

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

November 19, 2009

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, November 19, 2009 in the Commissioners Meeting Room, County Building, 315 West Green Street, Marshall, Michigan.

Chairman Rae called the meeting to order and requested the Clerk call the roll.

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

Staff Present: Corporation Counsel Richard Lindsey, Jr., County Administrator/Controller Kelli Scott, Deputy Equalization Director John Hippensteel, Finance Director Mark Stuhldreher, Sheriff Allen Byam and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Comr. Gerow.

APPROVAL OF AGENDA:

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the November 19, 2009 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Rocho, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the November 5, 2009 minutes as presented.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 188-2009

“Motion by Comr. Rocho, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following November 19, 2009 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice of a public hearing scheduled for November 10, 2009 regarding the proposed establishment of an obsolete property rehabilitation district received from Battle Creek City. (Received and placed on file, with a copy remitted to Deputy Equalization Director John Hippensteel and Treasurer Ann Rosenbaum)”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Battle Creek Area Transportation Study Policy Committee

Committee Member Todd reported that he attended the Battle Creek Area Transportation Study Policy Committee meeting this week and has information of activities and projects available for those interested.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

County Administrator/Controller Kelli Scott reported that the Department of Environmental Quality and FEMA, Region 5, are conducting an Open House for residents of Calhoun County on December 1 from 4:30 p.m. to 7:00 p.m. in the Commission Chambers to discuss flood issues, insurance, etc. A Calhoun County officials’ meeting is from 2:00 p.m. to 4:00 p.m. to discuss update of flood plain maps. Ms. Scott offered to provide the details.

Ms. Scott addressed the Recovery Zone Bonds, advising that \$7 Million has been dedicated to the county to do improvements and that the remainder is available for other projects. Ms. Scott advised that she has received a lot of interest in the remaining amount and plans to work with the Economic Development Corporation in reviewing the proposals.

Ms. Scott reported that the Budget Committee has conducted budget hearings with the department heads and is working on compiling those documents. The budget is not balanced yet, however, it is close. Ms. Scott addressed the article in the Enquirer and News which reported that there would be layoffs. Ms. Scott advised

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that the article is true. Ms. Scott stated that Administration hopes to reduce staffing first through attrition, and early retirement incentives which are being worked on. Ms. Scott advised that she will have a proposal for the December 3 Board Meeting.

Ms. Scott advised that the Department of Human Services (DHS) closed their offices on the second and part of the third floors of the Toeller Building due to air quality concerns. No county operations were affected. Ms. Scott stated that the systems have been checked three times previously and an air testing company came into the Building again today. Ms. Scott advised that the pre-evaluation is that the air is clean and there are no sediments coming through the ducts. DHS will be open for business again tomorrow morning. Ms. Scott advised that DHS is conducting an employees meeting in the morning and all county employees within the Building have been invited to attend that briefing.

2009 Apportionment Report Amendment

Ms. Scott advised that the amendment is required as one school district passed a sinking fund millage.

Res. 189-2009

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

WHEREAS, Michigan Compiled Law 211.36 requires each Township Clerk to submit to the County Clerk on or before September 30 each year a statement which sets forth the amount of money to be raised in the Township by taxation; and

WHEREAS, Michigan Compiled Law 211.37 requires the County Board of Commissioners to hold an apportionment session and approve an Apportionment Report in October of each year; and

WHEREAS, at the annual apportionment session, the County Board of Commissioners must examine documents and records submitted to the Board that show the amount of money to be raised by ad valorem levies in each Township for school, highway, drain, Township, and all other purposes as authorized by law and authorize and require the correction of any defects or omissions with regard to those levies; and

WHEREAS, the action of the County Board of Commissioners concerning the spread of these levies is final, except in situations where a change is made to the equalization of the County through an equalization appeal to the Michigan Tax Tribunal; and

WHEREAS, the amended Apportionment Report approved by the County Board of Commissioners for 2009 will be the official authorization for approximately 50 taxing authorities within the County to levy property taxes in 2009; and

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WHEREAS, the Calhoun County Equalization Department has prepared an amended Apportionment Report for consideration by the County Board of Commissioners; and

WHEREAS, the proposed amended Apportionment Report, if approved, will provide final authorization for the levy of property taxes upon which taxing authorities depend to provide educational, health, economic development, public safety, and other services which are important to the well-being of the county's economy and Calhoun County residents.

NOW, THEREFORE, BE IT RESOLVED, that the attached 2009 amended Apportion Report (ATTACHMENT A) showing the millage levies apportioned to various taxing authorities in Calhoun County for the year 2009 is hereby approved in accordance with Michigan Compiled Law 211.37; and

BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners, under the authority of Michigan Compiled Law 211.37, directs that the millage rates specified in the attached 2009 Amended Apportionment Report for Township, school, highway, drain, and all other purposes as authorized by law shall be spread against the taxable value of properties on the proper assessment rolls of the Cities and Townships in the County.”

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

October 2009 Financial Statements

Received.

COMMISSIONERS' TIME:

Comr. Rocho thanked staff and Administration for all the information provided for the budget meetings, and the department heads for doing a very good job in coming within the targets set. Chairman Rae concurred. Comr. Todd stated that it has been a blessing to sit through the budget process and hear how passionate, flexible and supportive the department heads have been with the goals that the Budget Committee has set.

Comr. Todd invited Board members to attend South Hill Academy's first Thanksgiving dinner tomorrow from 11:30 a.m. to 1:00 p.m. at 50 Spencer Street, Battle Creek.

Chairman Rae stated that the Consolidated Dispatch Center Authority ran into a "bump" regarding question from Emmett Township of whether to pay or not pay. Chairman Rae advised that last Thursday Administrator/Controller Scott, Corporation Counsel Lindsey, Dispatch Center Director Troyer, along with

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Township Supervisors Rob Behnke and Frank Peterson appeared at the Emmett Township meeting and did an excellent job in explaining why the Consolidated Dispatch Center would be good for the people of Emmett Township and the remainder of the county. Chairman Rae thanked staff and Supervisors Behnke and Peterson.

CLAIMS PAYABLE LISTING:

Res. 190-2009

“Motion by Comr. Rocho, supported by Comr. Haadsma, 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 \$4,936,122.32 for the two {2} weeks ending November 12, 2009.”

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

ANNOUNCEMENTS:

Comr. Todd recognized Judy Byam.

CLOSED SESSION:

Res. 191-2009

“Motion by Comr. Haadsma, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners meet in Closed Session for the purpose of discussing pending litigation with legal counsel.”

Voice Vote: Motion CARRIED

The Board met in Closed Session commencing at 7:24 p.m. until 8:05 p.m. with Attorney Bill Horton of Giarmarco, Mullins & Horton, Corporation Counsel Richard Lindsey, Jr., County Administrator/Controller Kelli Scott, Finance Director Mark Stuhldreher and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

OPEN SESSION -- ADJOURNMENT:

The meeting returned to Open Session and adjourned at 8:05 p.m. at the call of the Chair.

mlb