the

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designation of the underwriter and other matters relative to sale and delivery of bonds.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Resolutions to Amend the Calhoun County Final 9-1-1 Service Plan
and Adopt a Monthly Surcharge Rate

Mr. Purcell reported that he met with the Enquirer and News editorial staff who did a very good endorsement of the proposed surcharge rate and a consolidated dispatch center.

Comr. Bolger advised that this process has been on-going for years, however, in December 2007 the state changed the law due to technology changes. Comr. Bolger explained that the surcharge was \$.65 on land lines only. Cell phones and voice over internet lines were not charged the surcharge, and it became an issue of fairness. Comr. Bolger pointed out that emergency call volumes have increased in all of the dispatch centers because with most everyone having cell phones, more emergency calls are being received. Comr. Bolger advised that cell phones shall be assessed based upon their current billing address.

Comr. Bolger stated that with the new change in the law, counties now have the opportunity to set the surcharge rate. Comr. Bolger advised that the proposed rate of \$.60 is \$.05 less than the current rate, and is the very lowest rate being proposed in the State of Michigan. Comr. Bolger stated that some counties are proposing a \$1 surcharge and there is one proposing a \$5 surcharge, further, advised that some counties have an E 9-1-1 millage.

Comr. Bolger advised that the surcharge is not for revenue enhancement and is coupled with a commitment from the cities to pursue a consolidated dispatch center. Comr. Bolger stated that he is excited that the county is moving forward with this collaboration.

Comr. Bolger addressed the savings through the efficiency of one center; further, pointed out that the proposal does not spend money for technology upgrades. Comr. Bolger stated that the location of the center is important and addressed the importance of the dispatch center becoming an independent authority. Comr. Bolger advised that the Marshall County Building has been discussed as the location of that authority, and that July 1, 2008 is the date for an agreement to move forward, with January 1, 2009 as the date for the center to be operational.

Comr. Bolger continued that it is the county's intent to pass through \$.35 to the entities and 25 percent to the consolidated dispatch center; and that once the center is operational, the entire \$.60 shall be passed through to the dispatch center. Comr. Bolger advised that should the proposal not occur, he shall present a resolution to lower the surcharge to \$.35 per line, however, that he hopes the proposal shall move forward.

Sheriff Allen Byam advised that all of the agencies involved voted unanimously for a consolidated dispatch center and the proposed surcharge rate.

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Battle Creek Dispatch Center Manager Jill Fish advised that she is in favor of one dispatch center.

Comr. Moore advised that the Legislature is aware that some counties are attempting to generate revenue through their surcharge, which is not the intent of the new legislation, and shall be reviewing counties that set their surcharge rate over 2.7 percent of the 2007 rate.

Mr. Purcell stated that he does not know how many cell phones are utilized in Calhoun County, and in estimating this number the population times 93 percent was used.

The Board applauded the community collaboration.

Res. 20-2008

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

WHEREAS, under the Emergency 9-1-1 Service Enabling Act (P.A. 32 of 1986, as amended), the Calhoun County Board of Commissioners approved the final 911 service plan on August 2, 2001 to benefit the citizens of Calhoun County by providing a uniform and well known emergency telephone number; and

WHEREAS, the Calhoun County Board of Commissioners continues to believe that 911 service will benefit the citizens of Calhoun County; and

WHEREAS, the State of Michigan enacted Public Act 164 of 2007 to further support 9-1-1 service in Michigan; and

WHEREAS, Calhoun County has deemed it necessary to collect county-based 9-1-1 funds from communications service providers as allowed under Public Act 164 of 2007 to defray the costs of being ready to process, and of actually processing 9-1-1 calls placed within Calhoun County; and

WHEREAS, Public Act 164 of 2007 allows for limited amendments to be made to the Calhoun County 9-1-1 Plan through resolution by County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED the Calhoun County Board of Commissioners hereby adopts this amendment to the Calhoun County 9-1-1 plan to establish a monthly county-based 9-1-1 surcharge as permitted under P.A. 164 of 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Res. 21-2008

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

WHEREAS, under the Emergency 9-1-1 Service Enabling Act (P.A. 32 of 1986, as amended) the Calhoun County Board of Commissioners approved the final 911 service plan on August 2, 2001 to benefit the citizens of Calhoun County by providing a uniform and well known emergency telephone number; and

WHEREAS, the Calhoun County Board of Commissioners continues to believe that 911 service will benefit the citizens of Calhoun County; and

WHEREAS, the State of Michigan enacted Public Act 164 of 2007 to further support 9-1-1 service in Michigan; and

WHEREAS, Public Act 164 of 2007 allows for the creation of a county-based local 9-1-1 surcharge on all communications service providers that can access 9-1-1 and provides for the collection, disbursement, use, and audit of said funds; and

WHEREAS, Calhoun County has deemed that a monthly county-based surcharge of \$0.60 be placed on all communications service providers beginning July 1, 2008 as allowed under Public Act 164 of 2007 is necessary to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within Calhoun County; and

WHEREAS, Public Act 164 of 2007 states that an estimated amount of anticipated annual revenue must be included within the resolution creating the monthly county-based 9-1-1 surcharge and projections by the county estimate that amount of anticipated annual revenue to be \$905,468 (the anticipated amount to be collected in calendar year 2008 under this surcharge is \$452,734); and

WHEREAS, Public Act 164 expires February 28, 2009, the monthly county-based surcharge will remain in effect until that time, or is otherwise changed by law; and

FURTHER, that pursuant to Public Act 164 of 2007, the Calhoun County Board of Commissioners has modified the 9-1-1 Plan on February 7, 2008 to reflect the changes in the 9-1-1 surcharges collected by Calhoun County.

NOW, THEREFORE, BE IT RESOLVED the Calhoun County Board of Commissioners hereby adopts the county-based 9-1-1 surcharge on communications devices as permitted under P.A. 164 of 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

“Black History Month” Proclamation

Comr. Todd read the following proclamation into the official record.

Res. 22-2008

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

WHEREAS, February marks the beginning of Black History Month, a celebration that has existed since 1926, which provides a unique opportunity to gain a deeper understanding and knowledge of the diverse contributions of African-Americans to our country and world; and

WHEREAS, in 1926 Dr. Carter Woodson, who was determined to bring Black History into the mainstream public arena, organized the first annual Black History celebration which took place during the second week of February. Dr. Woodson chose this date to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, two men who had greatly impacted the black population; and

WHEREAS, this is a time for all Americans to become more aware of the important role African-Americans maintain in our country’s defense and continued development as a great international nation; and

WHEREAS, the Calhoun County Board of Commissioners would like to take this opportunity to recognize the many accomplishments and contributions of African-Americans in Calhoun County.

NOW, THEREFORE, I, Kate Segal, Chairwoman of the Calhoun County Board of Commissioners, do hereby proclaim the month of February 2008 as

“BLACK HISTORY MONTH”

in Calhoun County and urge our citizens to recognize and support the ideals of human dignity and equal opportunity to which this nation is committed and which we celebrate during this month.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2007-2008 Health Department Budget Adjustments

Health Officer Dottie-Kay Bowersox addressed the decrease in budget for the amount required from the fund

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balance due to the net effect of all budget adjustments proposed in the amount of \$110,811; further, the savings of \$104,000 as a result of the reduction of central services costs. Ms. Bowersox advised that within Environmental Health the budget for technology upgrades is being increased by \$30,000, pointing out that the original technology upgrade costs of \$60,000 had been intended to be paid part this year and part next year; however, due to the cost savings, the Department will pay all of the expenditure this year.

Res. 23-2008

“Motion by Comr. Moore, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2007-2008 Health Department budget adjustments, as recommended by the Board of Health.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS' TIME:

Ms. Laura Rocho thanked the Board of approving the clean air regulation.

Mr. Berezonsky advised that per the Freedom of Information Act request he presented, the information provided indicates that there are 533 county employees that are considered full-time employees, and that of those employees 91 have cell phones which are paid for by the taxpayers. Mr. Berezonsky advised that a lot of those employees with cell phones are within the Circuit Court and the Sheriff Department, however, that within the Justice Center there are signs that state that cell phones are not allowed. Mr. Berezonsky inquired whether those signs apply only to him, as attorneys with cell phones are permitted within the Center. Mr. Berezonsky requested the Board review the matter and the percentage of cell phones which are paid for by the taxpayers.

Mr. Jerry Keller, Battle Creek resident, stated that the small dispatch centers are giving up control of their dispatchers, which he believes represents good leadership from the Cities of Marshall and Albion.

CLAIMS PAYABLE LISTINGS:

Res. 24-2008

“Motion by Comr. Solis, supported by Comr. Rae, 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 \$970,566.56 for the week of January 15, 2008; further, approve payment of the list of claims against the county in the total amount of \$384,637.35 for the week of January 22, 2008; and finally, approve payment of the list of claims against the county in the total amount of \$745,141.79 for the week of January 29, 2008.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

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ANNOUNCEMENTS:

Comr. Solis announced that Albion's Men Who Cook is having their annual fund raiser to beautify Albion on February 17 from 12:00 p.m. to 2:00 p.m.

ADJOURNMENT:

The meeting adjourned at 8:01 p.m. at the call of the Chair.

mlb