

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

January 21, 2010

The Organizational Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, January 21, 2010 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

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

Staff Present: Asst. County Administrator Bradley Wilcox, Finance Director Mark Stuhldreher, Sheriff Allen Byam, County Administrator/Controller Kelli Scott, Senior Services Manager Carl Gibson, Corporation Counsel Richard Lindsey, Jr., Human Resources Manager Kim Archambault, Water Resources Commissioner Larry Cortright and Deputy Clerk/Board Executive Secretary Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was given by Comr. Camp; followed by the Pledge of Allegiance, led by Comr. Gerow.

SPECIAL ORDER OF BUSINESS:

Election of Vice Chairperson

Comr. Gerow nominated Commissioner Terris Todd. Comr. Lee supported the nomination.

Res. 1-2010

“Motion by Comr. Gerow, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners unanimously elect Terris E. Todd Vice Chairman of the Calhoun County Board of Commissioners for 2010.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2010 Board Rules Adoption

Res. 2-2010

“Motion by Comr. Rocho, supported by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners adopt the 2010 Board Rules as presented.”

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Voice Vote: Motion CARRIED

APPROVAL OF AGENDA:

Res. 3-2010

“Motion by Comr. Todd, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the January 21, 2010 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

Res. 4-2010

“Motion by Comr. Rocho, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 17, 2009 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Mr. Lane Landis, Homer Township resident, presented a communication regarding road funding.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Sheriff Byam announced that the Department of Corrections conducted a two-day inspection of the Jail and determined it to be in full compliance.

MOTOR CARRIER SAFETY ORDINANCE PUBLIC HEARING:

Res. 5-2010

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners table the Motor Carrier Safety Ordinance Public Hearing until such time in the agenda that Item No. 15.A. (4) - Calhoun County Motor Carrier Safety Ordinance Adoption is to be addressed.”

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Voice Vote: Motion CARRIED

**(PUBLIC HEARING CONDUCTED ON PAGE NO. 5)**

INTERNATIONAL FOOD PROTECTION TRAINING INSTITUTE PRESENTATION:

Chairman Rae advised that due to a scheduling conflict the presentation has been postponed to a later date.

2009 CALHOUN COUNTY REPORT CARD PRESENTATION:

The Coordinating Council Director Anji Phillips presented the Calhoun County Community Report Card, advising that this is the fifth year of the Report and addressed the changes.

CONSENT AGENDA:

Res. 6-2010

“Motion by Comr. Haadsma, supported by Comr. Rocho, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following January 21, 2010 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from Bay County supporting House Bills 5368 and 5369 {Phosphorus Fertilizer Ban}. (Received and placed on file, with a copy remitted to Solid Waste Management Director Tiffany Eichorst and Health Officer James Rutherford)
- (2) Communication received from Ms. Erin Julian, Plainwell resident, requesting a letter of support for a bill requesting sale of the Gold Star Family and the Surviving Spouse Purple Heart License Plates in Michigan. (Received and placed on file)
- (3) Resolution received from Gratiot County advising that Gratiot County intends to explore legal means to withhold payments due the State of Michigan if State mandated payments to the County are decreased. (Received and placed on file)
- (4) Notice of a public hearing scheduled for January 19, 2010 regarding the proposed

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establishment of an obsolete property rehabilitation district for 375 West Dickman Road received from Battle Creek City. (Received and placed on file, with a copy remitted to Deputy Equalization Director John Hippensteel and Treasurer Ann Rosenbaum)

B. Resolutions:

- (1) Calhoun County Jury Board Appointment  
(Term Expires April 30, 2013)
  - {a} Sherry Williams (Replacing Joseph Britvec)
- (2) Workforce Development Chief Executive Officers Board Appointment  
(Term Expires December 31, 2010)
  - {a} Kirk Lee (Replacing Jim Haadsma)”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Substance Abuse Council

Comr. Haadsma stated that he is hopeful that the Council, Coordinating Agency and treatment providers at the Jail can provide substance abuse prevention services to the inmates.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

County Administrator/Controller Kelli Scott wished everyone a Happy New Year; and thanked Board members, on behalf of the employees, for the employee holiday parties.

Ms. Scott advised that work on the 2011 shall be commencing, and that Administration wishes to schedule a strategic planning session for sometime in March. Chairman Rae advised that the session shall be all day on a Friday, and requested Board members review their calendars and advise Administration regarding which Fridays they are available. Chairman Rae advised that the session shall be conducted off-site.

Ms. Scott continued that she remitted a proposed resolution received from the Michigan Association of Counties

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requesting support for the Statutory Mandates Commission Report to Legislative Liaison Rocho for the Liaisons' consideration and recommendation to the Board. Ms. Scott advised that the Report is a study of the state's compliance with the constitution regarding the Headlee Amendment.

Ms. Scott reported that the Calhoun County Economic Development Corporation shall meet Tuesday, January 26 to commence review of three proposals for recovery zone facility bonds, and stated that she hopes to have the Corporation's recommendation for the second Board meeting in February. Ms. Scott advised that there are three proposals for the economic development bonds; e.g., Pennfield Schools, Battle Creek Public Schools, and the Road Commission.

Ms. Scott reported that the Sheriff has advised that the jail inmate population rate is over 300 at this time. The population should be between 265 to 270 inmates. Ms. Scott stated that she would like to reconvene the Jail Population Management Committee. Ms. Scott further reported that she emailed a document to members today regarding the \$7 Million Honeywell Project that shall be done in stages over the next few months. Ms. Scott stated that Administration hopes to acquire a grant to assist with some of the cost.

**MOTOR CARRIER SAFETY ORDINANCE PUBLIC HEARING:**

Chairman Rae declared the public hearing open for public comment at 7:33 p.m.

Mr. Gardy Berezonsky, Marengo Township resident, noted that 70 percent of the fines are to go to the county and inquired which department will receive the funding or whether the revenue could go to fix the roads.

Chairman Rae declared the public hearing closed at 7:35 p.m.

**PETITIONS AND NEW BUSINESS CONTINUED:**

**FY 2010 Senior Millage Allocation Funding Adjustment**

Ms. Scott advised that a request was received to increase the senior millage service provider allocation for Critical Signal Technologies by \$5,000 to be expended from the Senior Services Administration budget to provide additional services to more seniors. The request is supported by the Senior Millage Allocation Committee.

Senior Services Manager Carl Gibson advised that the additional allocation shall allow Critical Signal Technologies to assist 23 additional seniors.

Comr. Rocho inquired whether the Department expects the allocation will be recouped from prescription

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savings. Mr. Gibson responded Yes.

Res. 7-2010

“Motion by Comr. Camp, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve adjustment/increase to the Senior Services Provider Agreement with Critical Signal Technologies in the amount of \$5,000 for a total Senior Millage appropriation of \$10,000 for FY 2010, and reduce the Senior Services administrative budget by \$5,000 for FY 2010, as recommended by the Senior Millage Allocation Committee.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

U.A.W. District Court Employees Labor Agreement

Ms. Scott advised that the three-year agreement covers 36 non-supervisory employees; further, that the agreement does not require the Board’s authorization as the agreement is between the Court and its employees.

Res. 8-2010

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners accept the U.A.W. District Court Employees Labor Agreement.”

Comr. Rocho noted that previous employment agreements contained an economic re-opener provision, and inquired whether such provision is within the agreement. Human Resources Manager Kim Archambault responded that there is no such provision within the agreement.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

U.A.W. Circuit Court Employees Labor Agreement

Ms. Scott advised that the three-year agreement covers 78 non-supervisory employees; further, that the agreement contains similar cost savings and wages.

Res. 9-2010

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners accept the U.A.W. Circuit Court Employees Labor Agreement.”

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Roll call vote: Yes - 7 Motion CARRIED Unanimously

Calhoun County Motor Carrier Safety Ordinance Adoption

Ms. Scott advised that the ordinance authorizes the Sheriff Department to cite any motor carriers for safety defects. Ms. Scott stated that the fines shall go into the General Fund and be tracked within the Public Safety Unit and the courts. Ms. Scott advised that no additional staffing is proposed at this time.

Sheriff Allen Byam advised that in March two officers shall be attending the Michigan State Police training in the Motor Carrier Safety Act and inspections process.

Res. 10-2010

“Motion by Comr. Haadsma, supported by Comr. Lee, resolved by the Calhoun County Board of Commissioners adopt the following Calhoun County Motor Carrier Safety Ordinance, effective upon publication.”

Comr. Rocho inquired whether the training is free. Sheriff Byam responded no, that the Department has training money from the state. Comr. Rocho asked the Sheriff whether he anticipates that the revenue estimate of \$40,000 could be greater. Sheriff Byam responded that the Department worked with Michelle Hill to provide the most up-to-date information, however, stated that the amount shall be updated as necessary.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Math Science Center Relocation Plan Resolution of Support

Chairman Rae advised that he was contacted by Mr. Hettinger of Battle Creek Unlimited (BCU) requesting that the Board commit to economic development.

Comr. Rocho read the following preamble.

The Math Science Center, located in Battle Creek, is an important asset for all of Calhoun County. At the present time, 14 of Calhoun County’s 15 public and parochial schools send students to the Center. To strengthen programming on the eastern side of Calhoun County, Albion College is considering collaborative participation in this commitment to improve math and science education in Calhoun County, irrespective of location. It is the sincere belief of the supporters of the Math Science Center that the relocation of the Center to a new facility in downtown Battle Creek will reduce long term operating costs and make transportation easier for school districts

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throughout Calhoun County. The Calhoun County Board of Commissioners support the establishment of a signature facility in an area where it will stand as evidence of Calhoun County's commitment to enhanced education and the future of Calhoun County.

Res. 11-2010

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

WHEREAS, the Calhoun County Board of Commissioners is vitally interested in the improvement of economic conditions within the county; and

WHEREAS, the Calhoun County Board of Commissioners is committed to collaborative alliances with all units of government, educational institutions and businesses in Calhoun County; and

WHEREAS, the Calhoun County Board of Commissioners is aware that education is key to higher income levels and critical to retaining, creating, and drawing high-tech and high paying jobs and encouraging vital efforts such as food science core development in Calhoun County; and

WHEREAS, the Calhoun County Board of Commissioners is also aware that better levels of, and access to, math science education is key to building employability skills for new technology jobs; and

WHEREAS, current economic conditions make the accomplishment of this project very difficult and highlight the importance of county-wide collaborative efforts to achieve these goals.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners endorse the plan to strengthen math science education for the students of Calhoun County; and

BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners call on all school districts in Calhoun County to support the project and participate, collaborate, and ally in the future looking plan that will provide K-12 students of Calhoun County with the very best in math science education.

Comr. Haadsma stated that Calhoun County faces some very important issues presently; i.e., jail funding,



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funding within the Prosecutor's Office, funding for training, etc. Comr. Haadsma advised that he has filed to run for the office of Commissioner for District 3 again, and that he did not file to run for the school board. Comr. Haadsma stated that he believes the resolution before the Board is a subject matter for the Battle Creek Public Schools, not the County Board. Comr. Haadsma stated that he wants to ensure that the Board is approving resolutions for items over which the Board has control.

Comr. Haadsma questioned "the plan," advising that he has not seen the plan. Comr. Haadsma stated that he believes it would be appropriate to have BCU come before the Board to present the plan prior to the Board approving a resolution of support. Comr. Haadsma stated that he concurs with the preamble, but does not know whether the Math Science Center would be better in another location.

Comr. Rocho stated that she believes the plan is part of the Battle Creek downtown revitalization plan which BCU previously advised. Comr. Rocho stated that having the Center downtown would open up more opportunities to the Kendall Center, further, pointed out that the business community is requesting the relocation. Comr. Rocho stated that the County is committed to education and the curriculum available for its students.

Comr. Haadsma stated that he supports the Math Science Center and that perhaps it belongs downtown, however, that his concern is the lack of definiteness of the resolution and the plan. Comr. Haadsma stated that future resolutions should be more specific.

Comr. Gerow advised that she shall oppose the resolution because the Center is presently in her district and she does not wish for it to be relocated.

Chairman Rae advised that there is no specific plan at this time, that the plan is a work in progress. Chairman Rae stated that although the plan/resolution is somewhat vague, the concept is very important. Chairman Rae stated that relocation of the Center would bring more students into the area.

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

CITIZENS' TIME:

Mr. Gibson advised that the Senior Services Department is working with Oaklawn Hospital and the Marshall House to have a Health Fair on April 8.

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Mr. Berezonsky inquired whether a computer could be made available in the County Building in Marshall and Albion whereby residents may access court records without traveling to Battle Creek.

COMMISSIONERS' TIME:

Comr. Rocho inquired regarding the Hazardous Materials Collection within the Health Officer's report. Asst. County Administrator Bradley Wilcox advised that the contract is being re-bid, therefore, the collection dates are not available at this time. Mr. Wilcox advised that the contract recommendation should be before the Board in a couple of weeks.

CLAIMS PAYABLE LISTINGS:

Res. 12-2010

“Motion by Comr. Todd, 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 \$1,100,923.56 for the three {3}weeks ending January 4, 2010; further approve payment of the list of claims against the county in the total amount of \$832,913.18 for the two {2}weeks ending January 13, 2010.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Todd thanked Board members for supporting him as Vice Chairman for another term.

Comr. Lee thanked staff for providing the maps of Commissioners' districts.

Comr. Haadsma announced that he shall be conducting a Coffee Hour at Continental Bakery on Saturday, January 30 from 7:00 a.m. to 9:00 a.m.

CLOSED SESSION:

Res. 13-2010

“Motion by Comr. Rocho, supported by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners meet in Closed Session for the purpose of discussing

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pending litigation.”

Voice Vote: Motion CARRIED

The Board met in Closed Session commencing at 8:17 p.m. until 8:47 p.m. with Corporation Counsel Richard Lindsey, Jr.; County Administrator/Controller Kelli Scott; Asst. County Administrator Bradley Wilcox, Finance Director Mark Stuhldreher, Human Resources Manager Kim Archambault and Deputy Clerk/Board Executive Secretary Mary Lou Barrett present.

**OPEN SESSION -- ADJOURNMENT:**

The meeting reconvened into Open Session and adjourned at 8:47 p.m at the call of the Chair.

mlb