

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

June 16, 2011

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, June 16, 2011 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

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

Present: Comrs. Behnke (arrived at 7:26 p.m.), Todd, Haadsma, Frisbie, Camp, and Kale

Excused: Comr. VanSickle

Staff Present: Administrator/Controller Kelli Scott, Corporation Counsel Richard Lindsey, Human Resources Director Kim Archambault, Assistant County Administrator Brad Wilcox and Deputy Clerk Chris McComb

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Comr. Todd, followed by Comr. Camp leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Haadsma, supported by Comr. Todd to approve the agenda of the June 16, 2011 Calhoun County Board of Commissioners as presented."

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

"Moved Comr. Haadsma, supported by Comr. Todd to approve the minutes of the June 2, 2011 Calhoun County Board of Commissioners Regular Meeting as presented."

On a voice vote, Motion CARRIED

6. CITIZENS' TIME

Jonathon Pignataro, Sheriff's Deputy and President of the Calhoun County Deputies Association commented that the negotiations with Administration and POAM went well and were conducted with good faith on both sides. He stated they came to an agreement and it was overwhelmingly approved by Union membership. He urged the Board to put their stamp of approval on the agreement.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

There were none.

8. SPECIAL ORDER OF BUSINESS

A. Father's Tribute 2011

Comr. Todd read the Tribute to Fathers into record.

WHEREAS, Father's Day is a day of commemoration and celebration of Dad. It is a day to not only honor your Father, but all men who have acted as a father figure in your life - whether as Stepfathers, Uncles, Grandfathers, or "Big Brothers;" and

WHEREAS, Fathers play a unique and irreplaceable part in the lives of their children and pass along values that help children grow into responsible adults. By providing their sons and daughters with a positive example, fathers help give their children the necessary foundation they need to make wise decisions throughout their lives. Fathers strive to inspire their children to lead lives of integrity, honor, and purpose, and they pray for wisdom and the strength to give their children the love and support they need to achieve their dreams; and

WHEREAS, all Americans are thankful for the extraordinary efforts of our Nation's fathers, stepfathers, grandfathers, and guardians. Their devotion and encouragement as mentors, providers, and role models help strengthen their families and our country.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, hereby express our appreciation and encourage all Americans to express their appreciation to all fathers for their many contributions to our Nation's children.

Res. 70-2011

"Moved Comr. Haadsma, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners do accept the Tribute to Fathers 2011."

On a voice vote, Motion CARRIED

B. Juneteenth National Freedom Day 2011

WHEREAS, the Calhoun County Board of Commissioners recognize that slavery existed in this country for more than 200 years; and

WHEREAS, millions of African-Americans were brought to this country as slaves, stacked in the bottom of slave ships on a 5 to 12 week journey across the Atlantic Ocean, known as the “middle passage”; and

WHEREAS, although approximately 11 ½ million African-Americans survived the voyage across the ocean, the number of those who died in the inhuman conditions of the passage is probably even higher. Once in this country the captives were subjected to whipping, castration, branding and rape; and

WHEREAS, the Board of Commissioners further observes that Congress passed the Thirteenth Amendment of the United States Constitution on January 31, 1863, abolishing slavery throughout the United States and its territories; and

WHEREAS, in the following months, spontaneous celebrations erupted throughout the country whenever African-Americans learned of their freedom. News of the amendment reached the states at different times, and it was not until June 19, 1865 that the message of freedom reached the slaves in the western states; and

WHEREAS, in honor of this great moment in the history of our nation, the Calhoun County Board of Commissioners recognize that the third Saturday in June of each year is known as “Juneteenth National Freedom Day.”

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners encourage individuals, educational institutions; and social, community, religious, labor and business organizations to pause on “Juneteenth National Freedom Day” and reflect upon the strong survival instinct of the African-American slaves and the excitement and great joy with which African-Americans first celebrated the abolition of slavery. It is a reminder to all Americans of the status and importance of Americans of African descent as American citizens. The Board of Commissioners also encourages everyone to participate in the celebrations of “Freedom, Heritage and Culture” occurring in Battle Creek on June 18, 2011.

Res. 71-2011

“Moved Comr. Todd, supported Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners does hereby recognize the third Saturday in June as Juneteenth National Freedom Day.”

On a voice vote, Motion CARRIED.

9. CONSENT AGENDA

Res. 72-2011

“Moved Comr. Haadsma, supported Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the June 16, 2011 Consent Agenda as presented.”

A. Petitions, Communications, Reports

1. Traffic Control Order 11-060-001 from the Calhoun County Road Commission.

B. Resolutions

On a voice vote, Motion CARRIED

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Comr. Frisbie stated the 911 Committee met and are starting community forums on funding that will be held across county and he encouraged people to attend them.

Comr. Todd stated the Solid Waste Committee met and went over budget items. He stated they are taking an assertive stance on the recent cleanup because there is an estimated 800 tons of brush at the compost center. He stated the committee is looking at the budgetary stance to see if they can help with the cleanup. He noted there were complaints about dead deer pick up but the committee decided to hold off on addressing that item because getting efforts to assist with the cleanup was more important.

Comr. Haadsma stated the County Road Commission had reported to date 2200 man hours toward cleanup and \$150,000 and they were not even close to being done. He stated they are maybe 40% done of what at the end may be a half million dollar clean up.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

Calhoun County Administrator/Controller Kelli Scott thanked the Board and staff for the support during the passing of her step-brother and her Mother’s uncle.

Administrator/Controller Scott stated that Unified Command is still in place and holding meetings. She stated they had submitted a damage estimate to the State to send to FEMA showing the total residential cleanup is estimated at over \$25 million and the total public property damage exceeded \$12 million. FEMA was expected to be in over the weekend to work with Emergency Management to begin their

preliminary review but their visit doesn't guarantee financial help. She stated the cost to the County has been relatively low because we don't have a DPW so she didn't expect to need to ask the Board for a budget adjustment. She stated there had been no contracts entered into they were still working on a debris management program and they estimated crews would be picking up until July 1.

A. Calhoun County Trailways Development Agreement

Administrator/Controller Scott stated that this was a five party agreement that Corporation Counsel Lindsey had worked on with everyone to come to an agreement. She stated the agreement was a major step but there was more work to be done.

Corporation Counsel Lindsey stated the agreement had been approved by the Trailway Alliance and the Friends of the Ott and would soon be considered by the Road Commission and the Parks Trustees. He stated the County will act as the easement holder and the agreement will allow the route to go through Kimball Pines and the Ott Preserve. He stated the section of the route going through the Ott Preserve was agreed upon with the Friends of the Ott. He stated they had met with the DNR and MDOT and agreed they will request a 180 day extension of the grant timeline so they have time to get finish getting things in place. He stated they have a meeting set up to talk to property owners about the easements. He stated all the prep work will probably extend to the end of the year so construction will be next spring.

Comr. Camp thanked Corporation Counsel Lindsey for his work and inquired if everyone who will sign the agreement had copies of the seven page agreement. Lindsey confirmed they did.

Res. 73-2011

“Moved Comr. Haadsma, supported by Comr. Camp to approve the following: Resolved the Calhoun County Board of Commissioners approves the Agreement Regarding Development of Phase 1, Segment 1 of the Calhoun County Trailway and the Board Chair is authorized to sign the Trailways Development Agreement on behalf of Calhoun County.”

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

B. Assessment Services Agreement with the City of Albion

Administrator/Controller Scott explained this agreement helps the County and the City of Marshall gain more cost efficiencies by having the city of Albion also have agreement for assessing services. She stated this will add 1 full time employee, an assessor who will service Albion and Marshall. She thanked Mike Herman and the Albion Board for moving things along so quickly. She stated this agreement will provide a higher level of service to residents and the members of the department will be able to better leverage their time to perform assessing duties. Scott gave credit to Equalization Director Bonnie Payton and Deputy Director John Hippensteel for their hard work in pulling things together quickly. She stated the budget adjustment was included and it showed a decrease because the arrangement actually saves budget dollars given that it starts several months into the fiscal year.

Equalization Director Payton stated she there was a bit of apprehension at the beginning but she was in awe that it had come together as quickly as it had and it was exciting. She stated she believed it was going to be eye opening and it will be a great experience for everyone to work together.

Comr. Camp stated that she appreciated the effort of municipalities being efficient but she would vote no because she thought that not enough time had passed to ensure that the agreements would provide the level of service the townships deserved.

Comr. Haadsma stated he thought this was the time that government should move faster than it has in the past and we need to do more collaboration than we have in the past. He thanked Bonnie Payton, John Hippensteel, Mike Herman and Kelli Scott for moving forward.

Comr. Kale echoed Comr. Haadsma, adding that these are challenging times but this was exciting. He stated the agreement shows thinking outside the box, it was logical and it made sense.

Administrator/Controller Scott stated that Corporation Counsel Lindsey and the finance staff also put a lot of work into the agreement.

“Moved Comr. Haadsma, supported by Comr. Todd to approve the Assessing Services Agreement with the City of Albion.”

Corporation Counsel Lindsey reminded the Commissioners that they were also approving the budget adjustment and the additional staffing and suggested the motion be amended to include them.

Res. 74-2011

“Moved Comr. Behnke, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners approve the Assessing Services Agreement with the City of Albion as well as the resulting budget adjustment and additional staffing request for the Equalization Department.”

On a roll call vote, Yes – 5, No – 1 (Camp), Excused – 1 (VanSickle), Motion CARRIED

C. Amendment to the Professional Service Agreement with Bonnie Payton

Administrator/Controller Scott stated this amendment was to acknowledge that Equalization Director Payton would also be signing the city of Albion’s assessment rolls.

Res. 75-2011

“Moved Comr. Behnke, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners the prior resolution approving the Amendment to Professional Service Agreement, adopted by the Board of Commissioners on May 5, 2011 is hereby rescinded;

Further it is resolved that the Amendment to Professional Service Agreement, as presented, is hereby approved and the Board Chair is authorized to sign the Agreement on behalf of Calhoun County.”

On a roll call vote: Yes – 5, No – 1 (Camp), Excused – 1 (VanSickle), Motion CARRIED

D. Shared Public Services Initiative Grant Submittal

Administrator/Controller Scott stated this was a request to approve and support a grant application for a relatively new initiative that allows for 50% of funding for a feasibility study if there are shared services. She stated the County, the Sheriff, the city of Marshall and the Michigan State Police were discussing sharing a law enforcement facility in Marshall. She stated the Sheriff's office needs to be in county seat, the city needs a new facility, and the state is closing two police posts and needs a new facility for consolidation. She stated this doesn't obligate the county for any expenditure and we can choose consultants and look at costs. She stated this is just the first step, having the governing bodies approve. Scott stated the city of Marshall City Council has already approved and prepared the grant application so it will be sent in quickly. She stated there is a chance for a new facility and there will be the opportunity for some shared services such as reception, IT, and transcription so there may be cost savings.

Comr. Camp inquired if this obligates us to fund a study or the structure because to her it felt as if there was an obligation. She inquired if there was any idea what it things may cost.

Administrator/Controller Scott stated there was not at this time but they could get an idea by what other feasibility studies cost, about \$30-50,000, which would be shared by the three entities. She stated they were trying to take advantage of collaboration opportunities.

Comr. Haadsma stated he believed it was time for us to go. He stated we can't think like we did before, we have to think quickly, be nimble and take advantage of dollars and collaboration.

Administrator/Controller Scott stated that Sheriff Byam was there, they met with local representatives and city officials and they felt pretty comfortable they were in support.

Res. 76-2011

"Moved Comr. Haadsma, supported by Comr. Behnke to approve the following resolution:

WHEREAS, Calhoun County seeks to relocate the principal office of the Calhoun County Sheriff to the County Seat, which is the City of Marshall, as required by Article VII, Section 1.VII(5) of the Michigan Constitution; and

WHEREAS, the City of Marshall maintains facilities to house the Marshall City Police Department and is seeking a new location for those facilities; and

WHEREAS, the State of Michigan desires and has committed funding for the location of a State Police Post in the City of Marshall; and

WHEREAS, it is the desire of Calhoun County, working in collaboration with the City of Marshall, to pursue funding under the Michigan Shared Public Services Initiative Grant Program for 50% of a Shared Services Facility Feasibility Study; and

WHEREAS, the Marshall City Council has previously passed a resolution supporting the pursuit of such a grant to promote and enable said cooperation and collaboration between the three police agencies for a shared police services facility;

NOW THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners hereby resolves and authorizes the Board Chair, or the Administrator/Controller, to sign the grant applications associated with the above feasibility study grant.

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

E. Addition of Six Full Time Public Health Nurse 1 (School Nurse) Positions to the Health Department

Administrator/Controller Scott stated this was the follow up to information provided for the expanded school wellness program. She stated the addition of 6 nurses will provide a nurse to every school district in the county and it is all grant funded. She stated this approval will authorize the program through the end of the Health Department's fiscal year, which is September.

Res. 77-2011

"Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the addition of six full time (4.56 Full Time Equivalentents – FTE's) Public Health Nurse 1 (PHN1 School Nurse) positions to Calhoun County Public Health Department's FYE 2011 Staffing Pattern; and further that the Board approves the related budget amendment as presented."

On a roll call vote, Yes – 5, No – 1 (Camp), Excused – 1 (VanSickle), Motion CARRIED

F. Budget Amendment to the Drain Fund

Administrator/Controller Scott stated this amendment is in response to a clerical error made when the budget was being prepared. She explained that the debt schedules, principal and interest schedules were understated and they could not make the required debt payments until it is corrected.

Comr. Kale confirmed that this was an accounting adjustment, increasing one line item and decreasing another.

Res. 78-2011

"Moved Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the budget amendment to the Drain Fund as requested."

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

G. May 2011 Financial Report

The Calhoun County Board of Commissioners received for information the May 2011 Financial Report.

Administrator/Controller Scott stated that most funds were in line with expectations. She stated they would be doing a mid-year budget review soon to get feedback to make sure there are no unexpected items coming in but so far things are on track.

13. CITIZEN'S TIME

Larry Rizer, representing the Trailway Alliance, thanked the Board for the support then thanked Richard and the Road Commission for efforts on the Ott Preserve/Trailway. He stated they have started fundraising efforts and they wouldn't disappoint anyone.

Lane Landis of Homer Township stated he believed that things in the County should be a shared responsibility. He believes the board has a responsibility to step in and help when there is a weather incident and there is a lot of damage. He stated the farmers in outlying areas take their tractors out to help and are never reimbursed. He stated there has been less money for road improvements and he believes the Board should help the Road Commission fix the roads. He stated that if we don't have decent roads, it's irresponsible. He stated it was food for thought and he appreciates Commissioners coming to Road Commission meetings.

Jonathon Pignataro thanked Kim Archambault and Kelli Scott for their cooperation during POAM negotiations. He believed they have a great working relationship and he appreciates it.

14. COMMISSIONERS TIME

Comr. Todd announced that his daughter was in the hospital with severe dehydration and asked for prayers.

Comr. Todd thanked Health Director Jim Rutherford and stated he has been a living witness to the nursing program. He thanked Rutherford for the program and stated the nurses help meet the needs of students and family as well as staff. He stated that anything that deals with health and nursing, particularly the health of our kids, he will support.

Comr. Frisbie thanked Pignataro and his negotiation team, the Sheriff, and Archambault for their diligence in arbitration and stated he greatly appreciated what they do.

Comr. Frisbie thanked Administrator/Controller Scott for her performance during the storm disaster. He stated he appreciated all the extra work and personal sacrifices she made during that time.

Comr. Kale stated he attended the Albion School Board meeting and Health Director Rutherford made a school nurse presentation. He stated the schools have had a health and wellness program for the last 3 years but didn't get the grant for next year so the nurse program was even more important. He stated that the Albion Community Health Care Alliance said they would chip in \$12,500 toward the \$25,000 needed for a full time school nurse, the school chipped in \$5,000 and the community at large would raise the rest.

Comr. Kale complimented Mr. Herman, Mayor Domingo and the City Council of the city of Albion for moving forward on the assessing agreement. He felt it was a step in the right direction.

15. CLAIMS PAYABLE

Res. 79-2011

“Moved Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Claims Payable Listing for May 27, 2011 through June 9, 2011 in the amount of \$947,804.30.”

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

16. ANNOUNCEMENTS

Comr. Camp gave an update on the Big Marsh Drain, stating the Board of Determination did not meet due to a temporary restraining order halting the hearing. She stated the hearing has been moved to July 18.

Comr. Kale announced that Albion would be having a Juneteenth celebration that Saturday, with a Walk for Freedom and other activities running from 9-4.

Comr. Kale announced that the Albion Wildcat scramble to benefit the Albion high school football team would also be happening that Saturday at Tomac.

Comr. Kale announced that the Lee Center Church would be having a barbecue that Sunday at noon.

Comr. Kale announced the American Legion Post was putting on a pig roast before the July 3 fireworks.

17. CLOSED SESSION TO DISCUSS LABOR NEGOTIATIONS

Res. 80-2011

“Moved Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved the Calhoun County Board of Commissioners does hereby retire to closed session to discuss labor negotiations and will return to open session to adjourn the regular session of the June 16, 2011 meeting.”

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

18. APPROVAL TO RATIFY POAM CONTRACT

Res. 81-2011

“Moved Comr. Camp, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the ratification of the POAM contract for 2011.”

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

19. ADJOURNMENT

The meeting was adjourned at 9:25 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners