

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

August 19, 2010

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, August 19, 2010 in the Commissioners' Meeting room, County Building, Marshall, Michigan.

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

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

Staff Present: County Administrator/Controller Kelli Scott, Corporation Counsel Richard Lindsey, Finance Director Mark Stuhldreher, Human Resources Director Kim Archambault, Treasurer Ann Rosenbaum, Sheriff Alan Byam, Deputy Clerk/Executive Assistant Christine Zuidema, Deputy Clerk/Executive Secretary Mary Lou Barrett, Water Resources Commissioner Larry Cortright, County Property Appraiser Jeanne Cortright, Senior Services Manager Carl Gibson, Administrative Assistant Katie Kelly, and Administrative Assistant Marjorie Thompson

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

“Motion by Comr. Rocho, supported by Comr. Camp, adopt the following: Resolved by the Calhoun County Board of Commissioners to approve the August 19, 2010 agenda.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Todd, supported by Comr. Rocho, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the August 5, 2010 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZEN COMMENTS:

David Neilson of the Great Start Collaborative of Calhoun County presented the Commissioners with information on the Collaborative, which focuses on kids ages birth-3rd grade. Their goal is to make sure every child in Calhoun County has a great start in school and in life. They report on status of young children to make leaders in community aware of what they are doing. As they continue to do work, they

will share updates. The statistic that is most alarming is that all cities are in crisis mode with economics. Statewide, for every \$1 we fail to spend on programming and opportunities for our youngest children now, down the road we will spend \$7 for services on each adult as a result from not getting the assistance they need.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Comr. Rocho stated that we are fortunate the early childhood collaborative has received funds from community foundations in the form of grants to help the 0-5 arena. They help kids have successful starts. Comr. Rocho extended her thanks to Mr. Neilson for the report.

SPECIAL ORDER OF BUSINESS:

Special Tribute to Mary Lou Barrett

Comr. Rae read and accompanied by Comrs. Rocho, Lee, Camp, Haadsma, Gerow and Todd, presented the following tribute to Ms. Barrett.

Res. 124-2010

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

WHEREAS, MARY LOU BARRETT has served as a dedicated and much appreciated employee of the Calhoun County Board of Commissioners and the Calhoun County Clerk for Twenty-Four (24) years; and

WHEREAS, MARY LOU BARRETT began her career as a Clerk Typist II on November 25, 1985; and on August 1, 1986 she became an Executive Secretary for the Clerk’s office; and on April 21, 1992 she was reclassified to become the Deputy Clerk/Board Secretary; and

WHEREAS MARY LOU BARRETT has worked for numerous Board Chairs and Commissioners, helping them to do their jobs effectively and efficiently; and

WHEREAS, MARY LOU BARRETT will be retiring from the Board of Commissioners/Clerk’s office on August 31, 2010; and

WHEREAS, the Board of Commissioners, Clerk, and staff of Calhoun County appreciate the depth and breadth of knowledge, commitment to public service, attention to detail, and dedication, Mary Lou has shown during the entire course of her career; and

WHEREAS MARY LOU BARRETT has proven instrumental in the smooth transitioning of many new Board members, has organized and assisted numerous Board Committees and their numerous members; and

WHEREAS, the organization and record keeping skills of MARY LOU BARRETT will benefit her co-workers, her successors and the people of Calhoun County for many years to come.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners wish to sincerely thank MARY LOU BARRETT for her 24 years of service with Calhoun County and offer our best wishes for a long and happy retirement.”

Voice vote: Motion CARRIED.

Proclamation of National Alcohol and Drug Addiction Recovery Month

Comr. Todd read into record the following proclamation of National Alcohol and Drug Addiction Recovery Month.

Res. 125-2010

“Motion by Comr. Lee, supported by Comr. Gerow, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Proclamation of National Alcohol and Drug Addiction Recovery Month, September 2010.”

WHEREAS, treatment and recovery improve the community’s welfare and provide a renewed outlook on life for those who struggle with substance use disorders and their family and friends; and

WHEREAS, 23.2 million people aged 12 and older in the United States needed treatment for a substance use disorder in 2009 and less than 10% were able to access treatment; and

WHEREAS, the stigma attached to alcohol and drug disorders has kept a significant number of Americans from seeking treatment for their use; and

WHEREAS, resources exist online and in our community, willing, ready and able to provide education, prevention, treatment and a welcoming hand to help change and redirect lives; and

WHEREAS, it is critical that we educate our community members that substance use disorders are treatable, yet serious health care problems, and by treating them like other chronic health conditions, we can improve the quality of life for the entire community; and

WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, Recovery Network Inc., and the Recovery Month Coalition invite all residents of Calhoun County to participate in National Alcohol and Drug Addiction Month (September 2010); and

Now, THEREFORE, I, Mike Rae, by virtue of authority vested in me by the laws of Calhoun County do hereby proclaim the month of September 2010 as

National Alcohol and Drug Addiction Recovery Month

In Calhoun County and call upon the people of Calhoun County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "Now More Than Ever"

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of August, in the year of our Lord two thousand ten, and of the independence of the United States of America the two hundred thirty fifth."

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 126-2010

"Motion by Comr. Camp, supported by Comr. Rocho adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following August 19, 2010 Consent Agenda:

A. Petitions, Communications, Reports:

- (1) Resolution Proclaiming Resolution Proclaiming July 2010 Safe Storage and Disposal of Medications Month in Eaton County
- (2) Resolution calling upon the House of Representatives to swiftly pass Senate Bill 449, as written.

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Discussion of the Creation of a Brownfield Development Authority

Comr. Rocho stated she would like to see the consideration of a Brownfield Development Authority because properties have been impacted by oil spill will have long and short term consequences. We have economic development organizations that would be able to support the mission of a Brownfield clean up. Was hoping the Chair would entertain a motion to convene a task force that would contain not only County officials but County Board members to work with local economic development organizations, State and Federal officials to see what we need to do to set aside those areas that have been impacted in some sort of Authority so that we can use both private and public financing to ensure that 1)those properties remain viable properties in the future if there should be litigation regarding contaminated wells and the like and 2) to make sure the homes remain viable properties for the future

long term. Comr. Rae stated the concept of Brownfield Authority would be ideal to use it to innovatively use it to help with clean up of the land as a result of the Enbridge oil. This disaster is indicative of a disaster that can happen anywhere in the Great Lakes because the Enbridge pipelines go through Canadian property, under Lake Superior and under Michigan. The technology to address any problems is inadequate. There is the capability to seek federal funds to set up a program where there could be a cleanup specialist or program or research group to protect the environment. We would seek out Senators Stabenow and Levin or Congressman Schauer or Upton. We should not be limited and need to come up with a broad picture.

Comr. Haadsma stated that any development of this kind done with taxpayer dollars from a local, State or Federal perspective is not going to take away Enbridge's responsibility to pay all the expense associated the damages of what they have done. There are public notices that say Enbridge is accepting claims to reimburse for costs. He will make absolutely certain that Enbridge understand that he expects, the Commissioners expect and other public officials expect that Enbridge will take full responsibility for the cost of the cleanup.

Comr. Rocho stated she was attempting to create more than just encouragement but to initiate a task force led by our County officials with the engagement of federal, state and local officials for local officials to look at Brownfield litigation issues for the long and short term. Definitely agrees with Comr. Haadsma that Enbridge has responsibilities. She just wants to make sure these homes are viable when they are sold, either now or in the future and that they do everything they can to make sure that happens. And if there are lessons to be learned from this, that we institutionalize the way we capture those lessons.

Comr. Camp stated that she is also concerned about property values but before anything develops concerning the development of a Brownfield Authority she would like time to do research. The Commissioners should have an outline of a plan in writing to clarify what the Commissioners are being asked to approve and have time to give input and do research. A Brownfield is different than conservation group, which would be more of a merging of environmental groups for conservation or environmental efforts.

Comr. Rocho stated that no one on the Board is in the position of experience or authority to develop a Brownfield without a great deal of community input.

Res. 127-2010

“Motion by Comr. Rocho, supported by Comr. Haadsma, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the creation of a task force under the leadership of Comr. Rae and County Administrator/Controller Scott and staff convene a group of interested partners to engage, should it be state, local and federal officials and including all the Commissioners, so that we can determine the best way to move forward for the citizens of Calhoun County and protect mutual property rights and future development rights.”

Comr. Camp inquired if this is a process that staff will develop something that will come back to the Board of Commissioners for approval or will this go directly to a stage where Chair Rae appoints people and will move ahead on its own. Comr. Rae stated that the motion spoke for itself and the idea is for the county to act as an instigator and bring all the units together to address a problem. Comr. Haadsma said that the motion was to create a task force and the discussion has suggested an enlargement of the

motion. A restatement of the motion might take care of any confusion. Comr. Rocho stated that some issues that could come before task force are for public awareness initiatives. This is an opportunity to mitigate future issues with property owners and citizens and it is an opportunity to educate folks. If it comes to being a Brownfield that will be developed correctly and legally, just as any time we develop that type of authority. This task force will not abridge those authorities but rather create a forum for a variety of issues relative to the spill and how we can benefit long term as well as short term.

Roll call vote: Yes – 6, No – 1 Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Administrator/Controller Scott stated that she had recently attended the Michigan Association of Counties 2010 Annual Summer Conference. It was well attended by Commissioners and staff from all 83 counties. County Administrator's group meets in conjunction and share good info. There is now a regional approach to MAC. There are 6 regions; we are in region 3 with 13 other counties. The regional committee gets together 6 times a year; every other month and each county will typically send 1 or 2 commissioners. These meetings are supposed to be very informative. One county acts as a host then they move from county to county each meeting to exchange ideas. Calhoun County has been invited to participate. The next meeting is in September and details will be out soon. The Board is invited to attend and at some point will need to officially designate representatives for this group.

The MAC also holds a Super Committee Meeting. It is scheduled for September 15 in Lansing. Administrator/Controller Scott will send information out on that as well.

Michigan Shared Public Services Initiative, this is brand new. It is a collaborative framework in which local government and school districts can get funding and technical support to help develop a network of shared services. They want counties to work through regional council of government, which in our case isn't very active. Concept is to identify shared service, get a cost estimate and agency will pay for half of feasibility study. It is brand new and was initiated by the governor's office and Michigan Municipal League and is more like our strategic goal of intergovernmental collaboration.

Oil spill update. Administrator/Controller Scott is involved from a Public Information Officer standpoint. The PIOs are still meeting daily to facilitate communication and it has been a real challenge and updates will continue to be given. They are scaling down media communication; press conferences will only be once a week, on Wednesday afternoon. They are geared toward the press but as government agencies, we are still welcome to call in. Agency briefings will be once per week also. Focus from the Unified Command to the PIOs is that now that emergency mode is over and we have moved into the long term clean up mode, smaller groups are being identified so the EPA or Enbridge can sponsor individualized meetings. If anyone knows a group who would like a presentation, they can contact Administrator/Controller Scott for information. The Coordinating Council has asked the county for a team to come give a presentation at their next meeting. Administrator/Controller Scott, Health Officer Rutherford and Emergency Management Coordinator Dunham will give a presentation on the local perspective of the oil spill. Final note on oil spill: The County is tracking expenses so taxpayers are not out anything. Had an internal staff meeting this morning to go over invoicing procedures. First invoice should go out by 9/1. As of right now, the County has spent well over \$200,000 on the oil spill effort so it

will be a significant reimbursement. Invoicing should go smoothly, based on the contact with the finance people at Enbridge.

Senior Millage Allocation Committee Bylaw Revision

Administrator/Controller Scott explained that this item is a bylaw revision for the Senior Millage Allocation Committee Bylaws. Changes are supported by the SMAC. Comrs. Rocho, Gerow and Camp are all on the Committee and Corporation Counsel Lindsey has reviewed the changes. Essentially there are two changes. One is a new sentence added to Article 4A, that states that the SMAC does not want their members to be chosen or act in a non-partisan manner but rather to be independent bi-partisan members. The second gives more flexibility in the attendance policy in Article 16.

Res. 128-2010

“Motion by Comr. Todd, supported by Comr. Lee, adopt the following: Resolved by the Calhoun County Board of Commissioners to approve the bylaw revision for the Senior Millage Allocation Committee”

On a Voice Vote, Motion CARRIED

New Position Approval and Allocation Increase for NSP2

Administrator/Controller Scott stated that the request comes from the Treasurer’s office to add the position of property manager who will be instrumental in providing the skills to carry out NSP2 grant, which is collaboration between the City of Battle Creek and the County Land Bank. This is necessary for Board approval because it increases staffing by 1 full time employee from last year’s budget. The position will be paid for by funds totally outside of the General Fund so there will be no budgetary impact. It will be a new County non-union position. This position will facilitate the acquisition of houses has to take place before anything else in the program.

Res. 129-2010

“Motion by Comr. Rocho, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners to approve the new position and allocation increase for NSP2.”

Treasurer Rosenbaum stated that they foreclosed over 300 properties and the Land Bank is holding over 400 properties. They are positioned to have their auction on 9/15 with over 250 parcels. It is a lot of work to manage over 400 properties. The Treasurer is the largest holder of individual properties in the county. We are responsible for maintaining the properties, maintenance on the houses and it is more than one person can do. Comr. Rocho questioned if the economic time that causes us to be in this position leads this to be a conditional hire. What is the impact on staff if we don’t have so many foreclosures? Treasurer Rosenbaum stated this is all paid for NSP2, if land bank does what it should and we turn these properties and it will fund itself. If it doesn’t, then the position will not be funded. Comr. Haadsma inquired what kind of tasks is Deputy Treasurer Bartlett doing that he won’t be doing if this position is hired. Treasurer Rosenbaum stated he will be able to be in the office more.

Roll call vote: Yes – 7 Motion CARRIED

Administrative Services Agreement with the Land Bank

Administrator/Controller Scott stated that the county will do administrative work for the Land Bank and will provide for all costs through the land bank. This is similar to a model we have with Consolidated Dispatch Authority. Corporation Counsel Lindsey worked on it along with the Treasurer's office. The proposal is to approve the Administrative Services Agreement with the Land Bank that will provide for all direct and indirect costs to come back to the County general fund with an additional administrative fee each year of \$5,000.

Res. 130-2010

"Motion by Comr. Camp, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners to approve the Administrative Services Agreement with the Land Bank."

Roll call vote: Yes – 7 Motion CARRIED

Treasurer Rosenbaum thanked Corporation Counsel Lindsey and Administrator/Controller Scott for working with them on the contract. She also let the Board know that the Land bank is uniquely positioned to do a Brownfield. Comr. Rae thanked Treasurer Rosenbaum for her efforts in working with Battle Creek to collaborate on the Land Bank.

July 2010 Monthly Financial Reports

Administrator/Controller Scott noted that the financial report states that we are on track but it does comment in the General Fund section talks about state revenue sharing. The County is back on track with revenue sharing but the format and timing of payments has changed and everyone is confused on when payments will be received. The Michigan Treasury Department has been analyzing what the revenue sharing should be. We will get just slightly more than what we budgeted which is about \$1.2 million so the August financial statement will still show a lag but the September financial report will show what the variance will be.

CITIZENS' TIME:

There were no citizen comments.

COMMISSIONER'S TIME:

Comr. Todd thanked Treasurer Rosenbaum and Deputy Treasurer Bartlett and treasurer's office for their hard work on land bank. There are massive amounts of properties that have been foreclosed and taken over in our county. Also thanked the commissioners for their support of the action items just passed as they were very necessary proposals to move forward.

Comr. Haadsma passed along the concerns of citizens regarding the County Fair. Asked Corporation Counsel Lindsey to explain the situation on the eastern portion of fairgrounds since has been foreclosed and give an overview for people on fairgrounds as a whole. Corporation Counsel Lindsey stated that the fair is not going to change. Bank of America had the lease on the whole property. When the property was transferred to the Fair Board, the county retained an interest that stated if the property ceased to be used for a fair; it would revert back to the county. County was made party to lawsuit and stressed its right to take the property back. Bank of America decided not to foreclose on the part of the property where the fair is historically held so the fairground itself is the same. The section in Marengo that was purchased by the Fair Board in 2006 has been foreclosed but it isn't part of the historical part of the fairgrounds. The Fair Board will have 6 mos to come up with the money and the Fair Board is trying to come up with the funds to retain the property. If they don't, the only part lost will be the section in Marengo Township.

Comr. Haadsma noted that in past week that there is a lot of media attention of forced evacuation of Glenwood Trace. Would like to applaud the resident agents and the maintenance staff. Would also like to commend the City of Battle Creek, who reacted quickly to inspect and decide to close structure. Neighborhoods Inc came forward and made neighborhood units available for displaced people. Other organizations have helped move people. All residents evacuated have been moved.

Comr. Haadsma also commented on Enbridge. We have heard a lot about them and we see them every day on airboats on the river. He stated that we can't underestimate enough the significant impact that the oil spill has brought to the community. It has impacted wildlife habitats, diminished property values and also diminished the quality of life for many of us in Calhoun County. Would like to be on record that he expects, as Enbridge should expect us to as a governing body, that Enbridge will make us whole. States this because he was at the county fair all week and Enbridge had a booth there. They are providing can cozies. Enbridge has got to realize that the need to make us whole and he will not sell Calhoun County, his birthright, for a pot of porridge. He expects Enbridge, who has a record of penalties, to continue to act in a responsible way, as they have so far, and that we are made whole.

Comr. Rocho noted that the school districts recently received notice of a favorable Supreme Court ruling that affects not only school districts but also local units of government – unfunded mandates. Either unfunded mandates that come from state agencies or state departments. The issue that was related for schools was really not essential but the essence of the court case was that asserts school districts and other local units to stop entities from forcing us to do things they aren't willing to pay us to do. It may cause us to take some difficult positions in the future with state and federal agencies but we have to hold the line that we are doing the best we can to serve our citizens we ought not to revert revenues to do an unfunded mandate. Would like to thank Administrator/Controller Scott for her work on it.

Comr. Camp stated how much she appreciated county staff, specifically Emergency Management, as they have gone from emergency status to clean up status with the oil spill. And how staff has developed a cash flow plan and a reasonable time for invoicing. And how there is a good relationship with Enbridge. She was also very pleased with the rest of the departments and that staff has filled in for others when they were needed at the oil spill. Also appreciates the number of community volunteers. The support has been amazing. When some people's lives are turned upside down, others stop theirs to help. Appreciates the sense of community and would like to thank the public for that.

CLAIMS PAYABLE LISTING

Res. 131-2010

“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 \$1,289,942.73 for the two {2} weeks ending August 11, 2010.”

Roll call vote: Yes – 7 Motion CARRIED

ANNOUNCEMENTS

Comr. Haadsma noted Gail Boyer is hosting a Red Wagon Back to School Bash scheduled at Y Center August 28 from 10 – 2. School items provided free of charge.

Carl Gibson from Senior Services will be meeting with Comr. Haadsma on Saturday, August 21 from 8-10 a.m. at Addington Hills to talk to seniors about Senior Services programming and how to access programming. Would like to thank Rita Klavinski for joining him at his coffee hour on August 14.

Comr. Camp invited everyone to a fundraiser for Safeplace. They are sponsoring Walk A Mile in Her Shoes on Saturday, August 28 to raise public awareness. People can call Safeplace for reservations.

Comr. Rocho stated that the Michigan Department of Transportation convened about 2 weeks ago regarding a proposal to close the bridge on J dr S. She urged citizens who did not have a chance to attend the public hearing to contact her at 269-781-9967 and she will convey concerns to the regional office of MDOT.

ADJOURNMENT

The meeting was adjourned at 8:12 p.m. at the call of the Chair.

caz

Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners