

**PROCEEDINGS OF THE
BOARD OF COMMISSIONERS**

August 16, 2018

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7 p.m., Thursday, Aug. 16, 2018 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Smith, Frisbie, Potter, Reynolds and Tompkins. Excused: Comrs. King and Vette

Staff Present: Administrator/Controller Kelli Scott, Assistant Administrator Brad Wilcox, Corporation Counsel Jim Dyer, Human Resources Director Kim Archambault, Communications Manager Lucy Blair and Deputy Clerk Lora Stevens

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF AGENDA

“Moved Comr. Tompkins, second by Comr. Frisbie to approve the agenda of the August 16, 2018 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 August 2, 2018 Board of Commissioners Regular Session

“Moved Comr. Smith, second by Comr. Reynolds to approve the minutes of the August 2, 2018 Regular Session as presented.”

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

6. CITIZENS' TIME

Elena Herrada of Moratorium NOW from Detroit addressed concerns with Calhoun County's jail-bed contract with the U.S. Immigration and Customs Enforcement (ICE). Ms. Herrada said that human rights violations had occurred in the jail and she had seen 12 women in one cell in cold temperatures. She asked the Commissioners to follow the lead of other counties and cancel the ICE contract because of the human rights violations.

Jerry Keller of Emmett Township voiced his concern that the Primary Election required voters to split their vote and pick candidates from only one party.

Mike Shane from Detroit, a son of an immigrant, expressed concern about the County's contract with ICE and stated that the County should cancel its ICE contract and stop human exploitation.

John D. La Pietra of Marshall expressed that the County should follow Kalamazoo County's lead and cancel its ICE contract.

Abraham Shaber of Battle Creek cited Battle Creek's history of welcoming all people and asked that Calhoun County cancel their ICE contract.

Sara Lawrence of Battle Creek expressed her concerns about ICE and asked that the County end its ICE contract, stating that she recognized it is a budget line item for Calhoun County.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Comr. Tompkins stated that the Senior Millage Allocation Committee approved a Miles for Memories \$5,000 mini-grant. Also, he stated the Trailway Alliance Board met on Aug. 8, elected several new members, appointed Mark Lelle as its new Chair and approved the Michigan Natural Resources Trust Fund (MNRTF) grant.

Comr. Frisbie stated that the 911 Dispatch financial audit was finished and that the Authority was addressing previous issues with the pension plan.

8. SPECIAL ORDER OF BUSINESS

There was none.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

B. Resolutions

1. Otsego County Resolution #18-19 Opposing the Legalization of Marijuana for General Use
2. Kalkaska County Resolution Opposing SB 1031
3. Senior Millage Supplemental Funding for the Health Department Senior Hearing Program

Res. 119-2018

“Moved Comr. Frisbie, second by Comr. Tompkins to approve the Consent Agenda of the August 16, 2018 Board of Commissioners’ Regular Session as presented.”

Commissioner Smith stated that he wanted to note for the record that approving these items on the consent agenda did not indicate the Board’s support or approval of the positions taken within the resolutions.

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 Kelli Scott stated that the Calhoun County Veterans Affairs Committee met on August 8 and approved two applications to the Veterans Relief Fund. She said that the FireKeepers Local Revenue Sharing Board approved its audit and that approximately \$250,000 would be carried forward to the following year. Ms. Scott shared that the Native American Heritage Fund Board approved three additional grants and would hold a grant-award ceremony in September. Administrator Scott stated that the County’s budget process was well under way and Elected Officials/Department Head budget hearings would take place that fall. Ms. Scott stated that the County budget had a \$1.6M gap to fill if they left the 34 positions that were currently vacant. Administrator Scott explained that chip sealing was taking place on numerous County roads. Ms. Scott shared that F Drive N in Emmett Township was an upcoming project, and three County bridges would be repaired or replaced this year. Administrator Scott explained there would be a ribbon-cutting ceremony with the Marshall Area Economic Development Association (MAEDA) for the new parking area and an increased security plan for the County Building. Ms. Scott stated that the City of Battle Creek was planning to approve, and the County would need to approve in September, the renewal of the agreement with the County regarding space in the jail. Administrator Scott concluded by stating she would attend the Michigan Association of Counties (MAC) annual meeting the following week.

B. New Business

1. Michigan Indigent Defense Grant Budget & Staffing Allocation

Administrator Scott stated that this item was a grant request for instating a Public Defenders Office to meet Michigan’s Indigent Defense Standards. She stated that the County had six months to implement the program and recommended 15 people for the office.

Res. 120-2018

“Moved Comr. Frisbie, second by Comr. Tompkins to approve and accept the Michigan Indigent Defense grant for grant period of 10/1/2018 - 9/30/2019, in the amount of \$1,328,455, to fund the transition to and the operation of a new Public Defender's Office in Calhoun County.”

On a roll call vote, Yes – 5. Excused – 2. Motion **CARRIED**.

2. Inmate Commissary RFP #117-18 Recommendation

Assistant Administrator Brad Wilcox explained that the County did a communicative bid and was recommending incumbent Keefe Commissary to continue to provide commissary items for inmates for a seven year contract estimated at \$7M. Mr. Wilcox explained that they received three proposals and Keefe was recommended because the County used them for seven years. Assistant Administrator Wilcox explained that Keefe’s prices to the inmates were the lowest and Keefe had a large amount of items and could offer vendor machines. Mr. Wilcox stated that they provided safe and secure items to the jail, and produced \$700,000 gross sales per year sales which would result in a 10 percent increase in profits.

Res. 121-2018

“Moved Comr. Tompkins, second by Comr. Reynolds to approve an agreement with Keefe Commissary Network to provide commissary services to inmates of the Calhoun County Correctional Facility as presented, and authorize the Board Chairperson to execute a seven year contract with Keefe.”

On a roll call vote, Yes – 5. Excused – 2. Motion **CARRIED**.

3. Notice of Intent to Issue 2018B Pension Obligation Bonds

Administrator/Controller Kelli Scott explained that this item was for pension funds for the Road Department that were underfunded when the County took over the Road Commission and the County had been paying 25 to 55 percent of every dollar of payroll to address the unfunded liabilities. Ms. Scott explained that the best option was to close the plans to new hires and have them utilize the County’s defined benefits plan and that they had both union’s agreements. Administrator Scott stated that they would send out notices for public input for the notice of intent with an amount of up to \$14M but should only need \$10M. Ms. Scott stated that it would be a 45-day public notice for bond issuance for a 20-year period.

Comr. Frisbie stated that the current pension plan was unsustainable and he supported County Administration’s actions to close the plan to keep the tax payer’s money in mind.

Res. 122-2018

“Moved Comr. Reynolds, second by Comr. Frisbie to approve the attached Notice of Intent Resolution to Issue up to \$14,000,000 in General Obligation Limited Tax Bonds to pay the costs of the unfunded pension liability for certain defined benefit retirement programs, as presented.”

On a roll call vote, Yes – 5. Excused – 2. Motion **CARRIED**.

4. Closing MERS Pension Divisions 10 & 13 to New Hires

Ms. Scott explained that MERS required Board approval of certain forms to be processed to close these pension divisions with an effective date of Sept. 1, 2018, and that new hires would go into the County's 401k plan.

Res. 123-2018

“Moved Comr. Tompkins, second by Comr. Reynolds to approve the closing of Divisions 10 and 13 of the MERS pension plan to new hires as presented and enroll new hires that would have been placed in the applicable divisions into a non-MERS defined contribution program and also authorize the Board chair to sign the attached documents necessary for the changes as presented.”

On a roll call vote, Yes – 5. Excused – 2. Motion **CARRIED**.

5. July 2018 Financial Statements

Ms. Scott explained that this item was the July financial report and reiterated that the County's auditors suggested that they provide the Board with general ledger detail in addition to the summary to ensure transparency. She reminded the commissioners that they had just approved the mid-year budget amendment that the County anticipated to finish the year within budget with potentially a small surplus.

Res. 124-2018

“Moved Comr. Smith, second by Comr. Tompkins to accept the July 2018 Financial Statements as presented.”

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

13. CITIZEN'S TIME

John La Pietra of Marshall, whose father was a son of immigrants, cited more history in Battle Creek with immigrants and asked that the Board please consider canceling the ICE contract.

14. COMMISSIONERS TIME

Comr. Tompkins stated that 470 seniors attended Senior Day at the Calhoun County Fair and was glad that more information about community resources was provided to seniors. He thanked Lucy Blair for her help and photos of the event.

15. CLAIMS PAYABLE

- A. County Claims Payable for July 26, 2018 through Aug. 9, 2018 in the amount of \$3,846,509.60

Res. 125-2018

“Moved Comr. Frisbie, second by Comr. Smith to approve the County Claims Payable for July 26, 2018 through August 9, 2018 in the amount of \$3,846,509.60 as presented.”

On a roll call vote, Yes – 5. Excused – 2. Motion **CARRIED**.

16. ANNOUNCEMENTS

There was none.

17. ADJOURNMENT

The meeting was adjourned at 7:37 p.m. at the call of the Vice Chair.

slh

Chairman

Clerk to the Board