

**PROCEEDINGS OF THE
BOARD OF COMMISSIONERS**

September 15, 2016

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, September 15, 2016 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 (arrived at 7:52), Frisbie, King, VanSickle and Bearman

Staff Present: Administrator/Controller Kelli Scott, Assistant County Administrator Brad Wilcox, Finance Director Michele Johnson, Corporation Counsel Jim Dyer and Deputy Clerk Chris McComb

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was held followed by Comr. VanSickle leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Reynolds, second by Comr. Frisbie to approve the agenda of the September 15, 2016 Regular Session of the Calhoun County Board of Commissioners."

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

5. APPROVAL OF MINUTES

A. Minutes of the September 1, 2016 Regular Session

"Moved Comr. VanSickle, second by Comr. Reynolds to approve the minutes of the September 1, 2016 Regular Session of the Calhoun County Board of Commissioners as presented."

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

6. CITIZENS' TIME

Dave Czigliano stated he had a good meeting with Road Department representatives. He stated they spent three days cutting trees on 23 mile road and thanked everyone for getting the trimming done.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Prosecutor Dave Gilbert stated the Attorney General will be sending a Special Attorney soon for prosecuting the old rape cases. He noted she is an experience attorney who used to work in Calhoun County and all of her costs will be covered by the state. He stated forty-two kits have been identified and research was being done.

Sheriff Matt Saxton stated he is working with Senator Nofs and Legislative Director Greg Moore to arrange a Senate Hearing at the Marshall Regional Law Enforcement Center (MRLEC). They will hear a one year update on MRLEC on September 27 at 10am.

8. SPECIAL ORDER OF BUSINESS

A. Public Hearing to Approve the Issuance of the Calhoun County Hospital Finance Authority Hospital Revenue Refunding Bonds

Res. 123-2016

“Motion by Comr. Dunn, second by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby open the Public Hearing to receive comment on the approval of the issuance of the Calhoun County Hospital Finance Authority Revenue Refunding Bonds.”

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

Oaklawn Hospital Executive Director of Development and Community/Legislative Affairs Richard Lindsey thanked the Board for having the hearing related to Oaklawn's financing. He stated he appreciates the support from the Board and the Hospital Finance Authority.

Res. 124-2016

“Motion by Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby close the Public Hearing to receive comment on the approval of the issuance of the Calhoun County Hospital Finance Authority Revenue Refunding Bonds.”

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

B. Approval of the Resolution Approving the Issuance of the County of Calhoun Hospital Finance Authority Hospital Revenue and Revenue Refunding Bonds

Administrator/Controller Kelli Scott introduced Lisa Hagan of Hawkins, Delafield and Wood, who is serving as bond counsel for the HFA. Ms. Scott explained the purpose of the County's Hospital Finance Authority and stated Oaklawn Hospital is refinancing and looking for new funding for capital projects at the hospital. She stated this does not impact county's debt; it is a service we can provide for the hospital. She stated she appreciated being able to be partners with the hospital and that the tentative timeline allows for the bond sale to close around the end of October.

Res. 125-2016

“Motion by Comr. Bearman, second by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby close the Public Hearing to receive comment on the approval of the issuance of the Calhoun County Hospital Finance Authority Revenue Refunding Bonds.”

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

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Village of Homer Resolution in Support of Fiscal Sanity to Save Michigan’s Communities

B. Resolutions

1. 2016 MERS Officer and Employee Delegate
2. Hospital Finance Authority Appointments
(Terms to Expire December 31, 2018)

- {a} Kelli Scott
- {b} John Byrd II
- {c} Michele Johnson

3. Updated Workforce Development Board Bylaws and Interlocal Agreement
4. 2016 – 2021 CRP Child Support Enforcement Grant Amendment

Res. 126-16

“Moved Comr. Dunn, second by Comr. Reynolds to approve the Consent Agenda of the September 15, 2016 Regular Session of the Calhoun County Board of Commissioners as presented.”

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

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Dunn stated that Summit Pointe had a strategic planning meeting. She stated it was a great day and use of their time. She stated that with the help of Byrum and Fiske they spent about nine hours to collaborate to create a working document. She thanked the almost fifty people in attendance.

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 recognized Ben Damerow from The Upjohn Institute and noted the Board's approval of the Consent Agenda included updates to the Workforce Development Board's bylaws and intergovernmental agreement. She stated the Workforce Development Board was led by Upjohn and they had removed some restrictions on seat representation so they have more flexibility. She noted that there will be renewals and appointments to their Board on the October 6 Consent Agenda. She stated she appreciate Ben being here.

Scott stated she attended a Trailway workgroup to discuss a maintenance plan for the Trailway. She stated they were hoping to bring it to the Parks and Recreation Commission to approve as a final Trailway maintenance plan. She noted this process will also include public comment.

Scott stated she attended Veteran's Affairs Committee meeting. She stated they approved several emergency relief apps, talked about budget and reporting of spending.

Scott stated the county's budget process for 2017 was progressing. She stated Finance is gathering the departmental submissions and there will be budget hearings with the Board Budget Committee soon. She stated she has heard from one department that this is the most difficult year of the past several but we are still on track for a November recommendation for approval.

B. New Business

1. 2016-17 Annual Child Care Fund Plan and MST Service Agreement

Administrator/Controller Kelli Scott stated this covers the Juvenile Home and related services as well as DHHS services. She stated there is a total plan of \$5.5 million for the next year, and that based on actual expenses the county receives reimbursement of expenses each year, and the actual expenses typically are less that this budget because of the good job the courts do in management.

Res. 127-2016

"Motion by Comr. Frisbie, second by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the 2016-17 Child Care Fund Annual Plan and Budget as submitted and authorize the Board Chairperson to execute the Plan documents on behalf of Calhoun County. Further, approve the Agreement for Multi-systemic Therapy (MST) services and Multi-systemic Therapy - Problem Sexual Behaviors (MST-PSB) services with the 37th Circuit Court, the Calhoun County Department of Health and Human Services and Summit Pointe."

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

2. Old Marshall Jail Demolition Contract Award

Administrator/Controller Kelli Scott stated this was a joint request from Administration and the Land Bank. She stated that Land Bank Director Krista Trout-Edwards worked with Assistant County Administrator Brad Wilcox on joint purchasing and the bid award for the old jail removal. She stated the cost of demolition is included in the county's Capital Improvement Program so now the project can move forward quickly and the building can be demolished in the next months.

Land Bank Director Krista Trout-Edwards stated the bid was restructured and allowed for unknowns. She stated they are confident to recommend Bierlein, as they scored very highly on their comparison chart. She stated they will remove the jail and 3rd floor walkway, replace the facade in the walkway area and do some minor restoration for the parking area.

Scott stated there were no local bidders and the awarded contractor is from Midland. She appreciated the collaboration with Land Bank. She stated she was confident employees won't have to worry about safety issues and the removal will help improve safety with the main building.

Comr. Frisbie thanked the Land Bank for working so closely with Administration and stated it was important for tax payers to know they are getting the best contractors at the best price.

Res. 128-16

"Moved Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the award of a contract to provide asbestos abatement, demolition, and site restoration services at the former county jail site for a base amount of \$192,679.45. This contract shall allow for adjustments to the scope of the project for the abatement of asbestos containing materials discovered during demolition as well as required changes to the approach of the demolition as required by the State of Michigan."

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

3. Authorization to Reapportion Grant Funds Associated with the 2016 Survey and Remonumentation Program

Administrator/Controller Kelli Scott stated this is a budget amendment for our Survey and Remonumentation Plan, which was previously approved by the Board. She stated one of the contracted surveyors passed away and this request is to reallocate funds from his contract to other surveyors.

Res. 129-2016

"Motion by Comr. Frisbie, second by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners does hereby authorize the reapportionment of \$10,575 in grant funds previously assigned to Licensed Professional Surveyor, Fred Cutcher, to the remaining Remonumentation Peer Group members as presented."

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

4. FY 2016-17 Crime Victim Rights Grant Agreement

Administrator/Controller Kelli Scott stated this is a yearly request from the Prosecutor's Office to approve the Crime Victims' Rights Grant Agreement. She stated the grant amount is \$181,353, is a fixed amount grant that covers most of the expenses of the program and any additional costs will be in Prosecutor's budget.

Res. 130-2016

"Motion by Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Fiscal Year 2016/17 Crime Victim Rights Grant Agreement as presented."

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

5. Memorandum of Agreement between the Nottawseppi Huron Band of the Potawatomi and the Calhoun County Road Department

Administrator/Controller Kelli Scott stated the County and the Tribe are partnering on resurfacing roads on the Reservation. She stated the Tribe is covering 100% of the construction costs and we will cover engineering and labor. She stated this was yet another area we can collaborate with the Tribal Government.

Road Department Managing Director Christopher Bolt stated they plan to do construction yet this year.

Res. 131-2016

"Motion by Comr. Bearman, second by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the road resurfacing and improvement work along 3 Mile Road from M-66 northerly to S Drive South; and authorizes the Board Chair and Administrator/Controller to sign the agreement on behalf of Calhoun County."

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

6. 2016 Mid-Year Budget Adjustments

Administrator/Controller Kelli Scott stated this is a request from Finance to approve mid-year budget adjustments. She stated that with the information that we receive from Departments and projects, we have now incorporated budget adjustments and a list is provided.

Res. 118-2016

"Motion by Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the FY 2016 Mid-Year Budget Amendments for the General Fund and several Special Revenue funds as presented by the Finance Department."

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

7. Janitorial Services RFP #117-16

Administrator/Controller Kelli Scott stated this is the janitorial services bid award and we are recommending a contract with our current provider for just over \$800,000 for a three year contract.

Assistant County Administrator Brad Wilcox stated the current vendor contract was terminated on June 2016 as a result of performance issues. He explained that they continue to maintain good references with other contracts but their standard fees for other contracts were much higher. He stated we rebid the contract, had three bidders, including GDI and realized the previous contract was under market value and causing them to have recruitment issues. He stated after discussion GDI has guaranteed a significant increase in oversight and they increased the wage of their cleaners. He stated they were the low bidder but the overall contract increased \$60,000, 100% of which is for wages to help retain workers. He stated GDI has a local office, though their headquarters is not local. He stated we will do more review in the future, we now have built in penalties and wage increases, so we can expect better service.

Res. 133-2016

“Motion by Comr. VanSickle, second by Comr. Frisbie to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the contract with GDI Omni to provide janitorial cleaning services to county facilities as presented.”

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

8. August 2016 Financial Report

Administrator/Controller Kelli Scott stated the financial statements were prepared by Finance Director Michele Johnson. She stated there were few variances outside of the General Fund. She stated there were high expenditures in the Drain Fund and we are seeing better revenue collection in property taxes. She stated we are continuing to look at possible revenue shortages and expenditure overruns as reported by Department Heads but we are still budgeting to end the year with an 11% in the fund balance.

Res. 134-2016

“Motion by Comr. Bearman, second by Comr. Reynolds to approve the following: Resolved the Calhoun County Board of Commissioners does hereby accept for information the August 2016 Financial Statements as presented.”

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

9. Approval to Commence Litigation to Modify Subdivision Plats

Administrator/Controller Kelli Scott stated this was a request to initiate litigation on behalf of the agreement the county entered into relating to the Juanita Drive improvements. She explained this was petitioned and could have become a drain project but instead the county chose to agree with Emmett Township and the City of Battle Creek to each take pieces of the drainage problem and resolve them

through an intergovernmental agreement. She stated our part of the project has turned into a road project having to do with abandoning part of Juanita Drive and there needs to be easements.

Corporation Counsel Jim Dyer stated this request was to authorize him to issue lawsuits. He explained they were not adversarial lawsuits because we were not suing an individual but the subdivision plat document, which has to be amended because they include the dedication of the road. He stated that when a road is removed from the plat, it is given to the residents. He stated there are actually two lawsuits. He stated that second relates to Sperry Avenue is in Bedford Township and he current plat has the street as a dead end into a wetland. He explained that the property on both sides of the street is owned by one owner so it serves as a private road. He stated this change will result in the reduced cost of maintaining the road by the Road Department.

Scott stated this is actually the resolution to what could have been the Big Marsh Drain and the project is being overseen by the Big Marsh Intercounty Drain Board. She stated the county's obligation is roughly a little over \$100,000 and was designed to be an amount is similar or less than the county would have been charged if the county was assessed if this had moved forward as a drain project. She stated this avoids costs that would have been assessed to townships and residents. She stated this was the next step in moving forward on an agreement already approved in 2011 and we are finally moving forward.

Res. 135-2016

"Motion by Comr. Dunn, second by Comr. VanSickle to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve authorize the Calhoun County Corporation Counsel to initiate a lawsuit to modify the subdivision plats, as necessary, to seek abandonment of portions of Juanita Drive and Sperry Avenue."

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

13. CITIZEN'S TIME

Tina Yost, candidate for Circuit Court Judge, appealed for votes then mentioned the SafePlace Walk a Mile is October 22 and challenged the Commissioners to participate.

14. COMMISSIONERS TIME

Comr. Bearman announced some employment statistics from the Workforce Development Board monthly dashboard.

15. CLAIMS PAYABLE

- A. County Claims Payable for August 26 - September 8, 2016 in the amount of \$3,001,000.78

Res. 136-16

"Moved Comr. Reynolds, second by Comr. Dunn to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Calhoun

County Claims Payable for August 26 - September 8, 2016 in the amount of \$3,001,000.78 as presented.”

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

16. ANNOUNCEMENTS

Comr. Bearman announced the Festival of the Forks starts with a pancake breakfast September 16 and there will be festivities all day Saturday.

Comr. Bearman announced there are 100 days until Christmas.

Comr. Frisbie announced there will be a community stroll for Miles for Memories at 8:30 a.m. on September 17. He stated there is a one mile stroll or 5k run options. He stated that also on the 17th at 6:30 p.m. in Festival Market Square in Downtown Battle Creek there will be a tailgate picnic for the MSU/Notre Dame football game.

Comr. VanSickle announced that also on the 17th there will be a tractor drive for cancer starting at the fairgrounds and they have had over \$2000 pledged already.

17. ADJOURNMENT

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

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Chairman

Clerk to the Board