

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

September 17, 2015

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, September 17, 2015 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Dunn, Reynolds, Haadsma, Frisbie, King, VanSickle and Bearman

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

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was presented by Matthew Hall followed by Comr. King leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Bearman, second by Comr. Reynolds to approve the agenda of the September 17, 2015 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 September 3, 2015 Regular Session

"Moved Comr. VanSickle, second by Comr. Frisbie to approve the minutes of the September 3, 2015 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

Sheriff Matt Saxton announced that the new Marshall Regional Law Enforcement Center has opened and thanked the Commissioners on behalf of staff. He stated they were moved in and the front office is open Monday through Friday 8:00 a.m. to 5:00 p.m. He stated he was thankful for the support of this and the past Board to bring the center to the Sheriff and the Sheriff back to the County Seat.

Prosecutor Dave Gilbert stated the parades at the Festival of the Forks in Albion would be Saturday at 10:00 a.m. and 5:00 p.m.

Road Department Managing Director Christopher Bolt stated the new Assistant Managing Director, Doug Steffen, would start September 30. He stated Doug will bring twenty years of experience in engineering and has been through the transition of Road Commission to Road Department at Ingham County. He stated paver patching was underway. He also gave updates on the work being done in Pennfield and Bedford.

8. SPECIAL ORDER OF BUSINESS

A. Resolution Honoring Al Leibert

Comr. Dunn read the resolution into the record.

Res. 144-2015

WHEREAS Al Leibert has served local athletics and education programs since the early 1950's in Battle Creek and at the age of 90 is still coaching. He has had a positive effect on many lives while being an educator, teacher, administrator, advisor, friend, mentor/coach and a role model for a countless number of youth and peers; and

WHEREAS Al Leibert is a member of the Bearcat/Ram Hall of Fame and the St. Philip Athletic Hall of Fame. He has been inducted into the Battle Creek Amateur Sports Association, the Michigan Amateur Baseball Association, Michigan High School Football Coaches Association Hall of Fames and many more. He is also the founder and supporter of three education scholarships in his name; and

WHEREAS Al Leibert taught physical education at Northwestern Middle School when it first opened in 1959. As Coach, he led many championship teams in basketball, football, baseball, track, tennis, swimming and wrestling at Northwestern and beyond. He also spent many years as a top of the list sports official and referee; and

WHEREAS Al Leibert is known for his quiet manner and influence on youth. His belief is to treat every youth fairly but firmly while at the same time letting them know they have a friend when they need one; and

WHEREAS he has given this community a profound legacy of personal attention, dedication, compassion, kindness, respect and love. It is only fitting that the Battle Creek Public School Board honor Coach Al Leibert by naming the Northwestern Middle School gym floor as “Al Leibert Court” as a tribute to his legendary coaching and as an educator for over 65 years; and

NOW, THEREFORE, BE IT RESOLVED the Calhoun County Board of Commissioners encourages citizens to join them in recognizing and thanking Coach Al Leibert for his contributions to the community by attending the dedication ceremony on Friday, September 18, 2015 at 1:45 p.m. at Northwestern Middle School.

“Moved Comr. VanSickle, second by Comr. Reynolds to approve the resolution to honor Al Leibert as presented.”

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

B. Presentation from Richard Lindsey, Co-Chair of the Calhoun County United Way Campaign

Corporation Counsel and Co-Chair of the Calhoun County United Way Campaign Richard Lindsey reported on the activities of the County activities for United Way. Former United Way Chair Matt Saxton thanked the Board for their support. David Pawloski, Labor Liaison of the United Way of the Battle Creek & Kalamazoo Region, also thanked the Board for their support.

C. Approval of Calhoun County Government United Way Campaign

Comr. King read the resolution into the record.

Res. 145-2015

WHEREAS, the United Way of the Battle Creek and Kalamazoo Region, Marshall United Way and Albion/Homer United Way each provide an opportunity for county elected and appointed officials and personnel to invest in our communities by giving, advocating and volunteering; and

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

WHEREAS, Calhoun County Government has selected the above three community United Way Campaigns as its charities of choice;

NOW, THEREFORE, the Calhoun County Board of Commissioners, on behalf of the elected and appointed officials and the employees of Calhoun County does hereby proclaim its support for the Calhoun County United Way Campaign which will take place from September 28, 2015, to October 9, 2015, and encourages the support of the campaign.

“Moved Comr. Bearman, second by Comr. Reynolds to approve the resolution to support the Calhoun County United Way Campaign as presented.”

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

Dave Pawloski accepted the Resolution on behalf of the United Way.

9. CONSENT AGENDA

A. Petitions, Communications, Reports
There were none.

B. Resolutions
There were none.

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Bearman stated he went to a Workforce Development Board meeting and heard interesting information about the new pork processing plant that will be built between Marshall and Coldwater.

Comr. Reynolds stated she and Comr. Haadsma attended a reception for the Lupus Support Group at Miller College. She stated it was an awesome event, helpful and needed in this community. She stated she also attended a walk in support the following day at Leila Arboretum.

Comr. VanSickle stated he was absent for the last Homer Lake Board meeting and asked Water Resources Commissioner Chris Kosmowski to give an update. Water Resources Commissioner Kosmowski stated the Board approved the budget to hire a firm to spray the lake for invasive species. She explained that they couldn't start early enough in the year but the treatment did create a positive response. She stated they would treat the lake again early next year and they were headed down a good road with the program.

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 the county completed the sale of the Road Department's MTF Notes with a 2.22% interest rate, which was significantly lower than estimates. She stated the difference in interest rate will save about a million dollars in interest over the life of the bonds, which will benefit township budgets and taxpayers in Bedford, Emmett and Pennfield Townships as well, with more funding available for road project costs. She stated the bond closing will be September 29.

Scott stated she and Chair King gave a State of the County update for the Battle Creek Rotary Club and the Cereal City Sunrise Club. She stated they appreciated understanding what's going on with the county. She stated she had forwarded a copy to the Board and they could feel free to share it with the public.

Scott stated that on Friday, September 18, the Summit Pointe Board will hold a special meeting for CEO interviews to start at 9:00 a.m.

Scott stated she would be attending the Michigan Association of Counties Conference in Traverse City September 20 - 22. She noted that while there she would be attending a Michigan Association of County Administrative Officers (MACAO) Board meeting as the current MACAO Treasurer. She has also been asked to attend a group meeting to look at changes in revenue sharing.

Scott stated she had just learned that one of the County's long term facilities employees, Jack Beaudrie, passed away. She sent condolences to his family.

B. New Business

1. 2015-2016 Child Care Fund Annual Plan and Budget

Administrator/Controller Scott stated this was the County's annual budget request from the Department of Health and Human Services office and the Court's Child Care Fund.

Deputy Court Administrator of Juvenile Services Jody Hopkins stated the Child Care Fund is 50% matched by the state. He explained that this funded services for the Juvenile Home, the building, court programming, residential placement, the Department of Health and Human Services, and more. He stated approval of the plan was required to qualify for the maximum matching funds through the state, which will be over \$2 million.

Res. 146-2015

"Motion by Comr. Haadsma, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the 2015 - 2016 Child Care Fund Annual Plan and Budget as presented and authorizes the Board Chair to execute the Plan documents on behalf of Calhoun County. Further, the Calhoun County Board of Commissioners does hereby approve the Agreement for Multi-systemic Therapy (MST) services and Multi-systemic Therapy-Problem Sexual Behaviors (MST-PSB) with the 37th Circuit Court, the Calhoun County Department of Health and Human Services and Summit Pointe."

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

2. Resolution of Support and Authorizing Participation in the Michigan Department of Agriculture Rural Development's Application for Grant Funds

Administrator/Controller Scott stated this request to approve a grant application for additional layers of GIS came from the Water Resources Office and GIS.

Water Resources Commissioner Chris Kosmowski stated they were requesting to participate in a grant to enhance our GIS topographical layer. She explained that we have some irregularities so this will get us to the highest level and receiving this grant will cut the cost by two thirds.

Res. 147-2015

"Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Resolution of Support and Authorizing Participation in the Michigan Department of Agriculture Rural Development's Application for Grant Funds as presented.

WHEREAS, the USGS has announced a grant program for matching and cost sharing associated with the acquisition of LIDAR data under its 3DEP program; and

WHEREAS, QL2 LIDAR data will provide communities with the data to produce hyper-accurate topographic contour mapping for GIS based spatial imaging; and

WHEREAS, QL2 LIDAR data has significant benefits for planning, roads, floodplain mapping, wildlife and habitat management, recreation, flood modeling, site planning and many other uses; and

WHEREAS, the Natural Resources Conservation Service (NRCS) has pledged significant matching funds for the program; and

WHEREAS, more than 20 counties in Southern Lower Michigan have expressed interest in participating in the program; and

WHEREAS, the broad support between the many interested agencies and local units of government will allow counties to acquire LIDAR data at roughly one-third the cost necessary to singly acquire the data; and

WHEREAS, the cost for individual counties to acquire the data and leverage the federal agency matching funds will be \$100 per square mile of territory, or \$76,700 Dollars, plus an additional 0% for boundary and overlap data for a total of \$76,700; and

WHEREAS, the acquisition of LIDAR data will provide an important data tool for the county's spatial data program at a much reduced cost.

THEREFORE BE IT RESOLVED that the Calhoun County Board of Commissioners requests its inclusion and authorizes its participation in MDARD's application to the USGS' 3DEP grant program;

SECTION I: that the (County Administrator/County Board Chair/..) is hereby authorized and directed to coordinate with MDARD and other partner agencies and governments in filing with the U.S. Geological Survey (USGS) for a grant in the amount of \$76,700 Dollars to fund the 3D Elevation Program/National Geospatial Program within the County of Calhoun.

SECTION II: That the (County Administrator/County Board Chair/..) is hereby authorized and directed to provide and execute any additional documents, on behalf of the County of Calhoun, which may be required by the USGS to secure the aforesaid grant.

SECTION III: That, should said grant be approved and issued by USGS, the (County Administrator/County Board Chair/..) is hereby authorized and directed to accept the same and comply with the conditions of the grant and the funding for the aforesaid project."

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

3. Repairs to the Augmentation Well System Controlling the Lake Levels of Goguac Lake

Administrator/Controller Scott stated that State Law requires the Board to approve expenditures to repair lake level equipment when expenditures exceed the statutory limits. She stated the repair was expected to cost approximately \$30,000 and requires Board approval.

Water Resources Commissioner Chris Kosmowski stated she was allowed \$10,000 annually for maintenance but this was an emergency repair that needed to be taken care of immediately. She explained there was an obstruction in the discharge line in Goguac Lake and she would need the additional funds to make repairs to lines and affected properties.

Res. 148-2015

"Moved Comr. VanSickle, second by Comr. Reynolds to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the resolution to authorize repairs to the augmentation well system controlling the lake levels of Gougac Lake as presented.

WHEREAS, Goguac Lake is an inland lake located within the City of Battle Creek, Calhoun County, Michigan, and has a legally established lake level pursuant to Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701 et seq.; and

WHEREAS, the Calhoun County Water Resources Commissioner is the delegated authority for Calhoun County for the maintenance of the established lake level for Goguac Lake; and

WHEREAS, it has become necessary to repair the augmentation well discharge line that maintains the level of Goguac Lake and such repair is expected to cost approximately \$30,000; and

WHEREAS, MCL 324.30722(4) requires approval by the County Board of Commissioners prior to the expenditure of more than \$10,000.00 in one year for maintenance or repair; and

NOW, THEREFORE BE IT RESOLVED:

1. The Calhoun County Board of Commissioners does hereby authorize the Calhoun County Water Resources Commissioner to pay for the repairs to the augmentation well discharge line on Goguac Lake at an estimated cost of \$30,000.
2. The cost of the augmentation well discharge line repairs shall be borne by the Goguac Lake Level Special Assessment District (“Special Assessment District”).
3. The cost of maintaining the established lake level for Goguac Lake, including the cost of repairing the aforementioned augmentation well discharge line may be financed by the issuance of notes or other obligations (“Notes”) by the Special Assessment District in anticipation of the collection of special assessments from the Special Assessment District. The Calhoun County Water Resources Commissioner, as delegated authority, is authorized to take such steps as are necessary to enable the note(s) to be issued in accordance with Part 307 of the Natural Resources and Environmental Protection Act and other applicable laws.”

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

4. Salt Barn Contract Amendment

Administrator/Controller Scott stated the Board had previously approved a Michigan Department of Transportation (MDOT) contract for the salt barn and that it has been a difficult process to obtain construction bids. She stated Corporation Counsel Lindsey had reviewed the amendment and it was the requirement of MDOT to get approval from the Board for amendments. She explained the contract was for a not to exceed amount of \$750,000 and the Road Department has budgeted \$200,000 for our match portion. She stated this amendment also formally extends the expiration date for construction completion.

Res. 149-2015

“Moved Comr. Bearman, second by Comr. Dunn to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby approve the Chemical Storage Contract Amendment #2012-0423/A4 as presented and County Board Chair Derek King is authorized to sign the Amendment on behalf of Calhoun County.”

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

5. August 2015 Financial Statements

Administrator/Controller Scott stated we show a potential shortfall of \$700,000, which is primarily due to revenues expected to be short of budget. She stated the past two years have seen a similar situation. She explained that we have available reserve funds to cover if necessary and we can end the year without deficit spending.

Res. 150-2015

“Moved Comr. Haadsma, second by Comr. Bearman to approve the following:
Resolved the Calhoun County Board of Commissioners does hereby accept the August 2015 Financial Statements for informational purposes only.”

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

13. CITIZEN’S TIME

Matthew Hall, Sheridan Township, stated he had seen Recycling Coordinator Sarah Kelly putting forth extra effort near the bins at the Road Department and she was doing a great job.

14. COMMISSIONERS TIME

Comr. Bearman stated he had fun at the Forks Senior Center’s tenth anniversary celebration. He stated there was a great collaboration between the Forks Senior Center, Senior Millage and the Area Agency on Aging to find solutions to the problems seniors are facing in Albion.

15. CLAIMS PAYABLE

- A. Calhoun County Payables for August 31 - September 11, 2015 in the amount of \$2,390,695.11 and Road Department payables from September 10, 2015 in the amount of \$1,123,182.64

Res. 151-2015

“Moved Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Calhoun County Payables for August 31 - September 11, 2015 in the amount of \$2,390,695.11 and Road Department payables from September 10, 2015 in the amount of \$1,123,182.64 as presented.”

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

16. ANNOUNCEMENTS

Comr. Frisbie announced the Miles for Memories walk is Saturday, September 19, in downtown Battle Creek. He explained the proceeds help combat Alzheimers and Dementia and asked everyone to help support local efforts. He also stated the local senior centers and homes will be having a senior stroll and the public can help them by pushing their wheelchairs.

Comr. Bearman invited everyone to the Festival of the Forks in Albion. He stated on Friday, September 18 there will be a car show downtown and on Saturday there would be two parades, food and fun all day.

17. ADJOURNMENT

The meeting was adjourned at 7:56 p.m. at the call of the Chair.

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Chairman

Clerk