

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

July 15, 2010

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, July 15, 2010 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

Chairman Rae called the meeting to order and requested the Deputy 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, Executive Secretary Christine Zuidema, Assistant County Administrator Bradley Wilcox, Finance Director Mark Stuhldreher, Senior Services Manager Carl Gibson, Assistant Prosecuting Attorney Michael Jaconette, Road Commissioner Scott Brown, Human Resources Manager Kim Archambault, Prosecutor Susan Mladenoff 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. Rocho.

APPROVAL OF AGENDA:

“Motion by Comr. Rocho, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the July 15, 2010 agenda, as amended, with removal of Item 9.B. -- Senior Millage Allocation Committee Appointments.”

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 July 1, 2010 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

Assistant Prosecuting Attorney Michael Jaconette introduced himself as a candidate for Probate Court Judge, outlining his 17 years of experience with the Prosecutor's Office; e.g., handling abuse, neglect and molestation cases involving children or the elderly, and commitment hearings. Atty. Jaconette advised that he practices in the Probate Court every day and is the only candidate that has tried a jury trial in Calhoun County within the last 12 years. Atty. Jaconette encouraged people to judge the candidates upon their experience and to vote August 3.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Senior Services Manager Carl Gibson advised that there is a nice article within the Advisor regarding the county honoring the centenarians. Mr. Gibson stated that he would like this recognition of Calhoun County's centenarians to continue each year.

SPECIAL ORDER OF BUSINESS:

Special Tribute to Margaret Darby

Comr. Todd read the following tribute into the record. Chairman Rae advised that the tribute shall be presented to Ms. Darby at her forthcoming retirement party on July 30.

Res. 110-2010

“Motion by Comr. Camp, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following tribute:

WHEREAS, **MARGARET DARBY**, has continuously served as a member of the staff of the Calhoun County Treasurer's Office for Thirty-Eight (38) years; and

WHEREAS, Margaret began her career with the Calhoun County Treasurer's Office on November 5, 1971 as a Clerk Typist; and as her responsibilities grew she became Bookkeeper in July of 1974; she was promoted to Deputy Treasurer in November 1975. Margaret assumed her final role as Fiscal Officer in March of 1980; and

WHEREAS, **MARGARET DARBY** will be retiring from the Calhoun County Treasurer's Office on August 2nd 2010; and

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WHEREAS, the elected County Treasurer and the Staff of the Calhoun County Treasurer's Office have been privileged to work with someone whose work ethic, depth of knowledge, and skills has earned her the respect and admiration of all who have worked with her over the years; and

WHEREAS, over the years Margaret Darby has been instrumental and shown due diligence in safe guarding bank related activities, reconciling accounts, managing investments and assisting in bank conversions.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners wish to thank Margaret Darby for her 38 years of service with the Calhoun County Treasurer's Office and offer our best wishes for a long and happy retirement."

Voice Vote: Motion CARRIED

Proclamation of Re-commitment to Full Implementation of the Americans with Disabilities Act

Chairman Rae read and presented the following proclamation to Disability Network of Southwest Michigan President Joel Cooper.

Res. 111-2010

"Motion by Comr. Rocho, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following proclamation:

On July 26, 1990, President George H. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

The ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions, increasing full participation in community life.

However, the full promise of the ADA will only be reached if public entities remain committed in their efforts to fully implement the ADA.

On the 20th anniversary of the Americans with Disabilities Act, in collaboration with Disability Network Southwest Michigan, we celebrate and recognize the progress that has been made by reaffirming the principles of equality and inclusion and recommitting our efforts to reach full ADA compliance.

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NOW, THEREFORE, I, Mike Rae, on behalf of the Calhoun County Board of Commissioners, do hereby reaffirm our commitment to work toward full accessibility and inclusion of people with disabilities, on this, the Fifteenth day of July, 2010.”

Voice Vote: Motion CARRIED

Mr. Cooper thanked the Board on behalf of the Disability Network’s Board of Directors and commended the Board for its re-commitment to the principles of the Act.

FY 2009 County Audit Presentation

Rehmann Robson Principal David Fisher reported that the Comprehensive Annual Financial Report reflects a clean opinion of the county’s FY 2009 financial statements without exception or qualifications. Mr. Fisher addressed the financial highlights listed under Management’s Discussion and Analysis, advising that the General Fund experienced a small net loss of \$64,600; however that the total fund balance at the close of the year was \$9,642,333, equating to 9.6 percent of the total General Fund expenditures, which is within the county’s fund balance policy of between 8 to 12 percent.

Mr. Fisher addressed the proprietary funds, advising that the Health Department closed the year with a fund balance of \$535,432, senior millage with a fund balance of \$465,266 and Child Care with \$218,730. Mr. Fisher stated that overall the county is in very good financial condition and that he shall be submitting his report to the G.O.F.A. for an award in proper financial disclosure. Mr. Fisher pointed out that Calhoun County has received the award for the past 13 years.

Mr. Fisher addressed the county’s principal employers in 2009 and ranking comparisons from 10 years previous. Mr. Fisher advised that there were no difficulties in performing the audit and that all departments cooperated in the process. Mr. Fisher addressed internal control matters, advising that the issues have been addressed with management and that he feels confident the issues can be rectified within the current year.

Res. 112-2010

“Motion by Comr. Haadsma, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners accept the Comprehensive Annual Financial Report and Single Audit for the fiscal year ending December 31, 2009 as presented by Rehmann Robson.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Chairman Rae questioned whether the management team is doing a good job. Mr. Fisher responded Yes. Chairman Rae expressed appreciation to Mr. Fisher and his firm.

CONSENT AGENDA:

Res. 113-2010

“Motion by Comr. Rocho, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following July 15, 2010 Consent Agenda, as amended:

A. Petitions, Communications, Reports:

- (1) Communication received from the State Tax Commission advising that the real and/or personal component(s) of Industrial Facility Exemption Certificate No. 2001-354 for AFG Insulating in the City of Marshall has been revoked. (Received and placed on file, with a copy remitted to Deputy Equalization Director John Hippensteel)
- (2) Resolutions received from Van Buren and Lake Counties opposing House Bill No. 6154 {Public Safety Employees Binding Arbitration}. (Received and placed on file, with a copy remitted to Sheriff Allen Byam)
- (3) Communication received from On Site Engineering, LLC advising that Schmude Oil, Inc. has submitted a drilling permit application for re-entering and re-drilling the Pulford 1-8 well in Section 8 of Convis Township. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Health Department’s Vision and Hearing Screenings and Nutrition Advocacy Program

Comr. Gerow reported that the Health Department continues to offer required hearing and vision screenings at no cost for children age three to five years old, living in and attending school in Calhoun County, including home schooled children. Appointments are available now through August 27 at the Health Department in Battle Creek.

Comr. Gerow further advised that the Department has started a Nutrition Advocacy Program working in

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collaboration with other agencies and businesses; i.e., Western Michigan University (WMU), to improve lives through education regarding the selection and preparation of nutritious foods. Comr. Gerow advised that there will be a demonstration on herbs and spices on August 11 from 12:00 p.m. to 1:00 p.m. in Room 300 at the Kendall Center.

Comr. Haadsma advised that he participated in a Nutrition Advocacy Program demonstration at the Kendall Center with Commissioner Gerow, and addressed the collaboration between WMU and the Health Department. Comr. Haadsma stated that he hopes the collaborations continue with entities such as WMU to provide savings to the citizens.

Budget Committee

Comr. Rocho stated that this shall be another tough budget year. Revenues are down three percent. Comr. Rocho reported that staff has undertaken an ambitious time line, and commended staff and the Board for a very open budget process. Comr. Rocho stated that last year there were across-the-board cuts, however, that this year there will be another approach with the goal to keep services to the citizens as high as possible while keeping taxes and fees as low as possible.

Chairman Rae concurred with Commissioner Rocho regarding the approach to be taken this year. Chairman Rae stated that it is a huge shift from what the Committee did last year, recognizing that the departments are not all “apples.”

Chairman Rae commended the Human Resource Manager for leading the early retirement effort, which he believes shall be a boon for hiring “new, fresh blood.”

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Prosecutor’s FY 2011 Title IV-D Cooperative Reimbursement Program Contract Amendment

County Administrator/Controller Kelli Scott advised that the amendment relates to two items; e.g., Internal Revenue Service (IRS) language and increase of the grant amount. There shall be no impact to the Prosecutor’s budget.

Prosecutor Susan Mladenoff advised that the IRS has tightened security procedure to ensure that sensitive financial information is handled appropriately and that privacy is maintained, especially with tax returns. Prosecutor Mladenoff stated that the Office is already in compliance and has safe guards in place. Prosecutor Mladenoff advised that the increase relates to the maximum amount of money that the Office can be reimbursed, which depends on the amount of service provided. There is no budget impact because the 34 percent county

match shall determine how much of the 66 percent will be reimbursed.

Res. 114-2010

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners approve Amendment #1 to FY 2011 Title IV-D Cooperative Reimbursement Program Grant Agreement CSPA 10-13002 for the Calhoun County Prosecutor’s Office; further, authorize the Board Chairman to execute said Amendment on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2010 Marine Safety Grant Agreement and Budget Amendment

Ms. Scott advised that the Sheriff could not be present tonight. Ms. Scott stated that the grant from the Department of Natural Resources is for \$11,046.16 for renovation of the Department’s patrol boats.

Res. 115-2010

“Motion by Comr. Haadsma, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2010 Marine Safety Program Grant Agreement between Calhoun County and the Michigan Department of Natural Resources in the amount of \$11,046.16 for the period of January 1, 2010 through September 30, 2010, and authorize the Board Chairman to execute said Agreement on behalf of Calhoun County; further, approve the following FY 2010 Sheriff Department budget amendment:

101-1331-54400	Marine Act	\$11,046.16
101-1331-98000	Equipment Purchases	\$11,046.16"

Roll call vote: Yes - 7 Motion CARRIED Unanimously

June 2010 Financial Statements

Finance Director Mark Stuhldreher stated that activity through June 30 indicates that the expenditure balances of most funds are within the 50 percent expectation level.

Comr. Haadsma noted that the report indicates that only two state revenue sharing payments have been received, and inquired when another payment is expected. Mr. Stuhldreher responded that he is not sure of the date, however, that the state has the funds budgeted. Ms. Scott advised that the funding is within the general appropriations bill and that the next payment should come this month.

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Comr. Rocho stated that she hopes that revenue sharing does not come at the expense of the School Aid Fund. Comr. Rocho noted that revenues are less than the 2009 levels and inquired whether there are any other concerns. Mr. Stuhldreher stated that the aggregate budget is within expectations, with some line items up and some down.

COMMISSIONERS' TIME:

Comr. Camp stated that she understands from Commissioner Gerow, that the Senior Millage Allocation Committee appointments shall be placed on the next Board agenda. Comr. Gerow pointed out that the appointments will have to go through the agenda process, however, that the applicants are qualified.

Comr. Camp advised that there shall be a senior health fair in Athens on August 23 in the morning at the township hall.

Comr. Todd thanked Chairman Rae and Commissioner Rocho for continuing with the Budget Committee during his absence, and to the remainder of the Board members for their due diligence in serving on all of the committees.

Comr. Rocho advised that she heard from a constituent that when someone calls the Dispatch Center they receive all responders, not one specifically for the type of emergency, and inquired whether that is true. Ms. Scott responded that Mr. Troyer addressed that at the last Consolidated Dispatch Authority Governing Board meeting this week and advised that some dispatchers have certain specific responsibilities, e.g., some are dedicated to police calls as their primary versus ones that are dedicated to general call ins. Ms. Scott stated that there is a protocol established, and advised Commissioner Rocho that she will get back to her regarding that protocol. Comr. Lee stated that is his understanding also.

Comr. Haadsma advised that he had the opportunity to go on a field trip through the Dispatch Center and that there are specific stations assigned to fire or police calls, and to different parts of the county as well. Comr. Haadsma encouraged Board members to take a tour of the Center.

Chairman Rae stated that the issue with Emmett Township is being addressed by the Governing Board and that he believes the issue will be successfully resolved. Chairman Rae advised that the Governing Board established a special committee to provide alternative funding choices for all of the people of this county and a letter has been remitted by Chairman Peterson and himself setting forth the alternatives to all governmental officials. A time schedule will be established for a meeting with the officials. Chairman Rae stated that hopefully that letter will dissipate some of the false allegations floating around.

CLAIMS PAYABLE LISTING:

Res. 116-2010

“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 \$2,790,429.95 for the two {2}weeks ending July 8, 2010.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Haadsma announced that in Battle Creek a bilingual summer supplemental education program started last week for children going to kindergarten who speak Spanish and Burmese. The program is \$10 per week and runs through August 27. Comr. Haadsma further announced that the City Center Grill Party is going on every Saturday evening at 6:00 p.m. through the end of July. Comr. Haadsma advised that the Party is conducted between City Hall and First United Methodist Church. Comr. Haadsma stated that there is some great musical entertainment and a poetry workshop.

ADJOURNMENT:

The meeting adjourned at 8:02 p.m. at the call of the Chair.

mlb