

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

May 7, 2009

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

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

Staff Present: Finance Director Mark Stuhldreher, County Administrator/Controller Kelli Sproule, Human Resource Manager Kim Archambault, Veterans Service Officer Jude Lonergan, Senior Services Manager Carl Gibson, Corporation Counsel Richard Lindsey, Jr., Assistant County Administrator Bradley Wilcox and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Silence was observed; followed by the Pledge of Allegiance, led by Comr. Gerow.

APPROVAL OF AGENDA:

“Motion by Comr. Gerow, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the May 7, 2009 agenda as presented.”

Roll call vote: Yes - 5 (Comrs. Gerow, Haadsma, Lee, Rae and Rocho)
Excused - 1 (Comr. Todd)
No - 1 (Comr. Camp)
Motion CARRIED

APPROVAL OF MINUTES:

Comr. Camp requested correction to Page No. 155 to place her comments at the end of New Business.

“Motion by Comr. Haadsma, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 14, 2009 minutes, with correction.”

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

Mr. Gardy Berezonsky, Marengo Township resident, questioned which statute mandates the Sheriff to operate a Marine Safety Program, advising that the only mandate he could locate pertained to removal of dead bodies.

SPECIAL ORDER OF BUSINESS:

Special Tribute to James Moreno

Res. 75-2009

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

WHEREAS, JAMES MORENO was one of the early supporters and proponents of the Calhoun County Senior Millage; and

WHEREAS, James Moreno has been a continuous member of the Senior Millage Allocation Committee since its inception in 1997; and

WHEREAS, James Moreno most recently completed his 4th term and 12th year as an Allocation Committee member, he has been instrumental in maintaining focus on services directly benefitting seniors while protecting the public’s funds; and

WHEREAS, the Senior Millage Allocation Committee and the Senior Citizens of Calhoun County are honored by the enduring and dedicated service that James Moreno has given to this county and its citizens, both the hearty and the frail.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that JAMES MORENO is hereby honored and recognized for his many years of dedicated service to the Senior Citizens of Calhoun County and the enduring legacy of generations to come.”

Voice Vote: Motion CARRIED

Older Americans Month Proclamation

Res. 76-2009

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

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WHEREAS, Calhoun County, Michigan, is a community in which 36,753 citizens age 60 or older make their home, and older adults in Calhoun County and throughout the U.S. are a growing population with evolving needs; and

WHEREAS, older Americans are valuable members of our community who are rich with experience, deserving of our respect, and enhance our communities and personal lives; and

WHEREAS, the increasing number of baby boomers reaching traditional retirement age highlights the need for more support for older adults because our older citizens of today and tomorrow promise to be among the most active and involved older adult populations in our nation's history; and

WHEREAS, many members of our community also serve as caregivers for older adults and often need support and assistance to keep their loved ones at home to effectively delay premature nursing home placement; and

WHEREAS, it is the responsibility of Calhoun County and all U.S. communities to work collaboratively to address older adults' unique health and long-term care challenges; and

WHEREAS, communities can improve older citizens' overall quality of life by helping them:

- Make behavioral changes in their lifestyles to reduce the risk of disease, disability and injury
- Obtain the tools to make informed decisions about, and gain better access to, existing health and long-term care options in their communities
- Have more options available to help them remain at home as long as possible
- Insuring caregivers for older adults are equipped and supported in their important role

NOW THEREFORE, WE, the Calhoun County Board of Commissioners do hereby proclaim May 2009 to be Older Americans Month. We urge everyone to take time this May to honor our older adults and the many professionals, family members, and citizens who care for older adults. Our collective efforts can improve the lives of our older citizens and help pave the way for future generations.”

Voice Vote: Motion CARRIED

Community Health Care Annual Report

Community Health Care Executive Director Samantha Pearl advised regarding the merger of Calhoun Health Plan and the Nursing Clinic.

National County Government Week Proclamation

Res. 77-2009

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

WHEREAS, the nation’s 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, Calhoun County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, many county government initiatives and programs involve the protection of valuable and vulnerable environmental resources in communities; and

WHEREAS, the *National Association of Counties* created National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation’s counties to meet the needs of the community; and

WHEREAS, NACo and Calhoun County are working together to restore the partnership between all levels of government to better serve American communities.

NOW, THEREFORE, BE IT RESOLVED, that I, Chairman of the Calhoun County Board of Commissioners, hereby proclaim **May 3 - 9, 2009 National County Government Week** and encourage all Calhoun County officials, employees, schools and residents to participate in county government week activities.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 78-2009

“Motion by Comr. Rocho, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following May 7, 2009 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Copy of a communication remitted to Mr. Larry Metzgar, Ceresco resident, received from the Michigan Department of Agriculture advising that he has met all of the requirements set forth by the MAEAP Livestock System. (Received and placed on file, with a copy remitted to Health Officer Jim Rutherford)
- (2) Resolution received from Oceana 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)
- (3) Public notice received from the United States Environmental Protection Agency of intent to issue an injection well permit to Legacy Oil & Gas, L.C. of Mason, Michigan. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)
- (4) Resolution received from Bay County supporting legislation entitled "Hire Michigan First." (Referred to the Legislative Liaisons)
- (5) Equal Pay Day Proclamation. (Received and placed on file)

B. Resolutions:

- (1) Calhoun County Retirement Committee Appointment Confirmation
 - {a} Richard Lindsey, Jr. -- Appointed Officials' Representative
- (2) Calhoun County Security Committee Appointment Confirmation
 - {a} Richard Lindsey, Jr. -- Term Expires December 31, 2009
- (3) Casino/Casino Baseline Advisory Committee Appointment Confirmations
 - {a} Mike Rae, Chairman
 - {b} Kelli Sproule
 - {c} Kirk Lee
 - {d} Jim Haadsma"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Legislative Liaisons

Res. 79-2009

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

WHEREAS, Governor Jennifer M. Granholm’s FY 2010 Budget identifies a 50% reduction in the funding for both the Michigan State University (MSU) Agriculture Experiment Station and MSU Extension and would merge the two into one organization; and

WHEREAS, agriculture and agricultural processing are significant to the economy of Calhoun County inasmuch as the County has a diverse agricultural economy; and

WHEREAS, the Michigan State University Extension Service and Agricultural Experiment Station provide critical research and education to the agricultural industries allowing them to remain profitable in an increasingly competitive global economy; and

WHEREAS, the Calhoun County MSU Extension supports the 4-H Youth Program, teaches basic nutrition to eligible adults and children, supports farm operators and workers through educational programs aimed at enhancing agriculture, and provides many other local officials and residents with educational services and information; and

WHEREAS, MSU Extension helps to reduce economic losses by providing the most current research to agricultural producers and industries, offers opportunities for youth to grow and learn in safe environments with caring adults, and reduces health care costs by teaching youth and families how to select and prepare nutritious meals; and

WHEREAS, a 50% reduction of state funding for Extension outreach and agricultural research would jeopardize the three-way partnership between federal, state and local governments supporting local residents and businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners oppose the 50% State funding reduction and merger of Michigan State University Agriculture Experiment Station and MSU Extension as it is an unacceptable solution to the State’s budget problem; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Granholm, the Michigan Association of Counties and the other 82 Michigan counties.”

Voice Vote: Motion CARRIED

Res. 80-2009

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

WHEREAS, counties depend heavily upon state revenue sharing to provide numerous essential public health, safety and welfare services; and

WHEREAS, the residents of the State of Michigan demand an efficient, professional level of public services; and

WHEREAS, in 2005 State Revenue Sharing payments were discontinued to counties, relieving the State budget of \$183 Million in annual State Revenue Sharing payments to counties, with the promise and agreement that these payments would be restored when each of the individual counties Revenue Sharing Reserve Fund were exhausted.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners joins with other counties and the Michigan Association of Counties in supporting and urging the State of Michigan to fulfill its obligations and promises and fully and unconditionally restore State Revenue Sharing for all Michigan’s 83 counties; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Jennifer Granholm, our State Senators and State Representatives, and the Michigan Association of Counties.”

Voice Vote: Motion CARRIED

Res. 81-2009

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

WHEREAS, the property tax system in the State of Michigan is an ad valorem system and as such property owners pay, within the framework of the Constitution, equitable taxes based on the value of their property; and

WHEREAS, Proposal A was passed by the voters of the State of Michigan in 1994 to limit the increase in taxable value, within the existing and continuing ad valorem framework, in such a

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way as to allow a property owner to predict future property tax burden by the change in the consumer price index and physical improvements to the property while that owner held the property; and

WHEREAS, many property owners have received significant benefit from the limitation on increase in taxable value mandated by Proposal A by paying property taxes on a basis less than the value of their property and continue to realize that significant benefit in the current economic circumstances; and

WHEREAS, recent purchasers of property, many younger and with less stability in their finances, are already shouldering a greater share of the relative tax burden because the basis for their property taxes is the full value of their property; and

WHEREAS, the Michigan Senate has passed Senate Joint Resolution H, (SJR-H), a proposal to amend Article 9, Section 3 of the 1963 Constitution of the State of Michigan by requiring that, effective in 2010, the taxable value of a property would be unchanged if the assessed value of that property declined and the taxable value was less than the assessed value; and

WHEREAS, while the intent of Proposal A was to provide stability and predictability for property owners, the effect of this proposed amendment is to, in declining markets, freeze the position of relative tax benefit that certain property owners enjoy while other property owners continue to pay property taxes on the constitutional ad valorem basis; and

WHEREAS, in addition to the unfair shift in relative tax burden that will result from this proposal, the reduced revenue to local taxing authorities will likely result in reduced services, increased millage rates or both, which will exacerbate the shift in the relative tax burden.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners oppose Senate Joint Resolution H, (SJR-H), because the proposal contradicts the long history of a fair and equitable tax structure in the State of Michigan and promotes poor tax policy by shifting the relative tax burden of the property tax without regard to the consequences to affected taxpayers and local taxing authorities; and

BE IT FURTHER RESOLVED, that while the Calhoun County Board of Commissioners oppose SJR-H because it does not provide an equitable solution to Michigan's property tax concerns, the Calhoun County Board requests that the Legislature of the State of Michigan work together with the Governor to examine all taxes, including the Michigan Business Tax, income tax, sales tax, use tax and property tax, with a goal of providing a means of generating revenue and managing expenditures that is fair and equitable to all the taxpayers of the state; and

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BE IT FINALLY RESOLVED, that copies of this Resolution be sent to Governor Jennifer M. Granholm, Representative Kate Segal, Representative James Bolger, the Michigan Association of Counties, the Michigan Municipal League, the Michigan Townships Association, and the Clerks of all municipalities.”

Voice Vote: Yes - 5 (Comrs. Lee, Rae, Rocho, Gerow and Haadsma)
Excused - 1 (Comr. Todd)
No – 1 (Comr. Camp)
Motion CARRIED

Casino/Casino Baseline Advisory Committee

Chairman Rae thanked members who attended the casino visits in Manistee, Petoskey and St. Joseph. Corporation Counsel Richard Lindsey, Jr. provided a summary of the trips.

Budget Committee

Chairman Rae advised that the Committee met April 23 and received an overview of county finances, a budget calendar and protocol. An item of discussion was a flexible time schedule.

County Administrator/Controller Kelli Sproule advised that some department guidelines have been implemented and department heads shall be responsible for monitoring the flexible time schedules.

Senior Millage Allocation Committee

Committee Member Rocho reported that the Committee is refocusing its mission and reviewing consolidation of vendors.

Homer Lake Board

Comr. Lee reported that a public hearing has been scheduled.

PETITIONS AND NEW BUSINESS:

Letter of Intent to Collect 9-1-1 Surcharge Fees

Res. 82-2009

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the County Administrator/Controller to remit a Letter of Intent advising that Calhoun County shall continue collection of the local 9-1-1

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surcharge fees from July 1, 2009 through June 30, 2010 as approved by MPSC U-15489, along with the completed Form SNC-500, to the State 9-1-1 Committee no later than May 15, 2009.”

Voice Vote: Motion CARRIED

United Solar Ovonic, LLC Economic Development Grant Agreement

Res. 83-2009

“Motion by Comr. Rocho, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Economic Development Grant Agreement between the Michigan Strategic Fund and the County of Calhoun, State of Michigan Community Development Block Grant Program, subject to any non-substantive changes which do not alter or increase the responsibilities or liability of Calhoun County under said Agreement, as determined by the Board Chairman in conjunction with Corporation Counsel; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Voice Vote: Motion CARRIED

United Solar Ovonic, LLC Community Development Block Grant Development Agreement

Res. 84-2009

“Motion by Comr. Lee, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Community Development Block Grant Development Agreement between Calhoun County and United Solar Ovonic LLC, subject to any non-substantive changes which do not alter or increase the responsibilities or liability of Calhoun County under said Agreement, as determined by the Board Chairman in conjunction with Corporation Counsel; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Voice Vote: Motion CARRIED

FY 2009 Marine Safety Program Grant Agreement

Res. 85-2009

“Motion by Comr. Rocho, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2009 Marine Safety Program Grant Agreement between the Michigan Department of Natural Resources, for and on behalf of the State of Michigan, and Calhoun County in an amount not to exceed \$33,888 for the period of

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January 1, 2009 through December 31, 2009; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Voice Vote: Motion CARRIED

Palm Live Scan Grant Acceptance and FY 2009 Sheriff Department Budget Amendment

Res. 86-2009

“Motion by Comr. Haadsma, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve acceptance of the Palm Live Scan Grant from the Michigan Department of State Police in the amount of \$16,000 and authorize the Sheriff to execute and remit the Grant Acceptance Form to the Michigan Department of State Police on behalf of Calhoun County and the Calhoun County Sheriff Department; further, approve the following FY 2009 budget amendment to the Sheriff Department budget to fund the purchase of the live scan equipment:

101-1315-54000	Sheriff - Administration, State Grant	\$16,000.00
101-1315-98000	Sheriff - Administration, Equipment Purchase	\$16,000.00"

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

Mr. Berezonsky advised that former Commissioner Bolger advised that a condition of the county collecting the 9-1-1 surcharge was dependent upon the consolidated dispatch center being operational by February 2009.

CLAIMS PAYABLE LISTING:

Res. 87-2009

“Motion by Comr. Rocho, supported by Comr. Gerow, 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 \$14,714,962.74 for the three {3} weeks ending April 29, 2009.”

Roll call vote: Yes - 6 (Comrs. Gerow, Haadsma, Lee, Rae, Rocho and Camp)
Excused - 1 (Comr. Todd)
Motion CARRIED

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ANNOUNCEMENTS:

Comr. Haadsma advised that JONAH is having their annual banquet on Saturday between 5:00 p.m. and 7:00 p.m. at the Holiday Inn in Battle Creek.

Comr. Haadsma further advised that Commissioner Gerow and he are conducting a town hall meeting at St. Mark's Lutheran Church on May 11 at 7:00 p.m. Corporation Counsel, the Water Resources Commissioner and a Department of Natural Resources representative shall be present to answer questions regarding the flooding which occurred in Minges Brook.

Comr. Camp advised that she is a member of the Drainage Board which conducted an informational meeting regarding the flooding and is completing a model of the dynamics of the flooding.

ADJOURNMENT:

The meeting adjourned at 8:24 p.m. at the call of the Chair.

mlb