

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

April 14, 2009

The Equalization Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Tuesday, April 14, 2009 in the Commissioners' Meeting Room, County Building, 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, Corporation Counsel Richard Lindsey, Jr., Equalization Director David Jager, Deputy Equalization Director John Hippensteel, Prosecutor's Office Administrative Secretary Fran Smith, Prosecutor's Office Court Coordinator Shirley Lawcock, Prosecutor Susan Mladenoff and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was given by Pastor John Sterner of the Presbyterian Church of Albion; followed by the Pledge of Allegiance, led by Comr. Lee.

APPROVAL OF AGENDA:

“Motion by Comr. Camp, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 14, 2009 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

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

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

Child Abuse Prevention Month Proclamation

Comr. Todd read the following proclamation into the record.

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

Res. 66-2009

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

WHEREAS, the month of April 2009 has been designated as National Child Abuse Awareness Month; and

WHEREAS, youth between the ages of 12 and 19 experience the highest rate of violent victimization in the United States; and

WHEREAS, of the approximately 906,000 children found to be victims of child maltreatment, 63 percent were neglected, 19 percent were physically abused, 10 percent were sexually assaulted, and 8 percent were psychologically maltreated; and

WHEREAS, of the approximately 1500 children who died of abuse or neglect in 2006, 79 percent of the children were younger than 4 years of age.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April 2009 is recognized as Child Abuse Prevention Month in Calhoun County. The Calhoun County Board of Commissioners thank and recognize those victims of crime, the Calhoun County Prosecutor’s Office, the Calhoun County Sheriff Department, the Child Abuse and Neglect Prevention Council and other law enforcement and service agencies, who, through their cooperative efforts in coordinating the events of Child Abuse Prevention Month, help heighten awareness of the plight of those who are or become a victim of crime.”

Voice Vote: Motion CARRIED

Crime Victims’ Rights Week Proclamation

Comr. Gerow read the following proclamation into the record.

Res. 67-2009

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

WHEREAS, President Ronald W. Reagan first declared “National Crime Victims’ Rights Week” in 1981 to focus our Nation’s attention on the plight of crime victims; and

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

WHEREAS, since 1981, America has joined together annually to recognize the needs and rights of crime victims and survivors during National Crime Victims' Rights Week; and

WHEREAS, the week of April 26-May 2, 2009 has been designated as National Crime Victims' Rights Week with the theme "25 Years of Rebuilding Lives: Celebrating the Crime Victims' Rights Act;" and

WHEREAS, despite impressive accomplishments in crime victims rights and services, there remain many challenges to ensure that all crime victims and survivors are treated with dignity and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April 26-May 2, 2009 is recognized as Crime Victims' Rights Week in Calhoun County. The Calhoun County Board of Commissioners thank and recognize those victims of crime, the Calhoun County Prosecutor's Office, the Calhoun County Sheriff Department and other law enforcement and service agencies, who, through their cooperative efforts in coordinating the events of Crime Victims' Rights Week, help heighten awareness of the plight of those who are or become a victim of crime."

Voice Vote: Motion CARRIED

Sexual Assault Awareness Month Proclamation

Comr. Rocho read the following proclamation into the record.

Res. 68-2009

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

WHEREAS, the month of April 2009 has been designated as National Sexual Assault Awareness Month; and

WHEREAS, only 40 percent of rapes and sexual assaults are reported to law enforcement; and

WHEREAS, among female victims of rape and sexual assault, 74 percent of the crimes were committed by intimate partners, relatives, friends, or acquaintances; and

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

WHEREAS, one in six girls/women and one in thirty-three boys/men will be sexually assaulted in their lifetime.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April 2009 is recognized as Sexual Assault Awareness Month in Calhoun County. The Calhoun County Board of Commissioners thank and recognize Sexual Assault Services of Calhoun County, the Calhoun County Prosecutor's Office, the Calhoun County Sheriff Department and other Law Enforcement and Service Agencies, who, through their cooperative effort have coordinated the events of Sexual Assault Awareness Month."

Voice Vote: Motion CARRIED

Chairman Rae presented the proclamations to Prosecutor Mladenoff.

Special Tribute to Shirley E. Lawcock

Chairman Rae read and presented the following tribute to Ms. Lawcock.

Res. 69-2009

"Motion by Comr. Rocho, supported by Comr. Camp, resolved by the Calhoun County Board of Commissioners approve the following tribute:

WHEREAS, SHIRLEY E. LAWCOCK began her career with the Calhoun County Prosecutor's Office on January 17, 1984; and

WHEREAS, Shirley E. Lawcock, as of January 17, 2009, has continuously served as a member of the staff of the Calhoun County Prosecutor's Office for Twenty-Five (25) years; and

WHEREAS, Shirley E. Lawcock will be retiring from the Calhoun County Prosecutor's Office on May 1, 2009; and

WHEREAS, the Attorneys and the Staff of the Calhoun County Prosecutor's Office as well as the Calhoun County Law Enforcement Community have been privileged to work with someone whose work ethic, depth of knowledge, kindness and willingness to help has earned her the respect and admiration of all who have worked with her over the years; and

WHEREAS, Calhoun County Law Enforcement and the Citizens of Calhoun County are honored by the dedicated service that Shirley E. Lawcock has given to this county.

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that **SHIRLEY E. LAWCOCK** is hereby honored and thanked for her Twenty-Five years of dedicated service to the Citizens of Calhoun County and the Law Enforcement Community and we wish her a long and happy retirement.”

Voice Vote: Motion CARRIED

2009 Equalization Report

Deputy Equalization Director John Hippensteel addressed the process of equalization and reported that the total equalized valuations of the county increased 0.56 percent over 2008 valuations. Mr. Hippensteel advised that the Report represents the recommended 2009 county equalized values for each class of property in each of the 19 townships and 4 cities within the county. Mr. Hippensteel pointed out that the growth rate was less than the 2.81 percent in equalized values that occurred between 2007 and 2008, indicating a rapidly softening real estate market.

Mr. Hippensteel advised that the Report had to be revised due to a reporting error within the residential classification for Albion City which changed the totals.

Comr. Rocho inquired how the taxable increase compares to the 2009 budget. Equalization Director David Jager responded that the increase is “Right on.”

Comr. Camp questioned the error for Albion City. Mr. Hippensteel responded that one parcel had been pulled out and put in the land bank. Comr. Camp inquired regarding foreclosures. Mr. Hippensteel advised that two years ago the state commenced allowing counties to look at those and include those sales if they are good sales. Comr. Camp inquired whether a special report must be filed for foreclosed properties. Mr. Hippensteel responded Yes.

Chairman Rae requested Mr. Jager provide his best estimate of where property values are headed over the next two years. Mr. Jager responded “Stagnant.” Mr. Jager stated that there may still be some decreases this year and that the Department should know within a month. Mr. Jager stated that the Department had been utilizing a two-year sales study, however, received an email from the state to do a one-year study.

Res. 70-2009

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

WHEREAS, the Equalization Department has examined the assessment rolls of the 19 Townships and four Cities within Calhoun County to determine whether the real and personal

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

property in the respective Townships and Cities has been equally and uniformly assessed; and

WHEREAS, based on this examination and studies it conducted, the Equalization Department has prepared and presented to the County Board of Commissioners the attached (ATTACHMENT A) 2009 Equalization Report; and

WHEREAS, said Equalization Report presents recommended County equalized valuations for each of the 19 Townships and four Cities within the County; and

WHEREAS, the recommended County equalized valuations were determined by adding to or deducting from the assessed valuations of taxable property in the 19 Townships and four Cities within the County an amount which represents true cash value.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners accept and adopt the recommended County equalized valuations presented in the 2009 Equalization Report prepared by the Calhoun County Equalization Department for a total 2009 equalized valuation of real and personal property of \$4,578,712,887, with the breakdown of equalized valuation by property classification as follows:

Agricultural Real Property	\$ 388,939,088
Commercial Real Property	\$ 601,437,497
Industrial Real Property	\$ 221,112,502
Residential Real Property	\$2,811,258,960
Developmental Real Property	<u>\$ 3,886,010</u>
Total Real Property	\$4,026,634,057
Total Personal Property	<u>\$ 552,078,830</u>
Total Real and Personal Property	\$4,578,712,887

BE IT FURTHER RESOLVED, that the Calhoun County Board Chairwoman and the County Clerk/Register of Deeds are authorized to sign the Report; further, that the County Administrator/Controller and the Equalization Director/Deputy Director are authorized to represent Calhoun County at both preliminary and final State equalization sessions, if deemed necessary.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CONSENT AGENDA:

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

Res. 71-2009

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following April 14, 2009 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolutions received from Ottawa and Antrim Counties opposing a fifty percent funding reduction for Michigan State University Extension and the Michigan Agricultural Experiment Station. (Referred to the Legislative Liaisons, with a copy remitted to Extension Director Rita Klavinski)
- (2) Resolutions received from Oceana County {1} opposing a fifty percent funding reduction for Michigan State University Extension and the Michigan Agricultural Experiment Station, and {2} supporting use of \$15 Million of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15 Million to supplement the Program through fiscal year 2010. (Referred to the Legislative Liaisons, with a copy of {1} remitted to Extension Director Rita Klavinski and a copy of {2} remitted to Planning Consultant Jennifer Bomba)
- (3) Resolution received from Hillsdale County supporting use of \$15 Million of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009. (Referred to the Legislative Liaisons, with a copy remitted to Planning Consultant Jennifer Bomba)
- (4) Notice of Mechanical Permit PM080016 Expiration received from Emmett Township. (Received and placed on file, with a copy remitted to Assistant County Administrator Bradley Wilcox)
- (5) Resolutions received from Oscoda County {1} requesting that the Governor and the Michigan Legislature implement a plan to improve Michigan roads and highways, {2} supporting use of \$15 Million of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15 Million to supplement the Program through fiscal year 2010, and {3} requesting legislative assistance in the remedy of courts bringing lawsuits against the counties. (Referred to the Legislative Liaisons, with a copy of {1} remitted to Road Commission Managing Director Kevin Henning, a copy of {2} remitted to Planning Consultant Jennifer Bomba, and a copy of {3}

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

remitted to Circuit Court Administrator Jeffrey Albaugh, District Court Administrator Michelle Hill and Probate Court Administrator Michael Boltz)”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Legislative Liaisons

Liaison Rocho reported that the Legislative Liaisons have been reviewing the resolutions received from other counties over the last couple of months to determine whether or not the Board should take action, and have determined to get staff involved. Comr. Rocho advised that the Legislative Liaisons will have a recommendation in the near future.

Homer Lake Board

Lake Board Member Lee reported that the Lake Board met today and an attorney gave his opinion regarding whether the Board can or cannot levy assessments to continue the project of dredging the lake.

Comr. Camp addressed recently appointments to a Casino/Casino Baseline Advisory Committee, and offered the following motion.

“Motion by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners that the Casino/Casino Baseline Advisory Committee be a committee of the whole.”

Chairman Rae declared the motion out of order as it is not a committee report.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

County Administrator/Controller Kelli Sproule addressed a recent newspaper article regarding the Consolidated Dispatch Center Authority Governing Board which stated that the county is to hire a director for the center. Ms. Sproule advised that it is not the county that shall be hiring, that it is the Authority operating under an interlocal agreement. Ms. Sproule stated that the county shall be receiving the applications and forwarding them on to the Authority.

FY 2009 Budget Amendment

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

Finance Director Mark Stuhldreher advised that the budget amendment is required to correct understated revenue and expenses for the Child Care Fund. Mr. Stuhldreher advised that inaccurate information contained in the documentation used as the basis for adoption of the 2009 budget caused the adopted balances to be approved at a level that was \$100,000 less than what was recommended.

Comr. Rocho inquired whether the problem has been addressed. Mr. Stuhldreher responded Yes.

Res. 72-2009

“Motion by Comr. Rocho, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2009 Budget Amendment to correct the Child Care Fund (ATTACHMENT B), as presented by the Finance Department.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Byrne Memorial Formula Grant Program Subcontract

Ms. Sproule advised that the agreement is to accept a federal grant for approximately \$14,000 for the Sheriff Department to have a deputy be part of the Southwest Enforcement Team.

Sheriff Allen Byam advised that the Department has received the grant for many years. Sheriff Byam advised that in the past fifty percent of the deputy's funding had been provided by the grant, however, that for the current year grant funds have been cut whereby only twenty percent of the position shall be funded under the grant.

Comr. Rocho questioned the additional \$4,300 per month. Sheriff Byam advised that the amount is the additional cost per month. Comr. Rocho inquired whether the remaining salary for the deputy is included within the Department's 2009 budget. Sheriff Byam responded yes, however, that funding for the program will be exhausted in July. Sheriff Byam stated that he hopes to acquire more funding whereby the program can continue. Comr. Rocho inquired regarding the staff impact after July. Sheriff Byam responded that it shall depend upon whether there is a vacancy for the deputy to go to or whether the position shall be eliminated. Comr. Rocho asked Sheriff Byam whether he shall be requesting that the Program be continued for 2009 with funding provided out of the Sheriff Department's budget. Sheriff Byam responded that it is possible.

Comr. Camp advised that the City of Battle Creek shall be opting out after this year, and asked Sheriff Byam if that shall influence his decision. Sheriff Byam responded that he has not had discussion with Battle Creek officials regarding whether they shall be opting out of the Program. Sheriff Byam advised that there are many opportunities for requesting monies through grants. Comr. Camp inquired whether there are any ramifications to the integrity of the grant should the county terminate the position in the middle of the year. Sheriff Byam responded no, pointing out that the grant commenced October 1, 2008 and that the state is aware that if funding

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

runs out, the Program will terminate.

Res. 73-2009

“Motion by Comr. Lee, supported by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Byrne Memorial Justice Assistance Grant Subcontract { ODCP Project # 70888-1-09-B } between the Michigan Department of Community Health, Office of Drug Control Policy, and the Calhoun County Sheriff Department in the amount of \$13,860 for the period of October 1, 2008 through September 30, 2009; further, authorize the Board Chairman to execute said Grant Subcontract on behalf of Calhoun County and the Calhoun County Sheriff Department.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

March 2009 Financial Statements

Mr. Stuhldreher reported that the revenue discrepancy is a transfer that will be made in April rather than in March of last year.

Chairman Rae inquired whether the budget is “on track.” Mr. Stuhldreher responded Yes.

“Motion by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners that the Casino/Casino Baseline Advisory Committee be a committee of the whole.”

Chairman Rae declared the motion out of order, and advised Commissioner Camp that if she wishes to offer the motion, to have it placed on the next Board agenda.

COMMISSIONERS' TIME:

Comr. Camp addressed the Board's team building session and discussion regarding committee of the whole meetings as the Board has many decisions that shall be forthcoming. Comr. Camp stated that she hopes that the Board shall be moving in that direction.

CLAIMS PAYABLE LISTINGS:

Res. 74-2009

**Board of Commissioners
EQUALIZATION SESSION
April 14, 2009**

“Motion by Comr. Rocho, 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 \$780,082.16 for the two {2}weeks ending April 7, 2009.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ADJOURNMENT:

The Board adjourned at 8:11 p.m. at the call of the Chair.

mlb