

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

December 4, 2008

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, December 4, 2008 in the Commissioners Meeting Room, County Building, 315 West Green Street, Marshall, Michigan.

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

Staff Present: Asst. County Administrator Bradley Wilcox, Finance Director Mark Stuhldreher, Sheriff Allen Byam, Interim County Administrator Don Gilmer, Budget Analyst Pam Kline, Information Technology Manager David Hackett, Veterans Services Officer Jude Lonergan, Road Commissioner Scott Brown and Deputy Clerk/Board Aide Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

“Motion by Comr. Solis, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 4, 2008 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Rae, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the November 6, 2008 minutes as presented.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

National Drunk and Drugged Driving Prevention Month Proclamation

Chairwoman Segal read and presented the following proclamation to Battle Creek Area Transportation Study Executive Director Patricia Karr.

Res. 187-2008

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

WHEREAS, motor vehicle crashes involving alcohol (with at least one driver with a blood alcohol concentration of .08 g/cl or above) accounted for 32% of all motor vehicle traffic fatalities in 2007 (killing 12,998 persons and injuring hundreds of thousands more every year in the United States); and

WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for alcohol-impaired driving; and

WHEREAS, according to the National Highway Traffic Safety Administration, based on the current rates, three in every ten Americans will be involved in an alcohol related crash at some point in their lives; and

WHEREAS, organizations across the nation are joining together to promote the *“Drunk Driving. Over the Limit. Under Arrest.”* national public awareness campaign and law enforcement initiatives in December 2008, especially between December 13th and December 31st.

NOW THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners proclaim December 2008 as **“National Drunk and Drugged Driving Awareness Month”** and encourage promotion of the awareness campaigns this December holiday season and throughout the year.”

Voice Vote: Motion CARRIED

Special Tribute to Beverly Bentley

Comr. Solis read the following tribute into the record.

Res. 188-2008

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

WHEREAS, the Forks Senior Center was established in September of 2005 after the closing of Burnham Brook East. The Center was conceived by the ideas of two energetic women, **Beverly**

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Bentley and Ione Kaiser.

Bev and Ione felt that the seniors in Albion needed a place to continue to congregate, communicate and be able to stay active and alive -- physically, mentally and socially. With the help of a core group, mostly past members of Burnham Brook East, they put their heads together, and with the generosity of the First United Methodist Church, they acquired two rooms to use to start the Forks Senior Center. The Center was operated strictly by volunteers, including Bev, for a long time before hiring a director; and

WHEREAS, in 2007 Beverly Bentley became part of the paid staff, with the position of Co-Director; and

WHEREAS, Bev, now at the young age of 80, wishes to be able to spend more time with her husband, family and friends, and not be committed to the every day work routine, is retiring as Co-Director of the Forks Senior Center; and

WHEREAS, knowing Bev and her concerns for the seniors of Albion, she will still be involved, but as a volunteer again.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that **BEVERLY BENTLEY** is hereby honored and thanked for her many years of dedicated service to the Albion community, especially the seniors of Albion through her work at the Forks Senior Center. We offer our best wishes to Beverly for a long and happy retirement.”

Voice Vote: Motion CARRIED

Chairwoman Segal advised that Commissioner Solis and she presented the tribute to Bev at her retirement party.

FY 2009 Calhoun County Budget Public Hearing

Res. 189-2008

“Motion by Comr. Bolger, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners declare the FY 2009 Calhoun County Budget public hearing open for discussion.”

Voice Vote: Motion CARRIED

The public hearing was declared open for public discussion at 7:07 p.m.

Comr. Bolger noted that salary increases for elected officials and Commissioners are included within the budget,

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and advised that he wants those removed for separate consideration and shall offer a motion to remove them at the next Board meeting. Comr. Bolger advised that he shall also offer a motion to remove health insurance for Commissioners as he does not believe that it is right for part-time employees to receive health insurance.

Mr. Jerry Keller, Battle Creek resident, inquired regarding the amount of additional meeting related expense of the Board conducting its Board meetings at locations other than the county seat.

Chairwoman Segal advised Mr. Keller that the amount shall be provided to him at the next Board meeting.

Mr. Keller stated that he believes the Board meetings should be conducted at the county seat.

Res. 189-A-2008

“Motion by Comr. Rae, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners declare the FY 2009 Calhoun County Budget public hearing closed.”

Voice Vote: Motion CARRIED

The public hearing was declared closed at 7:11 p.m.

CONSENT AGENDA:

Res. 190-2008

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following December 4, 2008 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from Lenawee County opposing the Michigan Commission on Law Enforcement Standards’ 520 hour standard for police officers. (Referred to the Legislative Liaisons, with a copy remitted to Sheriff Allen Byam)
- (2) Copy of a communication remitted to Albion College - Nancy Held Equestrian Center received from the Michigan Department of Agriculture advising that the Center has met all of the requirements set forth by the MAEAP Farmstead System. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)

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- (3) Notice of an advisory public hearing scheduled for November 25, 2008 regarding granting zoning variances to Convenience King Group, Inc. for property at 15551 11 Mile Road, Battle Creek, Michigan, and to Steve Gagnon for property at 283 South Wattles Road, Battle Creek, Michigan received from the Emmett Township Zoning Board of Appeals. (Received and placed on file, with a copy remitted to Planning Consultant Jennifer Bomba)
- (4) Copy of a communication remitted to Mr. Denny Wright, Climax resident, received from the Michigan Department of Agriculture advising that a complaint concerning silage stockpiling at Mr. Wright's beef facility has been abated. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)
- (5) Notice received from the Michigan Department of Treasury that the City of Marshall is requesting revocation of the real property components of Industrial Facilities Exemption Certificate No. 1999-299 and No. 2005-023 issued to Lear Technologies LLC. (Received and placed on file)
- (6) Notice of a public hearing scheduled for December 16, 2008 regarding the creation of a Downtown Development Authority in Pennfield Township received from Pennfield Township. (Received and placed on file)
- (7) Notice of a public hearing scheduled for December 2, 2008 regarding granting transfer of Industrial Facilities Exemption Certificate No. 2002-286, No. 2003-110 and No. 2002-383 from Kraft Foods North America, Inc. to Post Foods, LLC for real and personal property located at 275 Cliff Street received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Jager)

B. Resolutions:

- (1) Health Board Appointments
(Terms Shall Expire December 31, 2011)
 - {a} Samantha Pearl
 - {b} Rick Tsoumas"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

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County Administrator Search Committee

Committee Chairman Rae reported that the Committee has gone through a lengthy process to find a new Administrator and has determined a final pool of five candidates. Comr. Rae advised that on Tuesday, December 9, the Committee shall be meeting with the consultant to prepare for the interviews with the five candidates, which shall be conducted on December 10. Comr. Rae advised that in the evening of December 10 there shall be a reception at the Kellogg Foundation whereby the public can meet the candidates. Comr. Rae continued that December 11 at 1:30 p.m. a Special Session of the Board has been scheduled to determine whom should be offered a contract.

Chairwoman Segal advised that the interviews shall be conducted in a meeting open to the public.

Consolidated Dispatch Center Authority Governing Board

Comr. Bolger reported that the Governing Board meets every week and that Mr. Wilcox has been very involved with the architectural work for the old District Court area downstairs. Comr. Bolger stated that the question being considered now is whether the Governing Board should hire a director, or whether the Board of Commissioners should hire the director, or whether a consultant should be hired for a short-term. Comr. Bolger stated that he shall be leaving the Governing Board at the end of his term, creating a vacancy for a Commissioner/Commissioner-elect interested in serving on that Board.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

2009 Board of Commissioners Meeting Schedule

Interim County Administrator/Controller Don Gilmer advised that the schedule follows the first and third Thursdays of the month format, with the exception of January due to the holiday falling upon the first Thursday.

Res. 191-2008

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2009 Board of Commissioners Meeting Schedule (ATTACHMENT A) as presented.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Secure Our Schools Grant Award

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Mr. Gilmer advised that the Sheriff is requesting authorization for the Board Chairwoman to execute the grant documents for the Community Oriented Policing Services' Secure Our Schools Grant in the amount of \$542,850. Mr. Gilmer stated that the schools will provide the grant match.

Sheriff Allen Byam addressed the letters from the schools advising that they shall pay their share of the grant match. Sheriff Byam introduced Deputy Rivera who prepared the grant application.

Deputy Luis Rivera advised that the only school not listed is the Intermediate School District, that shall be participating.

Res. 192-2008

“Motion by Comr. Arnquist, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the two {2} year Secure Our Schools Grant Award from the U.S. Department of Justice, Community Oriented Policing Services, in the amount of \$542,850 for the period of September 1, 2008 through August 31, 2010; further, authorize the Board Chairwoman to execute the Grant Award documents on behalf of Calhoun County and the Calhoun County Sheriff Department.”

Comr. Moore addressed the reach of the cameras, and advised the public that if anyone is concerned, they should contact the schools to ensure that the placement of the cameras are known.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

COMMISSIONERS' TIME:

Comr. Moore invited everyone to attend the Tenth Anniversary Holiday Balloon Festival in Battle Creek this weekend. Comr. Moore pointed out that the Balloon Festival is the largest in the entire state with 75 pilots registered. Comr. Moore advised that there is a flight tomorrow night and a “glow” in the Kellogg Community College parking lot. Comr. Moore stated that for the first time there will be a warming tent, entertainment, and a fireworks show on Saturday night.

CLAIMS PAYABLE LISTING:

Res. 193-2008

“Motion by Comr. Moore, supported by Comr. Bolger, 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 \$915,319.06 for the two {2} weeks ending November 26, 2008.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ADJOURNMENT:

The meeting adjourned at 7:27 p.m. at the call of the Chair.

mlb