

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

September 16, 2010

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, September 16, 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, Rae, Rocho, Todd, Camp, and Gerow

Staff Present: County Administrator/Controller Kelli Scott, Corporation Counsel Richard Lindsey, Assistant County Administrator Brad Wilcox, Finance Director Mark Stuhldreher, Health Officer Jim Rutherford, Health Department Financial Analyst John Eva, District Court Administrator Michelle Hill, and Executive Assistant/Deputy Clerk Chris Zuidema

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was given by Reverend Thomas Ott, Battle Creek First Congregational Church; followed by the Pledge of Allegiance, led by Comr. Gerow.

**APPROVAL OF AGENDA**

“Move Comr. Rocho, supported by Comr. Todd, adopt the following: Resolved the Calhoun County Board of Commissioners to adopt the September 16, 2010 amended agenda as presented.”

Voice vote: Motion CARRIED

**APPROVAL OF MINUTES**

“Move Comr. Rocho, supported by Comr. Lee, adopt the following: Resolved the Calhoun County Board of Commissioners to adopt the September 2, 2010 minutes as presented.”

Voice vote: Motion CARRIED

## CITIZEN COMMENTS

Suzanne Horsfall of the Substance Abuse Council thanked Comrs. Camp and Haadsma for serving on their Committee and thanked Kelli Scott for serving on the RFP Committee. Ms. Horsfall announced that the annual survey on drug use had been released. It is the national standard for measuring drug use for those 12 and older. It is a scientific survey of 67,500 people and serves as a call to action. The increase is mostly due to the increase of marijuana but the use of many other drugs increased also. Calhoun County must increase drug prevention.

## ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

None

## SPECIAL ORDER OF BUSINESS

### **National Alcohol and Drug Addiction Recovery Month in Calhoun County**

Comr. Lee read into record and accompanied by Comr. Rae presented the following proclamation to the Celebrate Recovery Council and Suzanne Horsfall of the Substance Abuse Council.

#### Res. 141-2010

WHEREAS, recovery from substance use disorders *is* possible through a variety of treatment and recovery resources, along with the support of our community; and

WHEREAS, the entire community is vulnerable to the triggers of substance abuse and dependence that include: experimentation with drugs and alcohol in youth; physical, emotional or sexual abuse experienced in youth, unintentional misuse or over-prescription of medications; undiagnosed or untreated mental conditions such as depression and anxiety; traumatic life events; and general financial, physical or emotional stress; and

WHEREAS, recent federal surveys indicate 1 out of 10 Michigan residents, approximately 837,000 persons, aged 12 and older, are either dependent on or have abused alcohol or an illicit drug sometime during the past year with most unable to receive needed treatment services; and

WHEREAS, a study conducted by researchers for HBO's *Addiction* series discovered the following statistics regarding why those suffering use disorders not to get help:

- 44.4% said cost/insurance barriers kept them from getting treatment
- 18.5% said they were afraid of the negative stigma of drug addiction treatment

WHEREAS, substance abuse disorders are a treatable, yet serious health care problem, and our community must take steps to address it; and

WHEREAS, the Substance Abuse Council will continue to support the recovering community and provide education about how substance use disorders affect all people, including public safety officials, the workforce, older adults and families, therefore is essential to combat misconceptions associated with addiction; and

WHEREAS, to help more people enter a path of recovery, and break the cycle of substance abuse within families and communities, 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 and the Substance Abuse Council invite all residents of Calhoun County to participate in National Alcohol and Drug Addiction Recovery Month (Recovery Month); and

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners proclaim September as "National Alcohol and Drug Addiction Recovery Month" in Calhoun County.

"Move Comr. Haadsma, supported by Comr. Todd, the Calhoun County Board of Commissioners adopt the proclamation that September is "National Alcohol and Drug Addiction Recovery Month in Calhoun County. "

On a roll call vote: Yes: 7, Motion CARRIED

**Resolution Supporting the Battle Creek/Calhoun County Convention & Visitors Bureau's Application for the 2014 Michigan Association of Counties' Legislative Conference**

Comr. Rae read into record the following resolution:

Res. 142-2010

WHEREAS, in response to a request for proposal from the Michigan Association of Counties, the Battle Creek/Calhoun County Convention and Visitor's Bureau is bidding on the Michigan Association of Counties' Legislative Conference for 2014; and

WHEREAS, Battle Creek and Calhoun County offer a wide variety of hotels, attraction, shopping and restaurants within walking distance of the convention center. Battle Creek is conveniently located near the junction of I-94 and I-69; and

WHEREAS, Calhoun County wholeheartedly supports bringing the Michigan Association of Counties' Legislative Conference to Calhoun County.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners hereby endorse the application by the Battle Creek/Calhoun County Convention and Visitors Bureau to bid on the Michigan Association of Counties' Legislative Conference for 2014.

"Move Comr. Camp, supported by Comr. Rocho the Calhoun County Board of Commissioners adopt the resolution supporting the Battle Creek/Calhoun County Convention & Visitors Bureau's Application for the 2014 Michigan Association of Counties' Legislative Conference."

On a roll call vote: Yes: 7, Motion CARRIED

## **United Way Charity of Choice Proclamation**

Comr. Rocho read into record and accompanied by Comr. Rae presented the following proclamation to the Chris Sargent of the United Way and Michelle Hill, United Way employee coordinator for Calhoun County. A video showing the plight of children that the United Way campaign represents was shown. Chris Sargent thanked the Commissioners for the proclamation and their leadership. He stated they couldn't do it without Kelli Scott, Michelle Hill and Matt Saxton. It is impressive that County employee participation was up 3% last year and up 10% in the last 5 years. Campaigns are critical and the County helps kids get a good start. People need to remember the one statistic that stands out – 25% of children live in poverty.

### Res. 143-2010

WHEREAS, Calhoun County Government acknowledges that:

- 38,350 calls for assistance were received by the 211 Call Center in 2009; and
- There have been 4,700 jobs lost in Calhoun County since 2007; and
- 50% of our citizens are without health insurance; and
- 25% of those homeless in Calhoun County are children; and
- The graduation rate for some area schools is 58%; and

**WHEREAS**, the United Way of Greater Battle Creek, Marshall United Way and Albion/Homer United Way provides an opportunity for County personnel to invest in our communities by giving, advocating and volunteering; and

**WHEREAS**, Calhoun County Government is supportive of advancing the common good by focusing on the building blocks for a good life - a quality EDUCATION that leads to a stable job, enough INCOME to support a family through retirement, and good HEALTH; and

**WHEREAS**, Calhoun County Government was among the top 25 employers for contributions to the 2009 Battle Creek United Way Campaign.

**NOW, THEREFORE**, I, Board of Commissioners Chair Mike Rae, by virtue of authority vested in me by the laws of Calhoun, County, Michigan, do hereby proclaim the United Way as the Calhoun County Government charity of choice and commits to encouraging our employees to participate in the employee coordinated campaign.

“Move Comr. Rocho, supported by Comr. Todd, the Calhoun County Board of Commissioners does hereby proclaim the United Way as Calhoun County’s charity of choice.”

On a roll call vote, Yes: 7, Motion CARRIED

## CONSENT AGENDA

### Res. 144-2010

“Move Comr. Rocho, supported by Comr. Camp to adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following September 16, 2010 Consent Agenda:

A. Petitions, Communications, Reports:

- (1) Resolution from Benzie County Board of Commissioners calling on the House of Representatives to swiftly pass Senate Bill 449, as written.”

Voice Vote: Motion CARRIED

## SPECIAL COMMITTEE/WORKSHOPS/BOARD REPORTS

**Comr. Rae** stated that the Board of Commissioners’ Budget Committee met on September 9 and went over the Health Department Budget, which is being presented for approval tonight. The Budget Committee is in support of the Health Department’s proposed budget.

**Comr. Rocho** gave an update on the Calhoun County Agricultural and Industrial Society (CCAIS). She is a part of the CCAIS on behalf of the Board. The CCAIS is in the process of making a transition to the Calhoun County Fairgrounds Association (CCFA). There was some controversy at the fair this year because people were afraid there would not be another and but there was a record turnout. People are showing concern and commitment not only what goes on at the fair but related activities. Comr. Rocho also stated she was a member of the Women’s Philanthropic Circle in Marshall and the Board had recently recognized the same group in Albion. The Women’s Philanthropic Circle is a group who contributes to community based non-profit groups and will be hearing a presentation from the CCAIS on September 20 for consideration of donation.

**Comr. Rocho** asked if Comr. Rae could update the Board on the Kalamazoo River Task Force. **Comr. Rae** stated that Administrator Scott did bring task force in front of transportation committee. Are trying to schedule the first meeting by the end of October. **Health Officer Rutherford** stated that the EPA is asking for recommendations from local groups. The EPA will be slowly diminishing their oversight and the sooner we get them info, the better. **Comr. Rae** stated that they are not just talking about oil spill itself, but all potential environmental dangers. **Comr. Camp** inquired if the board as a whole will be discussing this task force. She stated she has not seen leadership and there has been no communication with the Board. She stated she would like information and to give input. **Comr. Rae** stated that staff is working on an invitation list and a meeting date. **Comr. Rocho** reiterated that when the recommendation was made, it was created as a task force to explore options. She stated she never had

a preconceived idea of what would be the best idea. The recommendation was made with the intent of listening to people as to who would be on the committee. The Committee could be a facilitator of how to protect citizens. After the 2700 people who have been here go away, who is taking care of the cleanup and the monitoring? The development will take time and it is not the intent that the commission is not included.

## PETITIONS AND NEW BUSINESS

### Administrator/Controller Report

#### Update on Enbridge Oil Spill

**Administrator/Controller Scott** was invited to testify at the Enbridge hearing in front of the House of Representatives Committee on Transportation and Infrastructure. It was an all day hearing with three different panels and heartfelt and emotional testimony of the effect of the oil spill on personal and business lives. She was on the government panel and was only local rep. She was allowed five minutes for comment then answered questions. The recommendations and probably the hearing are on the Transportation Committee's website. She framed the County's involvement, the Commissioners concerns, how much the County has put into it and what the County's role and involvement has been. It was educational and the Committee had a better perspective afterward. She mentioned the oil spill task force resolution that was passed by the Board. Ultimately the big question is if you can begin to put a price tag on the total economic impact of the spill on the community. A task force is needed to create a baseline and indicators that we can use to measure impact. We need to make sure that once we put price tags on it, Enbridge lives up to their promise of making things right. She has talked to the EPA about task force. The EPA assures that once local presence is lowered, they will still be involved. Everyone will have a chance to provide input and we need to take this opportunity to make things better, not just whole again. **Comr. Rae** publicly thanked Administrator/Controller Scott for going over and above her duties. She dropped everything to put together the written statement that she presented and she took the time to go to DC. She has her hands full with budgets and everything else then she went over and above and the Board thanks her for it. **Comr. Camp** thanked Kelli for the details. The Commissioners have talked to people in the community and the amount of information grows every day. Comr. Camp asked that Administrator/Controller Scott start giving the Board members progress on task force. Would like it weekly, even daily, as food for thought. **Comr. Haadsma** asked that Administrator/Controller Scott give an overview of the criticism given to FEMSA because he heard there was a lot. **Administrator/Controller Scott** stated that members of committee agreed that the FEMSA administration was new and there was a report that oversight was lacking. FEMSA claimed there were not enough resources. The FEMSA leader is former counsel for Enbridge so she had to reclude herself from the hearing. There is a dynamic back and forth perspective on how much responsibility they should have taken in this.

Health Department FY 2011 Budget

Res. 145-2010

“Move Comr. Rocho, supported by Comr. Camp to adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Calhoun County Health Department Fiscal Year 2011 Budget.”

**Administrator/Controller Scott** explained that staff recommends the Health Department budget first because their fiscal year starts October 1 to coincide with the state. In summary, the Health Department budget fluctuates but they require less from the County General Fund this year. Grant funding supplied most of the budget. At a time when the County is facing almost a \$2 million budget deficit, it is nice that the Health Department has sought out so much alternative funding. The Board Budget Committee and the Board of Health have both approved this budget. **Health Officer Rutherford** stated that he has met with managers, the BOC budget subcommittee and BOH budget committee, asking for less money in appropriations. The Health Department can increase staffing with the aggressive seeking of grants. Rutherford highlighted several of their programs that are all grant sourced. The Health Department will have continued involvement with the Enbridge site with water and ground water testing. They will be having a modest fee increase of about a 1.8% overall. There is a sliding scale, anyone who cannot afford health services will not be turned away. Rutherford also stated that the Early Retirement Incentive provided over \$30,000 savings in this budget because older employees at the top of the scale retired and now they can hire younger employees.

On a voice vote: Yes – 6, No – 1, Motion CARRIED

Authority to Resolve Mead v. Calhoun County et. al.

Corporation Counsel Lindsey explained this was follow up for lawsuit action the Board went over during closed session at their September 2, 2010 meeting. The proposed settlement is for \$6500 settlement and the Board can authorize Administrator/Controller Scott to sign.

Res. 146-2010

“Move Comr. Haadsma, supported by Comr. Rocho to adopt the following: Resolved by the Calhoun County Board of Commissioners approve proposed \$6500 settlement in Mead v. Calhoun County et. al. and authorize Administrator/Controller Scott to sign all related documents.”

On a voice vote: Yes – 7, Motion CARRIED

### Mutual Release and Assignment Regarding Duck Lake Sewer Project

**Administrator/Controller Scott** stated that this item has been talked about for many years and she and Corporation Counsel Lindsey went over old legal analysis. The sewer system was initiated by the BPW when the BPW was not part of county. There was a legal issue at that time and a settlement was paid. There were continued issues with the system. Then the BPW became part of Calhoun County. There were additional repairs from 2002-2007 that used loaned funds that have been on the Road Commission's balance sheet for \$477,950. There was never a clear responsibility for the debt, whether it should be the County, the Road Commission or Clarence Township but all parties felt it was shared responsibility. There is no pending lawsuit at this time and it should be noted that the cost of a lawsuit is more than the settlement. The County offered to pay the Road Commission \$100,000 to be used for capital expenses. Clarence Township has agreed to pay \$30,000. The Road Commission approved the proposal last night. This will provide full release so there can be no further claims on the project and the Road Commission can get it off the books. **Comr. Camp** stated that she appreciates the work done. She has gotten with residents regarding this issue and they have concerns that the debt is on Road Commission audit. She appreciates being kept informed. **Comr. Lee** stated that he attended Clarence Township's last meeting and they are happy to get it off their books as well.

#### Res. 147-2010

"Move Comr. Camp, supported by Comr. Todd to adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Mutual Release and Assignment Regarding Duck Lake Sewer Project – Sanitary Sewer System No. 4)"

On a voice vote: Yes – 7, Motion CARRIED

#### August 2010 Financials

Administrator/Controller Scott stated the report indicates revenues are lower than expected. The County has received an amount from the State Treasury for revenue sharing. Expenditures were higher than expected. The Early Retirement Incentive payouts, or lump sum stipends, totaled \$141,000. There will be 36 employees taking advantage of the ERI through the end of December. Are accumulating oil spill expenditures plus time for salaried exempt employees. The County has not requested payment yet because additional compensation for salaried employees at this point conflicts with policy. The County will be invoicing Enbridge, as the August report showed \$100,000, but as she said in her testimony it is now over \$300,000 at this point. Fiscal year 2010 will be balanced.

## CITIZENS TIME

Dion - Thanked the Board for acknowledging the Substance Abuse Council. He was at the County last year for drug court and is now coming here with the Substance Abuse Council.

Lora – Thanked everyone for their support. Something needs to happen when someone decides to change their life. It takes our community to do that and they cannot make it happen without community support.

## COMMISSIONERS TIME

Comr. Haadsma acknowledged the Substance Abuse Council and stated it is his pleasure to work with them. He also wanted to make sure everyone knows of a breakfast on September 24<sup>th</sup> at 7am at Burnham Brook where there will be people to share stories of recovery.

Comr. Lee reminded everyone of Albion’s Festival of the Forks this weekend and to come hungry!

Comr. Camp acknowledged the Substance Abuse Council and Ms. Horsfall do an outstanding job.

Comr. Camp also expressed appreciation for the link to the video feed of Administrator Scott’s testimony. She expressed appreciation to Durk Dunham and Jim Rutherford giving her information. She gets situation reports a couple nights a week. She also appreciates Enbridge taking community comments.

Comr. Todd congratulated Dion on his recovery and asked him to recognize that it was the Word of the Father. He spoke of being there for your children and how critical it is.

Comr. Todd wished a Happy 9<sup>th</sup> Birthday to his daughter, Destiny.

Comr. Haadsma – bob Coward who appeared before board. Kingman’s grand reopening.

## CLAIMS PAYABLE LISTING

### Res. 148-2010

“Move Comr. Rocho, support Comr. Todd, resolve the Calhoun County Board of Commissioners adopt the claims payable listing for the period ending September 8, 2010 for an amount of \$1,857,983.02.

Roll call vote: Yes – 7, Motion CARRIED

ANNOUNCEMENTS

Comr. Rocho stated she is having constituent coffees on September 18, 2010 at Roma’s Café from 8-9 a.m. and at the 115 Truck Stop on September 25<sup>th</sup> from 8-9 a.m.

Comr. Haadsma is holding a pizza buffet on September 18 at Sargents Pizza. He will also be having a coffee hour on September 25 from 7-9 a.m. at the Brownstone Coffee House with Pat Daniel, CEO of Enbridge.

ADJOURNMENT

The meeting was adjourned at 8:34 p.m. at the call of the Chair.

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Chairman  
Calhoun County Board of Commissioners

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Clerk  
Calhoun County Board of Commissioners