

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

April 2, 2009

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, April 2, 2009 in the Commissioners Meeting Room, County Building, 315 West Green Street, Marshall, Michigan.

Roll Call: Present: Comrs. Camp, Gerow, Haadsma, Lee, Rae, Rocho and Todd.

Staff Present: Finance Director Mark Stuhldreher, County Administrator/Controller Kelli Sproule, Human Resource Manager Kim Archambault, Sheriff Allen Byam, Veterans Service Officer Jude Lonergan, Senior Services Manager Carl Gibson, Executive Secretary Chris Zuidema, Corporation Counsel Richard Lindsey, Jr., Extension Director Rita Klavinski and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Silence was observed for Chairman Rae's Mother-in-law who passed away yesterday. Invocation was given by Father Chuck Fischer of St. Phillip Catholic Church; followed by the Pledge of Allegiance, led by Comr. Lee.

APPROVAL OF AGENDA:

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 2, 2009 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the March 3, 2009 and the March 4, 2009 Special Session minutes, the March 5, 2009 Regular Session minutes, the March 14, 2009 Special Session minutes, and the March 19, 2009 Regular Session minutes as presented.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

2010 Census Partner Proclamation and Census “Kick-Off”

U.S. Census Bureau Relationship Specialist Dizzy Warren thanked the Board for inviting her and addressed the importance of the local municipalities supporting and promoting the 2010 census which gathers population statistics that impacts schools, businesses, programs, etc. Ms. Warren advised that the long questionnaire form is no longer used, and that those requiring assistance in completing the form may go to a Be Counted Center. Ms. Warren advised that all individuals’ information is confidential and cannot be released for 72 years, and that only aggregate information can be released.

Battle Creek City Mayor Mark Behnke encouraged the residents of Battle Creek to participate in the census count.

Marshall City Mayor Bruce Smith reminded everyone of the importance of the census information in terms of funding for public transportation and the elderly; further, advised that the information is vital to investors.

Comr. Rocho advised that the schools use the information that was provided within the long form to determine needs assessment. Ms. Warren advised that the information that was provided through the long form has been turned into a program; e.g., American Community Survey, and that information from six percent of the population is collected every month.

Chairman Rae stated that census data guides important decisions for the community and that an incomplete count could mean missing out on funding. Chairman Rae encouraged everyone to fill out the census questionnaires.

Mr. Gerry Keller, Battle Creek resident, introduced Emmett Township Supervisor Gene Adkins.

Chairman Rae read the following proclamation into the record.

Res. 60-2009

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

WHEREAS, an accurate census count is vital to our community and residents’ well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and

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WHEREAS, more than \$300 Billion per year in federal and state funding is allocated to states and communities based on census data; and

WHEREAS, census data ensures fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and

WHEREAS, the 2010 Census creates jobs that stimulate economic growth and increase employment opportunities in our community; and

WHEREAS, the information collected by the census is protected by law and remains confidential for 72 years.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, proclaim that Calhoun County, Michigan is committed to partnering with the *U.S. Census Bureau* to help ensure a full and accurate count in 2010 and as a 2010 Census partner, we will:

1. Support the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage those in our community to participate.
2. Encourage people in Calhoun County to place an emphasis on the 2010 Census and participate in events and initiatives that will raise overall awareness of the 2010 Census and ensure a full and accurate census.
3. Support census takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community, such as Complete Count Committees, to utilize high-profile, trusted voices to advocate on behalf of the 2010 Census.”

Voice Vote: Motion CARRIED

Comr. Lee inquired regarding the amount of census collecting jobs that shall be available in Calhoun County. Ms. Warren estimated one hundred.

“Parents Who Host Lose The Most: Don’t Be A Party To Teenage Drinking” Month
Proclamation

Comr. Lee read the following proclamation. Chairman Rae presented the proclamation to Substance Abuse Council Executive Director Suzanne Horsfall and Sheriff Allen Byam.

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Res. 61-2009

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

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, it is illegal to give or allow your teen’s friends to drink alcohol in your home, even with their parents’ permission; and

WHEREAS, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and six months in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities; and

WHEREAS, each year about 1,900 persons who are under 21 die in motor vehicle crashes that involve underage drinking; and

WHEREAS, alcohol is also involved in about 1,600 homicides and 300 suicides each year among persons under 21; and

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex among youth, increasing their risk of contracting HIV or other transmitted diseases; and

WHEREAS, 13 percent of all youth, ages 12 -17, had at least one serious problem related to drinking in the past year; and

WHEREAS, the Substance Abuse Council, through the “Parents Who Host, Lose The Most: Don’t be a party to teenage drinking” campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice; and

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners not only discourages the use of alcohol by those below the legal age of consumption but also

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exhorts all residents of Calhoun County to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners, hereby proclaim that **April 2009 is “Parents Who Host Lose the Most: Don’t be a party to teenage drinking” Month in Calhoun County.** We also call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses and workplaces, hospitals, and schools in Calhoun County to support efforts that will reduce and prevent underage drinking in our community.”

Voice Vote: Motion CARRIED

Ms. Horsfall thanked the Board for its support, and Sheriff Byam for chairing the committee.

CONSENT AGENDA:

Res. 62-2009

“Motion by Comr. Haadsma, supported by Comr. Rocho, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following April 2, 2009 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Copy of a communication remitted to Mr. Randy Hammer, Battle Creek resident, received from the Michigan Department of Agriculture advising that the complaint against his farm operation has been classified as not verified and that the file shall be closed. (Received and placed on file, with a copy remitted to Health Officer Jim Rutherford)
- (2) Resolutions received from Berrien and Lake Counties opposing the fifty percent funding reduction and merger of the Michigan State University Agriculture Experiment Station and Michigan State University Extension. (Referred to the Legislative Liaisons, with a copy remitted to Extension Director Rita Klavinski)
- (3) Resolution received from Ogemaw County requesting legislative assistance in the remedy of funding litigation brought upon counties by courts. (Referred to the Legislative Liaisons, with a copy remitted to Circuit Court Administrator Jeffrey Albaugh, District Court Administrator Michelle Hill and Probate Court Administrator Michael Boltz)

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- (4) Resolution received from Wayne County requesting that the Governor and the Michigan Legislature implement a plan to improve Michigan roads and highways. (Referred to the Legislative Liaisons, with a copy remitted to Road Commission Managing Director Kevin Henning)
- (5) Copy of a communication remitted to Mr. Stuart Love, Marshall resident, received from the Michigan Department of Agriculture advising that the complaint against his farm operation has been classified as not verified and that the file will be closed. (Received and placed on file, with a copy remitted to Health Officer Jim Rutherford)
- (6) Copy of a communication remitted to Mr. Kevin Webber, Marshall resident, received from the Michigan Department of Agriculture advising of March 6, 2009 inspection results of his equine facility and advising that a follow up inspection has been scheduled for May 29, 2009. (Received and placed on file, with a copy remitted to Health Officer Jim Rutherford)
- (7) Notice of mass permanent layoff of fifty employees within its facility located at 101 Spires Parkway, Tekonsha, Michigan commencing May 29, 2009 through September 11, 2009 received from the Electrical Division of Cequent Performance Products. (Received and placed on file)

B. Resolutions:

- (1) Calhoun County Community Corrections Advisory Board Appointment
 - {a} Cindy Rude -- Probate Court Alternate Representative
- (2) Calhoun County Youth Council Appointments
(Terms Expire December 31, 2009)
 - {a} Rico Bailey -- Battle Creek Central High School Representative
 - {b} Sara Urspruch – Pennfield Junior High School Representative
 - {c} Gabriel Fitzpatrick – Battle Creek Central High School Representative
- (3) Summit Pointe Board of Directors Appointments
(Terms Expire March 31, 2012)

- {a} Brenda Minter
- {b} Jeffrey Phillips
- {c} Carl Word”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Battle Creek Area Transportation Study Policy Committee

Committee Member Todd reported that he has a copy of proposed road work projects under the American Recovery and Reinvestment Act available to share.

Calhoun County Consolidated Dispatch Center Authority Governing Board

Chairman Rae reported that the Governing Board is making excellent progress and is currently seeking a director. Chairman Rae advised that he shall keep Board members apprised.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

County Administrator/Controller Kelli Sproule reported that she attended a meeting at the Calhoun Intermediate School District at which an attorney who has dealt with other casinos that have the same compact as the Firekeepers provided many good recommendations regarding the revenue sharing board. Ms. Sproule stated that in a couple of months Administration needs to work closely with Emmett Township Supervisor Adkins regarding the bylaws for the revenue sharing board. Ms. Sproule further reported that she attended a Road Commission/Parks Trustees Board meeting last evening and heard a presentation from the Cass County Road Commission of how their Parks Trustees Board has changed from Public Act 90, which Calhoun County operates under, to operating under Public Act 261. Ms. Sproule advised that Corporation Counsel shall be reviewing the Acts.

Ms. Sproule advised that she placed an invitation to the opening celebration of Panera Bread in Battle Creek on Saturday, April 4 in Board members’ mailboxes. Ms. Sproule continued that she is working with Ms. Klavinski in setting up some dates and a facilitator for the Board’s strategic planning session which Administration hopes to have scheduled for May, or June at the latest.

Calhoun County Administrative Organizational Chart

Ms. Sproule presented an administrative organizational chart, advising that the executive team shall report to her, as well as the Equalization Director and the Health Officer. Ms. Sproule advised that the Drain Commissioner shall be corrected to the Water Resources Commissioner.

CITIZENS' COMMENTS:

Mr. Creighton Burrows, Marshall resident, addressed the proclamation supporting the census, which states that the information collected remains confidential for 72 years, pointing out that if that was true, those that desire the information would not be able to use the information for the purposes stated tonight. Mr. Burrows stated that in this age of technology the information is not even confidential for one year. Mr. Burrows challenged anyone to search their name through the computer, advising that they will find lots of information on themselves. Mr. Burrows questioned the necessity of the census with the advent of computer technology, and with cameras placed everywhere and the geographic information system fly-over. Mr. Burrows stated that in this day and age individuals have no privacy, and that it is time that the American people say "No. We have had enough of this."

Ms. Horsfall thanked the Board for their support of the Substance Abuse Council. Ms. Horsfall advised that the designation transfer to the agency in Kalamazoo is going very well and that the Council is using the funding given to it through that relationship.

Senior Services Manager Carl Gibson commended the Parks Trustees Board for considering switching to a Parks Commission which will bring the authority of the parks' administration under the County Board. Mr. Gibson advised that he supports the census as the Senior Services Department requires the information to determine the senior population growth rate.

Mr. Gardy Berezonsky, Marengo Township resident, addressed the Calhoun County administrative organizational chart, pointing out that it is the citizens who should be at the top of the chart as it is the citizens who are in charge of the Board of Commissioners.

COMMISSIONERS' TIME:

Comr. Rocho advised regarding the census and confidentiality of information collected, that only aggregate information is released.

Comr. Haadsma introduced Calhoun County Youth Council Members Rico Bailey, Sara Urspruch and Gabriel Fitzpatrick.

CLAIMS PAYABLE LISTING:

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Res. 63-2009

“Motion by Comr. Rocho, supported by Comr. Lee, 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 \$1,605,521.10 for the two {2}weeks ending March 25, 2009.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Haadsma announced that he shall be meeting with constituents on Saturday, April 18 at 9:00 a.m. at Continental Bakery.

CLOSED SESSION:

Res. 64-2009

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners meet in Closed Session for the purpose of discussing labor negotiations.”

Voice Vote: Motion CARRIED

The Board met in Closed Session commencing at 7:46 p.m. until 8:05 p.m. with County Administrator/Controller Kelli Sproule, Human Resources Manager Kim Archambault, Corporation Counsel Richard Lindsey, Jr., Finance Director Mark Stuhldreher and Deputy Clerk/Board Executive Secretary Mary Lou Barrett present.

OPEN SESSION -- Michigan Nurses Association 2009-2011 Labor Agreement Ratification:

Res. 65-2009

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners ratify the 2009-2011 Collective Bargaining Agreement between the Calhoun County Board of Commissioners and the Michigan Nurses Association for the period of January 1, 2009 through December 31, 2011; further, authorize the Board Chairman to execute said Agreement on behalf of the Calhoun County Board of Commissioners.”

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Roll call vote: Yes - 6 (Comrs. Haadsma, Lee, Rae, Rocho, Todd and Gerow)
No - 1 (Comr. Camp)
Motion CARRIED

Comr. Camp stated that the Human Resource Department has done a admirable job in following the directives of the previous Board, however, that she believes it is time for the county to address some cost saving measures.

ADJOURNMENT:

The meeting adjourned at 8:07 p.m. at the call of the Chair.

mlb