

**CALHOUN COUNTY**  
**PROCEEDINGS OF THE**  
**BOARD OF COMMISSIONERS**

December 3, 2009

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, December 3, 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. Camp, Gerow, Haadsma, Lee, Rae, Rocho and Todd.

Staff Present: Corporation Counsel Richard Lindsey, Jr., County Administrator/Controller Kelli Scott, Finance Director Mark Stuhldreher, Sheriff Allen Byam, Assistant County Administrator Bradley Wilcox, Human Resources Manager Kim Archambault, Community Corrections Manager Roselynn Goff, Budget Analyst Pam Kline and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**APPROVAL OF AGENDA:**

“Motion by Comr. Haadsma, supported by Comr. Rocho, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 3, 2009 agenda, as amended to add as Item 8.A., a Special Tribute to the Marshall Redhawks Football Team and Coach Rich Hulkow.”

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 19, 2009 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Mr. Albert Seegert, Diamondale resident, addressed the recent F.E.M.A. Open House, advising that the maps are not accurate.

SPECIAL ORDER OF BUSINESS:

Special Tribute to the Marshall Redhawks Football Team and Coach Rich Hulkow

Comr. Lee read, and accompanied by Chairman Rae, Comr. Rocho, and Corporation Counsel Lindsey, presented the following tribute to Coach Hulkow and Team members present.

Res. 192-2009

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

WHEREAS, the Marshall Redhawks Football Program finished with another outstanding season, a season that ranks as one of the best in Marshall High School history; and

WHEREAS, the Redhawks and Coach Rich Hulkow finished this year winning the MHSAA Division 4 Championship with a 49-28 victory against Three Rivers and earning Marshall High School its second football state title and setting the state finals record for rushing attempts with 71; and

WHEREAS, the Marshall Redhawks have finished the season 13-1 overall, winning their last three playoff contests by a combined score of 152-51.

THEREFORE, IN RECOGNITION OF THE 2009 MARSHALL REDHAWKS, and their outstanding Coach, Rich Hulkow, the Calhoun County Board of Commissioners join with the entire county and do hereby offer our Congratulations to the 2009 Marshall Redhawks Football Team and Coach Rich Hulkow for an outstanding season and wish them continued success.”

Voice Vote: Motion CARRIED

Coach Rich Hulkow thanked the Board for the tribute on behalf of the entire team.

Oaklawn Hospital Bond Issuance Public Hearing

Chairman Rae declared the public hearing open at 7:15 p.m. for public comment. No comments were received. Chairman Rae declared the public hearing closed at 7:15 p.m.

FY 2010 County Budget Public Hearing

Chairman Rae declared the public hearing open at 7:16 p.m. for public comment. No comments were received. Chairman Rae declared the public hearing closed at 7:16 p.m.

Special Tribute to Dr. Jeffrey Mitchell

Comr. Gerow read, and accompanied by Chairman Rae, presented the following tribute to Dr. Mitchell.

Res. 193-2009

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

The Calhoun County Board of Health and Board of Commissioners acknowledge Dr. Jeffrey Mitchell for his six years of service on the Board of Health from February 2003 to October 2009. We extend our gratitude to you for:

- § Sharing your support for the mission and future of public health
- § Being a credible representative for public health in the community
- § Advocating for health in the community forum
- § Offering a voice to the public health discourse at the board level
- § Leading to increased informed and focused governing body discussions
- § Representing the needs of rural and urban communities

We wish you well and hope you carry the mission of public health forward in all your endeavors.”

Voice Vote: Motion CARRIED

National Drunk and Drugged Driving Prevention Month Proclamation

Comr. Haadsma read, and accompanied by Chairman Rae, presented the following proclamation to Battle Creek Area Transportation Study Executive Director Patricia Karr.

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Res. 194-2009

“Motion by Comr. Haadsma, supported by Comr. Todd, 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 31.6% of all motor vehicle traffic fatalities in 2008 (killing 11,773 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 2009, especially between December 16<sup>th</sup> and January 3, 2010.

NOW THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners proclaim December 2009 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

CONSENT AGENDA:

Res. 195-2009

“Motion by Comr. Rocho, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following December 3, 2009 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolutions received from Lake County {1} requesting that Lake County’s economic development projects(s) be included in the 2010 Comprehensive Economic Development Strategy Annual Report of the West Michigan Shoreline

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Regional Development Commission, and {2} urging the Governor to sign the Higher Education budget. (Received and placed on file)

- (2) Resolutions received from Allegan County {1} opposing Senate Bill No. 0787 [Reduction of Circuit Judgeships], {2} supporting Route 31/Blue Star Highway Heritage Route Nomination, and {3} advising of intent to explore legal means to withhold state payments if state mandated payments to the county are decreased. (Received and placed on file)

**B. Resolutions:**

- (1) Senior Millage Allocation Committee Appointment  
(Term Expires April 30, 2010)

{a} Eusebio Solis -- Replacing Ed Scully”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

County Administrator/Controller Kelli Scott thanked Board members for attending the Committee of the Whole meeting and acknowledged the work of administrative team members and the elected and appointed officials.

Oaklawn Hospital Bond Issuance Authorizing Resolution

Ms. Scott advised that authorization is required to refinance a bond issue for Oaklawn Hospital for \$30 Million. The County of Calhoun Hospital Finance Authority has approved the request which has no financial or credit risk to the county.

Oaklawn Hospital President Rob Covert stated that the Hospital wishes to refund some bonds from 2006, and the letter of credit interest rate has increased. Mr. Covert advised that through the Hospital Finance Authority the bonds shall be bank qualified, and the cost to the Hospital shall be lower.

Res. 196-2009

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

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WHEREAS, the County of Calhoun Hospital Finance Authority (the “Authority”) proposes to make loans to Ella E.M. Brown Charitable Circle Hospital (D/B/A Oaklawn Hospital) (the “Hospital”), to be used, in part, by the Hospital to (1) to discharge certain existing indebtedness of the Hospital, which will enable the Authority to refund all outstanding Michigan State Hospital Finance Authority Hospital Revenue and Refunding Bonds (Oaklawn Hospital) Series 2006, (ii) to pay all or a portion of a termination payment required to be made in connection with an agreement for the exchange of interest, and (iii) to pay costs related thereto; and

WHEREAS, the Authority intends to issue County of Calhoun Hospital Finance Authority Revenue Refunding Bonds (Oaklawn Hospital), in one or more series (the “Bonds”) on behalf of the Hospital in the aggregate principal amount of not to exceed \$30,000,000 to provide funds with which to make loans to the Hospital; and

WHEREAS, the Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the County of Calhoun, the State of Michigan or any political subdivision thereof; and

WHEREAS, the Board of Commissioners has held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, a record of public hearing will be maintained with the County Clerk; and

WHEREAS, the Authority has requested that this Board of Commissioners approve the issuance of the Bonds by the Authority; and

WHEREAS, the Board of Commissioners of the County of Calhoun desires to express its approval of the issuance of the Bonds by the Authority.

IT IS HEREBY RESOLVED BY THE BOARD OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALHOUN AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the Board of Commissioners hereby approves the issuance, sale and delivery of not to exceed \$30,000,000 in aggregate principal amount of the Bonds by the Authority.
2. The County Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Authority.”

Comr. Rocho advised that she supports the bond issuance. Comr. Rocho advised that she has used the Hospital’s resources and that the care her Mother-in-law received was amazing.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2009 Sheriff Department Budget Amendment

Ms. Scott advised that the amendment is required to move funds between the business units due to a funding shortfall in one area and savings in another.

Res. 197-2009

“Motion by Comr. Haadsma, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2009 Sheriff Department budget amendment (ATTACHMENT A) to fund the budget shortfall caused by funding reductions by the State of Michigan.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2009-2010 Community Corrections Grant Plan and Drunk Driver Jail Reduction and  
Community Treatment Program Agreement

Res. 198-2009

“Motion by Comr. Todd, supported by Comr. Rocho, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2010 Community Corrections Plan, and Drunk Driver Jail Reduction and Community Treatment Program Agreement between the State of Michigan Department of Corrections and Calhoun County in the amount of \$330,279.38 for the period of October 1, 2009 through September 30, 2010; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2010 Board of Commissioners Meeting Schedule

Res. 199-2009

“Motion by Comr. Rocho, supported by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2010 Board of Commissioners Meeting Schedule (ATTACHMENT B) as presented.”

Voice Vote: Motion CARRIED

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Interlocal Agreement Establishing the FireKeepers Local Revenue Sharing Board

Chairman Rae thanked Corporation Counsel and the County Administrator/Controller for working on preparing the agreement. Corporation Counsel Richard Lindsey, Jr. stated that he feels confident that the agreement addresses all the issues. The bylaws will address how the funding is divided.

Res. 200-2009

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

WHEREAS, the Calhoun County Board of Commissioners, as the governing body of Calhoun County previously voted to appoint Michael Rae as its representative on the Calhoun County Local Revenue Sharing Board; and

WHEREAS, subsequent to the appointment of Michael Rae, the December 3, 1998, Compact Between the Nottawaseppi Huron Band of Potawatomi Indians and the State of Michigan for the Conduct of Tribal Class III Gaming was amended, with the Amendment having an effective date of October 8, 2009 (hereinafter “the Amendment”); and

WHEREAS, the Amendment authorizes Calhoun County, in conjunction with the Tribe and at least one or more of the units of government specified in Section 18(B)(2) of the Amendment, to form a Local Revenue Sharing Board to undertake the activities specified in Section 18 of the Amendment; and

WHEREAS, Intergovernmental Agreements are allowed under the Urban Cooperation Act of 1967, MCL 124.501, et seq.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Calhoun County Board of Commissioners authorize the Chairman of the Board, Michael Rae, to sign the Interlocal Agreement on behalf of Calhoun County; and

BE IT FURTHER RESOLVED, that Michael Rae shall be Calhoun County’s appointee to the Local Revenue Sharing Board pursuant to paragraph 3(a) of said Interlocal Agreement.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS’ TIME:

Mr. Gardy Berezonsky, Marengo Township resident, stated that the public hearings conducted tonight were not posted down stairs, and inquired how the hearings can be conducted without proper notification. Mr. Berezonsky



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addressed the Committee of the Whole meeting, pointing out that special meetings are supposed to be requested in writing by two thirds of the Board's members.

Mr. Berezonsky advised that he noted in reviewing the proposed FY 2010 budget for the county that one employee is making \$24,000 in fringe benefits, and stated that he would like to know what those fringe benefits encompass.

**COMMISSIONERS' TIME:**

Comr. Camp offered her condolences to the family of Jude Lonergan.

Comr. Camp advised that she went on a ride along with Deputy Rick Sloan covering seven townships. Comr. Camp stated that it was interesting, and that they checked out portable meth lab dumps. Comr. Camp stated that it was surprising as one was dumped close to her home.

Comr. Todd advised that the first annual Thanksgiving dinner at South Hill Academy was a success. Comr. Todd thanked Commissioner Haadsma for his contribution and assistance. Comr. Todd stated that he looks forward to seeing all the Commissioners there next year.

**CLAIMS PAYABLE LISTING:**

Res. 201-2009

“Motion by Comr. Haadsma, supported by Comr. Rocho, 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 \$3,425,338.94 for the two {2} weeks ending November 25, 2009.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

**ADJOURNMENT:**

The meeting adjourned at 7:44 p.m. at the call of the Chair.

mlb