

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

June 5, 2014

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, June 5, 2014 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Dunn (arrived at 7:40), Todd (arrived 7:30), Haadsma, Frisbie, King, VanSickle and Kale

Staff Present: County Administrator/Controller Kelli Scott, Assistant County Administrator Brad Wilcox, Corporation Counsel Richard Lindsey and Deputy Clerk Lora Stevens

2 and 3. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF AGENDA

“Moved Comr. Frisbie, supported by Comr. VanSickle to amend the agenda of the June 5, 2014 Regular Session of the Calhoun County Board of Commissioners to add Item 12 as the first item under New Business “Approval of Agreements and Grant Awards for the Marshall Regional Law Enforcement Center.”

On a voice vote, Motion **CARRIED**.

“Moved Comr. VanSickle, supported by Comr. Frisbie to approve the agenda of the June 5, 2014 Regular Session of the Calhoun County Board of Commissioners as amended.”

On a voice vote, Motion **CARRIED**.

5. APPROVAL OF MINUTES

A. Minutes of the May 15, 2014 Regular Session

“Moved Comr. King, supported by Comr. Frisbie to approve the minutes of the May 15, 2014 Regular Session of the Calhoun County Board of Commissioners as presented.”

On a voice vote, Motion **CARRIED**.

6. CITIZENS' TIME

David Maturen of Vicksburg introduced himself, stating he was running for the Republican nomination of the 63rd House District.

Creighton Burrows of Marengo Township voiced complaints about trees and road conditions on B Drive North, chainsaws and the railway work.

Lynne Haley, Chair of the Barry/Branch/Calhoun Workforce Investment Board thanked the Board for their help in the transition process.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Judge Jaconette, Calhoun County Probate Judge, stated he was serving as the Chair of the Calhoun County Judicial Council, and thanked the Board and County Administration for working with the State to get the PolyCom Video Conferencing System in place. He stated the system will create tremendous savings in the future.

Senior Services Manager Carl Gibson thanked everyone for the new offices in the garden level and announced they would be having an open house on June 24 from 3-5 pm to celebrate the new office and the 15th year of Senior Services serving Calhoun County. He stated the open house would also be highlighting the new Community Development Department. He announced Lora Stevens would be joining their office from Human Resources to assist in Medicaid/Medicare counseling. He stated they were also planning a Centenarian lunch in July at Schulers. He stated there are 30-35 people 100 years of age or older in Calhoun County.

8. SPECIAL ORDER OF BUSINESS

There was none.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Alger County Resolution Opposing the Development of an Underground Nuclear Waste Facility Near Kincardine, Ontario

B. Resolutions

There was none.

Res. 80-2014

“Moved Comr. Frisbie, supported by Comr. VanSickle to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Consent Agenda of the June 5, 2014 Regular Session.”

On a voice vote, Motion **CARRIED**.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

There was none.

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 stated that on Wednesday, June 18 Calhoun County would be home to a Michigan Association of Counties Regional Summit at the Hampton Inn in Marshall from 10 a.m. to 3 p.m. She encouraged the Commissioners to attend. She stated there were no items on the agenda to be presented by Calhoun County but it looked like there were very good topics planned.

Scott noted the Fiscal Year 2013 audit was still being wrapped up, and gave preliminary results from 2013 for Road Department, stating they ended the year with about \$750,000 in cash, a very strong improvement over the last couple years as far as cash flow. She stated the Road Department’s preliminary report shows they added \$400,000 to their Fund Balance last fiscal year despite the big winter storm at the end of the December so their end of year 2013 Fund Balance would be about \$1.9 million. She stated she would report more when the audit was completed but the Administrative Expenses had been reduced significantly and employee health insurance costs were reduced by hundreds of thousands of dollars.

B. New Business

Approval of Agreements and Grant Awards for the Marshall Regional Law Enforcement Center

Administrator/Controller Scott stated this had been a long negotiation process and reminded everyone the building would be owned by the City of Marshall and leased to the County and we will in turn lease to the State. She stated Marshall City was taking care of their capital costs and the County would be issuing bonds for our portion and the State's portion. She explained the State's costs would be covered through the lease agreement and an interlocal agreement that spoke to the operating costs and show each of the three entities would pay their proportionate share of the operating costs to the City of Marshall. She explained Legislators Jase Bolger and Mike Nofs, in conjunction with the State Budget Office, were working on getting a \$2 million down payment through a special appropriation to reduce their financing costs and reduce the ongoing rental costs to a rate that's more competitive from a market standpoint. Scott stated the county would finance both our portion and the state's at the same rate, about 4%, and we were in the process of getting a bond rating. She stated the estimated debt service would be about \$185,000 per year for the county's portion, starting in 2017. She stated the net capital cost for our portion of the building was about \$2.5 million, and so the county was getting more for less than if we had built our own building. She noted the annual operating costs were estimated at \$85,000. She explained the State's portion would be fully covered by their lease. Scott recognized there were people in attendance who had worked on this project for many years, including former Sheriff Al Byam, current Sheriff Matt Saxton, Marshall City Manager Tom Tarkiewicz, Marshall Mayor Jim Dyer, Financial Advisor Bobby Bendzinski and Corporation Counsel Richard Lindsey.

Corporation Counsel Lindsey noted that the principal office of the Sheriff would be located in the County Seat with the construction of this building as stated in the Constitution.

Res. 79-2014

"Motion by Comr. Frisbie, supported by Comr. King to approve the following: Resolved the Calhoun County Board of Commissioners does hereby, in regard to the Marshall Regional Law Enforcement Center (MRLEC):

- 1) that the Interlocal Agreement between the City of Marshall Building Authority, City of Marshall, and Calhoun County is approved as presented;
- 2) that the Lease between the City of Marshall and Calhoun County is approved as presented;
- 3) that the Sub-Lease between Calhoun County and the State of Michigan is approved as presented;
- 4) that the City/County/State Police Staffing Agreement attached as Enclosure G to the County/State Sub-Lease is approved as presented; and
- 5) that the CGAP grant award from the State of Michigan to Calhoun County in the amount of \$902,950.00 is accepted.

It is further resolved that Board Chair Art Kale is authorized to sign the Interlocal Agreement, the City/County Lease, the County/State Sub-Lease, the Staffing Agreement, and any documents required to accept or authorize the CGAP Grant from the State of Michigan.

It is further resolved that in the event the State of Michigan requires any modifications of any of the above-mentioned agreements relative to the MRLEC, Board Chair Art Kale is authorized to sign said modified agreements so long as the dollar amounts referenced in the agreements do not change from what is approved herein, and the changes are approved by the County's Corporation Counsel.

Lindsey noted the reason for the modification language in the resolution was because the Attorney General had not approved the agreement, but rather only given a preliminary review. He explained the agreement would go to the State if approved by the Board and if any minor changes were made at the State level, the agreement could still be signed and approved by the Board Chair without having to come back before the entire Board.

Comr. Haadsma stated he appreciated the work so many people had done on the agreements. He stated he didn't need to emphasize the issues he had pointed out at prior meetings. He stated that he is highly supportive of collaboration; however he was troubled by the subordination of the county's and the state's prevailing wage policy and law, respectively, in relation to the City of Marshall. He stated that was the issue that would cause him to vote no. He stated it would be a symbolic gesture because he knew the votes were present, but if the votes were closer he could not say how he would vote. He stated he wanted to make sure he sent out the signal that in the future when we collaborate, we need to make sure our prevailing wage policy isn't subordinated to some other municipality's evasion of prevailing wage. He stated he didn't believe there was any malevolent effort to avoid the policy, but that he was articulating his concern that in the future we need to investigate how prevailing wage was going to be affected in relation to which species of government would be the one controlling if prevailing wage applies or not.

Comr. Frisbie stated he thought Corporation Counsel Lindsey said it best, this was historic and it was a great deal and he didn't know how we would turn that down. He stated it had been 20 years in the making, and it was a need and everything that we had met the target, including protecting the taxpayers interest. He stated he supported this issue fully and intended to vote yes.

Comr. Kale thanked everyone involved and quoted this was a really good deal for the taxpayers and a really bad deal for the bad guys. He stated he was not a "prevailing wage guy"; he was for what was the best value for the taxpayers. He stated there may technically be a prevailing wage in our Bylaws right now but that's not beholden on any future Boards or contracts.

On a roll call vote, Yes – 5, No – 2 (Haadsma, Todd). Motion **CARRIED**.

1. Authorization to Levy 2014 Calhoun County Summer Property Taxes

Administrator/Controller Scott stated the Board was required to authorize separately the summer and winter taxes. She stated the County's levy of our operating millage happens in the summer and then the special voting millages are levied in the winter, and that's why there were two separate resolutions. She explained the millage rates all stayed the same and so there was no increase to the taxpayers. She explained the taxable value shown was less than one tenth of a percent decline in property tax values from 2012 to 2013, and so we were just under \$3.5 billion. She stated once this was approved and signed we will send it out to the local units so the summer tax bills could go out.

Res. 81-2014

“Moved Comr. Haadsma, Supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the levy of the 2014 summer millage and authorize the Board Chair to sign the Resolution to Levy 2014 Calhoun County Summer Property Taxes.”

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

2. Levy of the Calhoun County 2014 Winter Taxes

Res. 82-2014

“Moved Comr. Frisbie, Supported by Comr. King to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the levy of the 2014 winter millage and does authorize the Board Chair to sign the Resolution to Levy Calhoun County 2014 Winter Taxes.”

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

3. Workforce Development Transition Agreement

Administrator/Controller Scott stated this was an agreement for a new Workforce Development Agreement and they were in the midst of two different transitions. She stated the State was urging the redevelopment of a more regional format, and the Calhoun Intermediate School District (CISD) was stepping aside and not taking on the administrative duties starting with the July 1 fiscal year. She noted that Ben Damerow from the Upjohn Institute had been instrumental in the development of the agreement with Corporation Counsel Lindsey.

Corporation Counsel Lindsey stated this agreement revision was prompted by the CISD giving notice of their intent to terminate the services they had provided to the Workforce Development Board. He stated the Workforce Development Board and the Chief Executive Officers Board met jointly and decided to set up a committee to review the various options. He stated they decided to contract with the Upjohn Institute to assist in the interim to provide the same services the CISD had been. He stated that during the interim period, the Board would begin meetings with other counties to discuss possible collaboration and Upjohn would assist in the review of options. He stated that essentially the agreement states the Upjohn Institute would take over all of the responsibilities of the CISD effective July 1.

Scott stated the County’s direct role for workforce development was just to facilitate and delegate through our representatives on the Chief Executive Officer’s Board who would administer the program. She stated a better trained workforce was a huge topic of discussion throughout the county. She stated this was a really good opportunity for us to look at ways to help our local employers that had jobs available but couldn’t find people to fill them.

Comr. Frisbie stated he thought this was a great opportunity and he liked that it would be a two step process for the county, so every option could be researched. He stated he looked forward to what they could achieve and he appreciated the effort everyone had put in.

Res. 83-2014

“Moved Comr. Todd, Supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Workforce Development Transition Agreement as presented and the Board Chair is authorized to sign the Agreement on behalf of Calhoun County.”

Comr. Haadsma thanked Dr. Haley for the work she had undertaken in helping shepherd the transition and appreciated Administration helping put the agreement together. He stated he was pleased with the direction they were taking, given a complicated situation, and making it more beneficial for workers.

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

4. Calhoun County Place-Based Targeting Strategy

Deputy Treasurer Nina Baranowski explained how the three MSHDA-required County Allocation Targeted Communities were chosen and stated they would receive 50% of the County Allocation Grant awarded to the county. She stated the other 50% could be spent anywhere in the county except in the City of Battle Creek to assist residents with home repairs.

Land Bank Director Krista Edwards-Trout stated placemaking was an optional component and the Treasurer’s Office chose to accept the component because they believed there would be benefits to having a placemaking community, such as being allowed to spend county allocation funds on activities other than rehab and a boost on future grant applications.

Baranowski invited residents of Calhoun County who were in need of minor or major home repairs or emergency repairs to call Community Action and go through the program to see if they were eligible.

Res. 84-2014

“Moved Comr. Haadsma, Supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve and adopt the Calhoun County Place-Based Targeting Strategy as presented.”

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

5. Community Corrections 2015 Grant Approval

Administrator/Controller Scott stated this was a request to approve the 2015 grant for the Community Corrections program, which funds the majority of the program. She noted Sheriff Saxton and Community Corrections Manager Jerry Lambert were in attendance and the grant was for the same amount as last year, \$181, 229.

Community Corrections Manager Jerry Lambert stated Community Corrections was part of the Office of the Sheriff and the grant amount was \$181,229 to provide alternatives to incarceration, pretrial services as well as jail programming. He noted the grant was through the Michigan Department of Corrections.

Sheriff Saxton stated the work that Community Corrections does was invaluable. He stated the programs that were offered give people coming through the facility a chance to improve themselves. He stated Lambert did an outstanding job with limited funds and they would appreciate the Board's support.

Res. 85-2014

"Moved Comr. Haadsma, Supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the 2015 Community Corrections Grant as presented."

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

6. Submission of Engineering Reimbursement

Administrator/Controller Scott stated this was an item from the Road Department that would come before the Board every year. She stated this was a formal request to the state to reimburse \$10,000 per year for employing a licensed professional engineer. She stated it required Board approval and offset the salary for Engineer Angie Kline.

Res. 86-2014

"Moved Comr. Haadsma, Supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the submission of the Engineering Reimbursement, Form 2044, to the State of Michigan for reimbursement of staff licensed professional engineer."

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

7. Contract for Road Department Truck Glider Kits

Administrator/Controller Scott stated this was another bid award from the Road Department facilitated by Assistant County Administrator Brad Wilcox. She stated these kits would provide a much needed trucks for the Road Department. She explained the idea for glider kits was one brought by Managing Director Jerry Peterson that will allow us to purchase trucks for much less cost than fully assembled, brand new trucks.

Assistant County Administrator Wilcox stated the knowledge and cooperation of the purchasing team has been invaluable for these type of purchases. He explained that the glider kit allowed us to take a truck with minimal life left and essentially assemble a like new tandem axle cab and chassis. He noted assembly was not in the bid for the kit and some of the mechanical parts would be additional as well. He stated a fully assembled kit would be about 30% cheaper than a new truck, for an estimated savings of about \$163,000.

Managing Director Peterson stated this first round would be assembled by outside sources then in the future they would like to bring the work in house.

Res. 87-2014

“Moved Comr. VanSickle, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the contract with D&K Truck Company to provide seven Truck Glider Kits in an amount not to exceed \$563,492.”

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

8. 2014 MAPPO Group Health Plan Agreement

Administrator/Controller Scott stated this was an approval through our group health plan for our over 65 retirees through MAPPO, which was a Medicare supplement. She stated it was required for some new Center for Medicare Services regulations, that there was no financial impact, and that it was simply a required document.

Res. 88-2014

“Moved Comr. Haadsma, supported by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the 2014 MAPPO group health plan agreement as presented.”

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

9. Extension of Personal Service Agreement

Administrator/Controller Scott stated this was an extension of the Personal Service Agreement with the Equalization and Assessing management. She stated we had an agreement that expired May 31, 2014 and we are statutorily mandated to have an Equalization Director who has the level of certification that Judy Nelson did. She stated Roger McEvers also helped manage the office and between the two of them, they cover the office for all of the office hours and provide the management. She stated they had done an outstanding job and we had been in discussions, as we did every year, with the cities of Albion and Marshall about whether the arrangement still makes sense going forward. She stated what we were suggesting was a month to month extension of the existing agreement and an inflationary increase in compensation of 1.6%, which was essentially the inflation factor of the state’s fiscal year over the last year. She stated that was all accounted for in the current 2014 budget.

Res. 89-2014

“Moved Comr. Dunn, supported by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Extension of the Professional Service Agreement as presented and the Board Chair is authorized to sign the same on behalf of Calhoun County.”

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

13. CITIZEN’S TIME

There was none.

14. COMMISSIONERS TIME

Comr. Haadsma thanked Judge Jaconette for not only coming and speaking about the video system but staying for the entire meeting.

Comr. King addressed issues brought up by Mr. Burrows, stating the trailway through the Ott Preserve, which was a county park, was not paid for with county money. He explained that the in-kind portion the county was contributing was for improvements to the preserve. He stated there was one road inspector there for a very limited amount of time but no pothole or road crews. Comr. King stated, in response to comments regarding removing trees, that the potholes were a bigger concern but there were crews throughout the county removing trees. He stated the County's insurance carrier was Michigan Municipal Risk Management Authority (MMRMA). He stated that as for the bridge that was brought up, there were over 4,000 bridges across the state identified as being in poor condition and while he appreciated Mr. Burrows belief that the bridge would last a lot longer, the Board could not put citizens at risk. He stated that when engineers say the bridge was bad, the bridge was bad. He stated that bridge was one of thirty selected from the 4,000 for immediate repair and that's why that bridge was closed. He stated we understand there was a traffic issue with the detour and that would be addressed. Comr. King then addressed the issue raised of missing chainsaws at the Road Department. He stated the Road Commission did not have anyone overseeing the tool crib, and there were no checks and balances. He stated that is no longer the case and there is accountability for tools in the Road Department.

Comr. Frisbie stated Bedford Township hosted another special meeting about roads with 160 – 170 people attending and they had great discussion. He stated he appreciated Sally Shaw giving him the opportunity to speak to the residents and they were able to pass along information that helps people understand better the process of improving roads. He appreciated Jerry's efforts in getting that information out. He stated a Township Supervisor told him the county's decision to push road decisions back onto the townships wasn't fair and he wanted the county to do something. Comr. Frisbie stated he wanted to reiterate what a one mill assessment brought into the county was redistributed to all of the Act 51 recipients it would equate to very little in road improvements. He stated he was happy with the decision the Board made and after they had talked about it all these months, he was confident that putting the decisions back in the capable hands of local officials to affect the changes they wanted in their townships is the best thing that's happened to this county in forever.

Comr. Dunn thanked fellow Commissioners King and Frisbie as well as Administrator/Controller Scott and Corporation Counsel Lindsey for all the time and effort put into the Workforce Development issue. She believed they were moving in a good direction for their contractors and citizens.

Comr. Kale stated that though he and Comr. Haadsma had agreed to disagree, he was disappointed the Board couldn't vote 100% in favor of the law enforcement building. He stated it had been a ten to fifteen year, at a minimum, process and we finally got everything together. He understood the prevailing wage issue had been addressed. He explained he didn't believe the lowest bid was always the best value and he didn't believe that treating taxpayer money any different than your own was not right. He stated that while he appreciated Comr. Haadsma's sentiment, he didn't think that was the right way to go. He stated he was excited about the law enforcement center and he was really looking forward to next year and seeing it completed.

15. CLAIMS PAYABLE

- A. Calhoun County Claims Payable for May 5 - 30, 2014 in the amount of \$13,015,772.51 and Road Department Payables from May 14, 2014 in the amount of \$348,303.90

Res. 90-2014

“Moved Comr. King, supported by Comr. Dunn to approve the following: Resolved, the Calhoun County Board of Commissioners does hereby approve the Calhoun County Claims Payable for May 5 - 30, 2014 in the amount of \$13,015,772.51 and Road Department Payables from May 14, 2014 in the amount of \$348,303.90 as presented.”

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

16. ANNOUNCEMENTS

Comr. Frisbie announced that the Cereal Festival Parade would be on Friday, June 13, with the longest breakfast table following on Saturday. He noted the breakfast table had been moved to Van Buren Street this year. He invited everyone out to a really neat day.

Comr. Frisbie stated several of the Comrs. had the opportunity to plan in the pro/amateur outing at the Country Club with the FireKeepers Open. He stated it was a neat event and invited everyone to go out to the Country Club on Friday, Saturday or Sunday and watch a portion of it, as the pro golfers were phenomenal.

Comr. Kale announced the Marion Burch Golf Outing would be June 27 at Cedar Creek Golf Club and invited everyone out to support a great cause.

17. ADJOURNMENT

The meeting was adjourned at 8:39 p.m. at the call of the Chair.

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Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County