

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

November 15, 2012

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, November 15, 2012 in the Commissioners' Meeting Room, County Building, Marshall, MI.

Vice Chair Camp Seifke called the meeting to order and requested the Deputy Clerk call the roll.

Present: Comrs. Dunn, Todd, Haadsma, Frisbie, Camp Seifke, VanSickle and Kale (arrived at 7:35)

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

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The Board held a moment of silence followed by the Pledge of Allegiance led by Comr. Dunn.

4. APPROVAL OF AGENDA

“Moved Comr. Haadsma, supported by Comr. Todd to approve the agenda of the November 15, 2012 Regular Session of the Calhoun County Board of Commissioners as presented.”

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

A. Minutes of the November 1, 2012 Regular Session

“Moved Comr. VanSickle, supported by Comr. Frisbie to approve the minutes of the November 1, 2012 Regular Session of the Calhoun County Board of Commissioners as presented.”

On a voice vote, Motion CARRIED

6. CITIZENS' TIME

There was none.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

There were none.

8. SPECIAL ORDER OF BUSINESS

A. 2012 Master Plan Presentation

Jen Bomba, Planning Consultant, presented a revised draft of the County Master Plan done by the Planning Commission that included the 2010 census data. Bomba reviewed the summary data and stated the plan projects out 20-30 years.

Res. 153-2012

"Moved Comr. Haadsma, Supported Comr. Dunn to approve the following: The Calhoun County Board of Commissioners does hereby approve the Draft Calhoun County Master Plan (Plan) for distribution to the required parties, initiating the review and comment period."

On a voice vote, Motion CARRIED.

B. World AIDS Day Proclamation

Comr. Haadsma read the proclamation recognizing World AIDS Day into the record.

WHEREAS, one of Calhoun County's greatest assets is the health of its people; and

WHEREAS, 33 million people in the world now live with HIV/AIDS and two million of them are under the age of 15; and

WHEREAS, there are approximately 1.1 million people living with HIV/AIDS in the United States; and

WHEREAS, the Department of Community Health estimates that 180 people are HIV positive in Calhoun County, twenty of who are under the age of twenty; and

WHEREAS, the number of women living with HIV in the United States has tripled in the last two decades and in Calhoun County approximately 60 women are currently HIV positive; and

WHEREAS, the HIV prevalence estimates of all persons living in Calhoun County with a diagnosis of HIV or AIDS has steadily increased since 1983; and

WHEREAS, every 15 seconds a young person in our world, age 13-24, is infected with HIV, including two American teens every hour and one in five Americans do not know they have HIV; and

WHEREAS, it is important that we raise awareness of HIV/AIDs by fighting prejudice, improving education, remembering that HIV has not gone away, that we need to talk about it, provide testing and shine a light for those infected and affected by HIV/AIDs; and

WHEREAS, the theme for World AIDS Day for the next several years is “GETTING TO ZERO”, establishing the world-wide goal of Zero new HIV infections, Zero discrimination and Zero AIDS-related deaths; and

WHEREAS, President of the United States of America, Barack Obama, proclaimed December 1, 2012, as World AIDS Day;

NOW, THEREFORE, the Calhoun County Board of Commissioners recognize Saturday, December 1, 2012, as

“WORLD AIDS DAY”

In Calhoun County and urge all citizens to recognized and promote it observance.

Res. 154-2012

“Moved Comr. Dunn, Supported Comr. Todd to approve the following: The Calhoun County Board of Commissioners does hereby adopt the proclamation recognizing World AIDS Day as presented.”

On a voice vote, Motion CARRIED.

Comr. Haadsma presented the Proclamation to Rebecca Ogladowski, who thanked the Board for their support and announced the World AIDS Day celebration would be held from 5-7 p.m. at the First United Methodist Church in Battle Creek on December 1.

C. Presentation of Administrator/Controller’s FY2013 Budget Recommendation and Public Hearing on the Proposed FY 2013 Budget

Administrator/Controller Scott that in accordance with the budget schedule, tonight’s public hearing is the first of two steps with the second being the December 6 Board of Commissioner adoption of a balanced budget. She stated the budget information was posted on the county website and the hearing was advertised. She reviewed the budget, sharing information such as there was a reduction of transfers in from other funds, revenue sharing remains down and overall revenue was expected to be down about \$1 million from 2012 to 2013. She stated she was recommending balancing to the target of \$39 million, noting if we balanced to it, the long term gap gets narrower. She stated we would be continuing the assumption we would be operating for years at a lower revenue level. Scott noted she was still waiting for some line item details from departments to meet their projections; we were still bargaining with the unions; we were changing the defined benefit retirement plan; and were in the middle of open

enrollment for employee benefits so there were several things that could still change. She stated though we had the Road Department included in the budget this year, their submittal was status quo because of the short time since the November 1 transition to a County Department. She stated there was no action required tonight except the public hearing.

Res. 155-2012

"Moved Comr. Dunn, Supported Comr. Frisbie to approve the following: The Calhoun County Board of Commissioners does hereby open the floor for a public hearing to receive comments on the proposed Calhoun County FY2013 Budget."

On a voice vote, Motion CARRIED.

There were no comments.

Res. 156-2012

"Moved Comr. Frisbie, Supported Comr. VanSickle to approve the following: The Calhoun County Board of Commissioners does hereby close the public hearing to receive comments on the proposed Calhoun County FY2013 Budget."

On a voice vote, Motion CARRIED.

Vice Chair Camp Seifke declared the Public Hearing closed.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Human Resources Personnel Report for October 2012

B. Resolutions

1. Veterans Affairs Committee Appointments

{a} Roger Seidel (New Appointment)
(Term to Expire October 31, 2016)

{b} Arnold Arquette (Reappointment)
(Term to Expire October 31, 2015)

2. Senior Millage Allocation Committee Appointment
(Term to Expire April 30, 2015)

{a} James Powers (Replacing Jennie Hoffman)

3. Department of Human Services Board
(Term to Expire December 31, 2013)

{a} William Comai (Replacing Mike Lind)

Res. 157-2012

“Moved Comr. Dunn, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners do hereby approve the consent agenda of the November 15, 2012 meeting as presented.”

On a voice vote, Motion CARRIED.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Frisbie stated he attended there will be an E911 meeting at the end of the month to finalize the funding formula for how the dispatch expense will be divided between the cities, townships and the county so they can start moving forward. He stated everyone would know what their share would be by April and it would be implemented in June. He stated they extended the Director’s contractor for three years.

Comr. Todd stated he attended a Land Bank Committee meeting and they were doing a fine job in the Treasurer's office, as they had met all the deadlines for their rehab houses and there was good progress taking place.

Comr. VanSickle stated the Planning Commission met and went over a proposal from Albion Township to change their zoning plan.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

A. County Administrator/Controller’s Report

Administrator/Controller Scott thanked Budget Analyst Pam Kline for all of her work on the budget. She stated the budget process really starts in the spring and Pam worked hard to keep everything on track. She also appreciated the work of the Budget Committee as well as the Judges, Department Heads and Elected Officials for their understanding of the difficult financial situation we are in and making the tough choices that helped us stay financially solid.

Administrator/Controller Scott stated Administration had started to get into more detailed discussions with the Road Department operations. She stated we created efficiencies in purchasing and combined the office supplies contract. She stated with Brad leading the charge, we were looking into the fuel card program, I.T. and GIS. She noted she and HR Director Archambault would be talking about Human Resource processes with them tomorrow. Scott stated the focus had changed from taking care of the legal requirements concerns to improving daily operations. She thanked the Road Department employees for their patience and cooperation and stated Administration was trying to focus on making changes while they focus immediately on the winter season coming up.

B. New Business

1. Approval of Congestion Mitigation and Air Quality Grant (CMAQ) (Regarding B Drive North at Harper Village, Beadle Lake Road and 9 Mile Road)

Administrator/Controller Scott stated the grant would provide road improvements and required a Board approved resolution because the grant requires a 20% match.

County Road Engineer Angie Kline stated the Battle Creek Area Transportation Study (BCATS) coordinated this funding that was set for state and local governments for transportation projects and programs to aid in meeting the requirements set forth in the clean air act. She stated there was funding that didn't get used from the beginning of the year so she and the Managing Director put together intersection improvements to go along with their federal aid project. She stated this will help with the flow of traffic and reduce emissions of traffic sitting still.

WHEREAS, an agreement between the Michigan Department of Transportation hereinafter referred to as the "**DEPARTMENT**" and the Board of Commissioners of the County of Calhoun, Michigan, hereinafter referred to as the "**REQUESTING PARTY**" for the purpose of fixing the rights and obligations of the parties in agreeing to the improvements, in Calhoun County, Michigan, hereinafter referred to as the "**PROJECT**" and estimated in detail on EXHIBIT I, dated October 15, 2012; and

WHEREAS, the **PROJECT** will consist of widening work at the intersection of B Drive North and Harper Village Drive, at the intersection of B Drive North and Beadle Lake Road, and at the intersection of B Drive North and 9 Mile Road; including cold milling, hot mix asphalt paving, machine grading, aggregate base, concrete curb and gutter, and sidewalk ramp work; and all together with necessary related work; and

WHEREAS, the **PROJECT**, or portions of the **PROJECT**, at the request of the **REQUESTING PARTY**, are being programmed with the FHWA, for implementation with the use of Federal Funds under the Federal program or funding known as the **CONGESTION MITIGATION AND AIR QUALITY**; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the **PROJECT** work and desire to set forth this understanding in the form of a written contract; and

WHEREAS, the **DEPARTMENT** is authorized by the **REQUESTING PARTY** to administer on behalf of the **REQUESTING PARTY** all phases of the **PROJECT** including advertising and awarding the construction contract for the **PROJECT** or portions of the **PROJECT**. Such administration shall be in accordance with PART II, Section II of this contract; and

NOW, THEREFORE BE IT RESOLVED, that the County of Calhoun acknowledges and approves Mr. Art Kale, Board Chair, to sign MDOT Contract No. 12-5536 on behalf of the Board of Commissioners of the County of Calhoun.

Res. 158-2012

“Moved Comr. VanSickle, Supported Comr. Frisbie to approve the following: The Calhoun County Board of Commissioners does hereby approve the resolution regarding the Congestion Mitigation and Air Quality and allows Chair Kale to sign the contract.”

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

2. Approval of One-time Exemption Under Board Policy #373

Administrator/Controller Scott stated the Board’s approval of the exemption to exceed the time off donation limit would allow an employee of the Sheriff’s Office to be off during a medical emergency and continue to get paid her wages using paid time off to be donated by other employees, over and above what is otherwise allowed by Policy #373.

Sheriff Byam stated he appreciated the Board’s consideration for this employee who was a 19 year veteran, a corrections officer and a positive asset to our law enforcement family.

3. Transfer of Road Department MERS Assets and Liabilities

Administrator/Controller Scott stated assets and liabilities would continue to be tracked separately and there should not be a general fund impact.

WHEREAS, On September 20, 2012, Calhoun County (“the County”) acting under the authority of 2012 PA 14, and 2012 PA 15, passed Resolution 115-2012 (attached) transferring the powers, duties and function of the Calhoun County Road Commission (“the Road Commission”) to the Calhoun County Board of Commissioners as of November 1, 2012 (the Transfer Date), and

WHEREAS, on the Transfer Date the Road Commission ceased to exist as an independent entity, and was effectively absorbed by the County. The County Board of Commissioners has become the governing body as to the Road Commission’s MERS program, and

WHEREAS, on and after the Transfer Date the Road Commission’s MERS defined benefit plan will remain open and active, and the County, attendant to the transfer of powers, duties and functions from the Road Commission, has become the MERS participating employer for all Road Commission employees, along with deferred vested members, retirees and beneficiaries, covered under the Road Commission MERS Plan in Divisions #01, 10, 11 and 12.

WHEREAS, prior to the Transfer Date, both the Calhoun County Road Commission and Calhoun County were MERS participating municipalities, and after the Transfer Date, the County has assumed all of the Road Commission's former functions and duties as a municipal employer in MERS, including those duties and functions related to the maintenance and continuation of the MERS defined benefit plan as established through collective bargaining or other means for Road Commission employees, and

THEREFORE, MERS and the County agree as follows;

- On or immediately after the Transfer Date, Pursuant to this agreement and Section 53(4) of the MERS Plan Document as revised, MERS will transfer to the County all active former Road Commission employees, along with deferred vested members, retirees and beneficiaries, previously covered in the Road Commission MERS Plan Divisions #01, 10, 11 and 12, and transfer from the Road Commission all actuarial accrued liabilities and certain assets to the County MERS plan, and the County shall accept such liabilities and related assets.
- The County will continue to provide the MERS benefit coverage for employees covered under the Road Commission MERS program (including all prior service), as identified below.
- The MERS benefits in effect for the Road Commission employees in Divisions #01 are:
B-3 – 80% Max, 6 year vesting, FAC-3, No Member Contribution.
- The MERS benefits in effect for the Road Commission employees in Divisions #10 are:
B-4 80% Max, 6 year vesting, Early Retirement (Unreduced)
F55/30, FAC-3, 3.10% Member Contribution.
- The MERS benefits in effect for the Road Commission employees in Divisions #11 are:
B-4 80% Max, 6 year vesting, Early Retirement (Unreduced)
F55/25, FAC-3, No Member Contribution.
- The MERS benefits in effect for the Road Commission employees in Divisions #12 are:
B-4 80% Max, 6 year vesting, Early Retirement (Unreduced)
F55/15, FAC-3, No Member Contribution.
- Following the transfer, the County shall be exclusively responsible for the funding of all MERS benefits for all former Road Commission employees, deferred vested members, retirees and beneficiaries.

Res. 160-2012

“Moved Comr. VanSickle, Supported Comr. Frisbie to approve the following: The Calhoun County Board of Commissioners does hereby approve the resolution concerning the transfer of Municipal Employees Retirement System (MERS) assets and liabilities for all current and past employees of the Calhoun County Road Commission to the Board of Commissioners is approved as presented and that Kelli Scott, Administrator/Controller, is authorized to sign the resolution and all documents necessary to effectuate said transfer.”

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

4. Change of County Defined Benefit Pension Administration to Municipal Employees Retirement System (MERS)

Administrator/Controller Scott stated the proposal was to change from a self-administered defined benefit pension plan to MERS. She stated the change would lower employee and employer contribution rates for 2013, offering similar benefits, and MERS was able to offer better customer service. She stated MERS could better leverage investments because their investment pool was bigger. She stated they were estimating a fiscal impact of \$200,000 less in employer contributions next year. She noted HR Director Archambault did a lot of work on the effects of this change.

HR Director Archambault stated we had support from all of the union groups and were working on letters of understanding for cost sharing.

See attached for resolutions

Res. 161-2012

“Moved Comr. Dunn, Supported Comr. Camp Seifke to approve the following: The Calhoun County Board of Commissioners does hereby approve the resolutions necessary to change the Calhoun County Defined Benefit Pension Plan to the Municipal Employees Retirement System (MERS).”

On a roll call vote, Yes –7. Motion CARRIED.

5. October 2012 Financial Report for Informational Purposes

Administrator/Controller Scott stated overall the General Fund revenues were slightly higher than last year and expenditures were also running with a positive trend. She stated the revenue and expenditure items in the Sheriff’s budget mentioned in prior months were still being monitored. She stated we should be able to end the year with a small positive balance as budgeted, barring unexpected cost overruns or revenue shortfalls in the last two months of the year.

Res. 162-2012

“Moved Comr. Dunn, Supported Comr. Camp Seifke to approve the following: The Calhoun County Board of Commissioners does hereby approve the October 2012 Financial Report as presented.”

On a voice vote, Motion CARRIED.

13. CITIZEN’S TIME

There was none.

14. COMMISSIONERS TIME

Comr. Camp Seifke welcomed the Sheriff Elect Matt Saxton, Prosecutor Elect Dave Gilbert and District 5 Commissioner Elect Derek King.

Comr. Haadsma commended Comr. Camp Seifke on running a well-organized, efficient meeting.

Comr. Haadsma announced Calhoun County was now connected with the Gift of Life referral system, which allowed for better organization of the gift of organs and tissues.

Comr. Todd welcomed Lynn Ward Gray as well as Sheriff Elect Saxton, Prosecutor Elect Gilbert and new 5th District Commissioner King.

Comr. Kale thanked Comr. Camp Seifke for taking over the meeting for him and apologized for being late.

Comr. Kale stated he was thrilled almost everyone on the Board was coming back and he looked forward to working with Derek King.

15. CLAIMS PAYABLE

- A. County Claims Payable for October 26 – November 8, 2012 in the Amount of \$9,190,830.39 and Road Department Claims Payable for November 6, 2012 in the Amount of \$1,894.56.

Res. 152-2012

- B. “Moved Comr. Frisbie, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the County Claims Payable Listing for October 26 – November 8, 2012 in the Amount of \$9,190,830.39 and Road Department Claims Payable for November 6 in the amount of \$1,894.56.

On a roll call vote, Yes –7. Motion CARRIED

16. ANNOUNCEMENTS

Comr. Haadsma announced the Battle Creek holiday parade would be at 6:00 on Saturday, November 17.

Comr. Frisbie wished good luck to St. Phil this weekend in their Regional Championship Volleyball game against Mendon.

Comr. Frisbie wished the Constantine football team good luck in their game.

Comr. Camp Seifke wished everyone a Happy Thanksgiving.

17. ADJOURNMENT

The meeting was adjourned at 7:45 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County