

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

December 2, 2010

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, December 2, 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.

Present: Comrs. Haadsma, Camp, Todd, Rae, Rocho, Lee

Excused: Comr. Gerow

Staff Present: Administrator/Controller Kelli Scott, Assistant County Administrator Brad Wilcox, Corporation Counsel Richard Lindsey, HR Director Kim Archambault, Financial Analyst Pam Kline, Treasurer Ann Rosenbaum and Executive Assistant/Deputy Clerk Chris Zuidema

INVOCATION AND PLEDGE OF ALLEGIANCE:

The Board held a moment of silence followed by Comr. Rocho leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

“Moved Comr. Rocho, supported by Comr. Lee to approve the December 2, 2010 Calhoun County Board of Commissioners agenda.”

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

“Moved Comr. Rocho, supported by Comr. Todd to approve the minutes of the November 18, 2010 Calhoun County Board of Commissioners Special Budget Workshop as presented.”

On a voice vote, Motion CARRIED

“Moved Comr. Lee, supported by Comr. Todd to approve the minutes of the November 18, 2010 Calhoun County Board of Commissioners Regular Meeting as presented.”

On a voice vote, Motion CARRIED

6. CITIZEN COMMENTS

Tom Garnett, President of the Calhoun County Trailway Alliance, announced the presence of some of the Trailway Alliance Board members and reminded Commissioners that the Alliance has been working on the funding of the Calhoun County Trailway. He reported that in August, they received word from MDOT that they had received a conditional commitment for close to \$1.1 million for the trail. Part of the commitment was that they had to guarantee local sources of funding, one of which was MDNRE trust fund. He added that there was a news release from MDNRE on December 1 announcing that 117 recreational fund projects were approved and Calhoun County was one of them and further that the State approved the County's full request of \$500,000. The Trailway Alliance will be able to start engineering work soon and Mr. Garnett stated that they hope to break ground in early 2012. The trailway will connect Linear Park to Historic Bridge Park. Mr. Garnett thanked the Board for their support.

Comr. Rae thanked Mr. Garnett and the Trailway Alliance for their hard work in trying to make this a better community.

Autumn Smith, 993 E Michigan Ave, thanked the Comrs. who have been responsive to her requests for help with Enbridge although she feels more can and should be done. Ms. Smith stated she was told by her Comr. that she shouldn't be making this the public outcry that she is. She was very upset her Comr. would say that after almost one million gallons of oil were spilled. She stated she was not willing to donate her back yard to have the oil spilled and doubts her Comr. would either. Ms. Smith asked what it was going to take to get everyone to understand that there is a cover up. She claimed to have noticed heavy equipment on the Monday before Thanksgiving cleaning up an area that her friend John said was still full of oil. She claims that the fact that they are going back to clean up those places should show everyone that what John says is true.

Adrian Begale, 403 Division, congratulated the Board and the Trailway Alliance for the work done on the Linear Park Trailway. He mentioned that he and his family moved back to Michigan a few years ago because of the great outdoors. He applauded the follow through done by volunteers and the Board for going the extra mile to get things going. He encouraged everyone to go out and use the new trailway.

Greg Strand, 335 N. Mulberry, also congratulated the Board and Trailways group for bringing in money toward something that the community can use and needs. He stated that the grant writing and the effort that goes into a project like this is a large effort. He hopes everyone will come together and support this kind of thing. As a father of 3, he claimed to be someone who will use the trails and as a conservationist, he appreciated that the trailway will link communities. He thanked the Board and trailway group and stated it is a big deal and that sometimes gets overshadowed.

George Bolenbaugh, 30 Greentree, Battle Creek, stated that SET Environmental offered him more money than he can ever imagine in his whistleblower suit but he turned it down because he didn't come here for money; he wants everyone to testify. He wondered why Enbridge cut their workforce in half a month ago then brought in a large crew to clean up a site he told about. He wondered why they brought back the submerged oil crew after the water is too cold to dive in. He wondered why Enbridge let the entire crew go and then said they are bringing them back for four years. He stated the animals are eating the grass that has oil in it and Enbridge and the EPA has cleared the areas. He read a letter from someone he said was a very important person who got people in her classes to believe in his claims.

Don Steffick, 30 Greentree, Battle Creek, stated he has been sitting back and listening to John and Autumn about the Enbridge situation and watching the Commissioners reaction. He stated he has questions such as why would Enbridge or the EPA leave an area before it is cleaned instead of finishing the job; why wasn't the 1,000 foot evacuation rule put into effect and why the workers are being called back. He also wondered if any of the Commissioners do the things that John is doing - putting his life on hold to do the right thing. He asked if any of the Commissioners lived on the river and if they did, would they be doing more. He ended with the statement that if Enbridge was doing things right, they wouldn't have anything to hide.

7. ELECTED/APPOINTED COUNTY OFFICIALS COMMENTS

Brad Neumann, District Coordinator for MSUE, made some initial comments for the recommended 2011 Calhoun County budget. He stated that the recommended budget requires a 50% cut of the allocation for MSUE. He claimed MSUE met the prior requested budget amount, and that those kinds of cuts will make the office virtually inoperable. He stated he just wanted to bring the issue up and he looks forward to working with the budget committee and staff on possible alternatives.

Art Farmer, Lee Twp Supervisor, stated he has had several people come to him who have indicated that Charles Monaweck is up for reappointment on the Road Commission. Mr. Farmer stated that he had heard Mr. Monaweck would not be re-appointed and he would like to find out if that is true and what would be the grounds for it. He expressed that he supports Mr. Monaweck and would like to see him re-appointed.

Tom Case, Burlington Twp Supervisor, stated he was also present supporting Mr. Monaweck. He stated that Mr. Monaweck has been very responsive to him and his citizens. He asked the Board to consider getting out of appointing Road Commissioners and allowing them to become elected officials so they are directly accountable to the residents.

8. SPECIAL ORDER OF BUSINESS

- A. Comr. Mike Rae read into record then presented the Special Tribute to the St Philip Women's Volleyball Team and to Coach Vicky Groat.

Res. 179-2010

WHEREAS the St. Philip women's volleyball team on Saturday, November 20, 2010, won its fifth straight state high school volleyball championship, resoundingly defeating Plymouth Christian Academy in three games (25-12, 25-16 and 25-10) at the finals held at Kellogg Arena in Battle Creek;

WHEREAS the St. Phillip team finished the season with a record of 63-7-2, and lost only one game in eight postseason playoff matches;

WHEREAS the St. Phillip women's volleyball team was led by talented senior Ryian Hubbard, a Miss Volleyball Award finalist, who is one of a total of four St. Philips players who have been starters on **four** state championship teams at St. Philip;

WHEREAS Seniors Jenna Behnke, and Zoe Saye, also provided leadership on the St. Philip Tigers' team while playing in their final game on November 20th for the Tigers;

WHEREAS the St. Phillip team also received great contributions from several younger and talented players who will return as part of next year's team, including Sophomore Amanda McKinzie; Freshman Sierra Hubbard-Neil (sister of senior Ryan Hubbard); Sophomores Natalie Gallagher, Casey Gallagher, Sam Ellis; and Juniors Megan Lassen, Taylor Wyatt-Knowlton, and Lauren Ritsema;

WHEREAS the St. Phillip team was led to its fifth straight title by Head Coach Vicky Groat, who has continued the winning tradition of her mother, the late Sheila Guerra, who led St. Philip to nine championships, and has emerged as a fine leader and coach in her own right and has continued the development of the outstanding volleyball program at St. Philip; and

WHEREAS the St. Phillip Tigers Women's Volleyball team has been a joy to watch and an inspiration; to the fans, the future student-athletes watching from the stands, the students, parents, and supporters of St. Philip schools, and the citizens of all of Calhoun County,

NOW THEREFORE, the Calhoun County Board of Commissioners does hereby resolve to issue this Special Tribute to the St. Philip Women's Volleyball Team and Coach Vicky Groat, congratulates them on their successes and victories this year, and wishes them luck and great success in future years.

"Moved Comr. Rocho, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the Special Tribute to the St. Philip's Women's Volleyball Team and Coach Vicky Groat."

Coach Groat expressed her thanks and her pride in the volleyball team and their success.

On a voice vote, Motion CARRIED

B. Presentation of Administrator/Controller's FY 2011 Budget Recommendation and Public Hearing on the Proposed FY 2011 Budget

Administrator/Controller Scott stated that last year we had to learn to live with less though it was painful. She stated we have been expecting that the next few years were going to be more difficult, and that 2011 will be the second year in a row of declining property taxes and 2010 saw an 11% cut in State funding. She stated the budget before the Commissioners was supported by elected officials, department heads and the budget committees with the exception of the cuts to the MSUE. The budget shows the same tax levy residents have paid for the last several years. The Budget will be adopted on December 16, 2010. Initially the departments were asked to cut almost \$1million. The county offered the Early Retirement Incentive as one of the ways to help reduce costs. This budget only includes one layoff and that person was able to get a job in another part of the county. Most departments met the target but then Administration found out that health insurance rates were going to be up 19%, an approximate \$1million increase. After departments submitted their budgets, we were still at over a \$2million deficit. Every line item

was looked through and non-mandated services were looked at, which is why MSUE was the possible subject of cuts. She stated that unfortunately a lot of the remedies used to help balance this budget were one time fixes. After the initial budget submission, the Sheriff agreed to keep two additional positions vacant. She commented that they were also able to make some smaller cuts in other areas. Staff got a little more aggressive in expectations of income from the Firekeepers Local Revenue Sharing Board. Over half of \$900,000, identified on November 18 as the remaining budget gap, came from the difficult decision to not contribute \$500,000 to the CIP. Administrator/Controller Scott is strongly against this lack of funding the CIP from a maintenance standpoint, as it will likely result in a request to issue debt to cover what is needed. But \$500,000 is about 8 positions and she didn't think it made sense to go back to the departments and ask them to cut drastically more after they have met the directives. She stated that after more review, staff recommends the MSUE funding stay intact for another year, as it would have caused a layoff and the programmers, who are MSU employees, need the support staff. MSUE is looking at reorganizing in 2012 so she would recommend that the administration identify \$75,000 elsewhere. She added that the County now has 20 or so fewer employees trying to do all the same jobs. Our policies and contracts compare to two years ago require employees pay more for their health insurance, and one of the goals to limit claims costs is to shift employees to high deductible plans. The shift is happening by the preliminary look of open enrollment, as almost 100 people shifted from the zero deductible plan to the standard plan.

"Move Comr. Rocho, supported by Comr. Camp to approve the following: Resolved the Calhoun County Board of Commissioners opened the Public Hearing on the Proposed FY 2011 Budget."

On a voice vote, Motion CARRIED

Richard Logan, 10104 Verona Road, questioned the way property taxes are figured and the accuracy of the CPI. He stated he did some research and found out it comes from Washington DC. He understands that there is no local control but he believes that the formula is flawed. He asked the Commission to question the State or the Federal government about the formula.

Brad Neumann, MSU Extension, thanked the Administrator/Controller for her revised budget recommendation. He stated that MSUE has programs that touch the lives of many in the County. He spoke about many of the programs and people that run them for the MSUE. Support of Extension is much more than just an investment in programs; it is an investment in Economic Development. He stated he recognizes the County's fiscal difficulties, and that MSU is working on looking at cutting costs.

Tim Howell, 504 West Main, Homer, Calhoun County Sheriff's Deputy, stated he thinks the Administration and Commissioners are doing a good job on the budget and the employees understand that money is tight. He stated that he thinks the "little guy" or average employee has a lot of ideas that someone needs to listen to. He stated there are bright people that work for the County and they have ideas of how to save a few thousand here or there and it might add up. He stated he doesn't believe there is an avenue in place for the employees to bring their ideas to the Board and Budget Committee.

"Moved Comr. Lee, supported Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners close the Public Hearing on the Proposed FY 2011 Budget."

On a voice vote, Motion CARRIED

9. CONSENT AGENDA

Res. 180-2010

“Moved Comr. Rocho, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the December 2, 2010 Consent Agenda.”

A. Petitions, Communications, Reports

1. Annual Summer Tax Resolution – Lakeview School District
2. Tekonsha Community Schools Board of Education Resolution

B. Resolutions

1. Calhoun County Metropolitan Planning Commission
(Term Expires December 31, 2013)

{a.} Rebecca Rocho

On a voice vote, Motion CARRIED

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

There were none.

11. UNFINISHED AND OLD BUSINESS

A. Soil Erosion and Sedimentation Ordinance

Res. 181-2010

“Moved Comr. Rocho, supported Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners to approve the Soil Erosion and Sedimentation Ordinance.”

On a roll call vote, Yes – 6, Excused – 1 (Gerow); Motion CARRIED

12. PETITIONS AND NEW BUSINESS

A. County Administrator/Controller’s Report

Administrator/Controller Scott asked Treasurer Rosenbaum to come up and speak, as the first two items were from her department. Both are related to delinquent taxes and the settlements in the spring.

Treasurer Rosenbaum stated these are the same two resolutions that have come before the Commissioners for the last 30 years. The rates are low so they are bringing the resolutions early so they can take advantage.

12A.1 Resolution to Borrow Against Anticipated 2010 Delinquent Taxes

Commissioner Rocho stated that her employer, Calhoun ISD, is a recipient of the delinquent tax revenues but she has no conflict of interest.

Res. 182-2010

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the Resolution to Borrow Against Anticipated 2010 Delinquent Taxes as requested by the Calhoun County Treasurer.”

On a roll call vote, Yes – 6, Excused – 1 (Gerow); Motion CARRIED

12A.2 County Agent Designation Resolution

Res. 183-2010

“Moved Comr. Haadsma, supported by Comr. Rocho to approve the following: Resolved the Calhoun County Board of Commissioners approve the County Agent Designation Resolution as requested by the Calhoun County Treasurer.”

On a roll call vote, Yes – 6, Excused – 1 (Gerow); Motion CARRIED

12A.3 Resolution Authorizing Refunding Bonds for Pennfield Township

Administrator/Controller Scott stated the request comes from Pennfield Township with the approval of the County Department of Public Works. It has been approved by Pennfield’s Bond Counsel, which is also the County’s Bond Counsel. The resolution allows Pennfield Township some flexibility through the Department of Public Works to refinance some water supply bonds issued in 1997. When and if the rates are low enough to allow them savings, this resolution authorizes the township to refinance bonds quickly.

Comr. Rae commented that Rob Behnke is doing a wonderful job as Supervisor of Pennfield Township.

Res. 184-2010

“Moved Comr. Rocho, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners approve the Resolution Authorizing Refunding Bonds for Pennfield Township.”

On a roll call vote, Yes – 6, Excused – 1 (Gerow); Motion CARRIED

14. CITIZENS TIME

Autumn Smith, 993 E Michigan, invited Commissioners to a public forum that she and John are hosting and the NAACP is sponsoring. It will be at the Urban League on December 18, tentatively at 6 p.m., informing the public what she and John have found in regards to the Enbridge cover up. She stated she is hoping people will hear them out and take action.

John Bolenbaugh, 30 Greentree, stated that if anyone gets sick of him coming up to the microphone then they need to do something about it. He doesn't know if anyone understands that the oil that was spilled is very toxic according to doctors he's talked to. He stated there is going to be a 5-10% increase in cancer in the next 15-20 years. He stated he is making a public request that Pat Daniel or any Enbridge official be prosecuted for knowingly putting this toxic chemical through these pipes and putting everyone at risk. He stated he believes that the EPA cleared the sites quickly because the workers were tired after working the gulf oil spill then coming here and having to work mandatory 7 days a week for 60 days.

15. COMMISSIONERS TIME

Comr. Haadsma thanked Misters Garnett, Coury, and Rizer, as well as the rest of the Trailway Alliance for coming to meetings and doing the work to accomplish so much on the trailway.

Comr. Haadsma thanked Mr. Neumann and Ms. Klavinsky for bringing to his attention their concerns about the MSUE circumstances regarding the budget recommendations.

Comr. Haadsma thanked Mr. Pignataro from the Sheriff's office for addressing him on budget issues that affect the Sheriff's Department.

Comr. Haadsma also thanked Mr. Howell for coming and bringing the employee perspective to the Commission. He agrees with the recommendation of more dialogue between the employees and Board members. Many of the Commissioners have Facebook pages in connection with their County work.

Comr. Todd thanked Mr. Bolenbaugh and Ms. Smith and commended them for coming in and bringing attention to their concerns. He stated he has spoken with the EPA and will be going on a river tour. The EPA is in agreement with some of the things they are saying, such as the toxicity of the oil that was spilled.

Comr. Todd thanked Scott Brown, Calhoun County Road Commission Chair, MSUE, and the incoming board members for coming out and supporting the Commission.

Comr. Todd also announced that all elected officials are invited on December 11, from 10 – 12, to Hampton Inn Battle Creek will be hosting a coffee/breakfast for current and incoming elected officials in Calhoun County.

Comr. Camp thanked the Commissioners who serve on the Budget Committee for working on a way to fill the gaps. She thanked the departments for meeting their directives. She also thanked the Sheriff for protecting public safety.

Comr. Camp commented that even though MSUE is a non-mandated service she hopes that hopefully we can find funding to support them.

Comr. Camp commented that Tim Howell had a great idea, that the small savings can add up.

Comr. Camp stated that in regards to the EPA, they are the regulatory agency that will respond to resident requests, inquiries and concerns. They have a website and will answer emails. She stated she is comfortable working with them. She will help residents with any concerns but it is important for people to know that they as Commissioners do not hold the regulatory power. She thinks it is important that there is public awareness in regards to that.

Comr. Camp stated that in regards to the Calhoun County Road Commission appointment, she appreciates those who have come to speak in support of Charles Monaweck. She has heard he has done a good job from Supervisors across the County. She asked for dialogue with other Commissioners in regards to the appointment.

Comr. Rae stated that Comr. Camp is right on stressing the fact that the EPA has the guns and the power a role and the county is doing what we can do with the limited resources we have. The County is continuing to work on the river task force that can help with this problem and hopefully turn it into a plus.

16. CLAIMS PAYABLE

Res. 185-2010

“Moved Comr. Rocho, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the Calhoun County Claims Payable for three weeks ending November 24, 2010 in the amount of \$2,836,686.83.”

On a roll call vote – Yes – 6, Excused – 1 (Gerow); Motion CARRIED

17. ANNOUNCEMENTS

There were none.

18. ADJOURNMENT

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

caz

Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners