

**PROCEEDINGS OF THE  
BOARD OF COMMISSIONERS**

September 5, 2019

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, Sept. 5, 2019 in the Commissioners' Meeting Room, County Building, Marshall, MI.

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

Present: Comrs. Smith, Miller, Hatcher, Tompkins, King, Frisbie, and Vette

Staff Present: Administrator/Controller Kelli Scott, Assistant Administrator Brad Wilcox, Corporation Counsel Jim Dyer, Human Resources Director Kim Archambault, and Deputy Clerk Shana Huerta

2 and 3. MOMENT OF SILENCE/INVOCATION AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF AGENDA

Res. 169-2019

"Moved Comr. Hatcher, second by Comr. Smith to approve the agenda of the Sept. 5, 2019 Regular Session of the Calhoun County Board of Commissioners as presented."

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

5. APPROVAL OF MINUTES

Minutes of the Aug. 15, 2019 Board of Commissioners Regular Session

Res. 170-2019

"Moved Comr. Tompkins, second by Comr. Miller to approve the minutes of the Aug. 15, 2019 Regular Session as presented."

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

6. CITIZENS' TIME

There was none.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Sheriff Matt Saxton shared that retired K-9 dog Turbo passed away that morning. He explained that Turbo worked from 2007-2016 and asked that everyone please keep Deputy Guy Picketts in their prayers. Sheriff Saxton shared that on Wednesday, Sept. 4 there was another GED graduation and that a female inmate who was to be released the next week received her GED through a partnership with Battle Creek Public Schools (BCPS). He explained that over 270 inmates had earned GEDs since the facility opened and that currently there were 25 more people in the class.

Comr. Frisbie, on behalf the entire Board, offered condolences to Deputy Guy Picketts.

Senior Services Manager and Co-Chair of the United Way campaign Helen Guzzo introduced Chris Sargent of Battle Creek/Kalamazoo United Way, Marcia Starkey of Albion/Homer United Way and Cindy Lake of Marshall United Way. She explained that an undesignated donation of \$50 or more qualified employees for a drawing for \$28,000 toward a new car. Ms. Guzzo highlighted local drawings that would take place in this year's campaign and explained that Megan Reynolds is coordinating the Court's campaign, and that she, Lucy Blair and Doug Ferrall are coordinating the campaign for the rest of the County. She stated that the previous year the County raised \$19,000 with a 23% participation rate and that the goal for this year was \$25,000 with a 25% participation rate. Ms. Guzzo explained that in conjunction with the campaign, there would be a food drive for the Foodbank. She expressed the importance of payroll deduction and how that impacts the United Way agencies. Ms. Guzzo reviewed the campaign calendar, highlighting cookouts that would take place in Battle Creek and Marshall with Sheriff Saxton and Comr. King preparing the meals.

## 8. SPECIAL ORDER OF BUSINESS

### 1. United Way Campaign Proclamation

#### Calhoun County Workplace United Way Campaign

September 5 – 27, 2019

WHEREAS, the United Way does what no single organization can do alone;

WHEREAS, Calhoun County government supports advancing the common good of our community and the United Way works to strengthen the community by mobilizing donations and volunteers to support programs for children, health, education, and basic needs for all people;

WHEREAS, Calhoun County contains three United Way organizations, Albion-Homer United Way, Marshall United Way and the United Way of the Battle Creek and Kalamazoo Region;

WHEREAS, Calhoun County employees and elected officials are asked to donate to the United Way of their choice in this annual workplace campaign by payroll deduction, cash or checks.

NOW, THEREFORE, the Calhoun County Board of Commissioners, on behalf of the elected and appointed officials and employees of Calhoun County government hereby proclaims its support for the Calhoun

County Workplace United Way Campaign from September 5 to September 27, 2019, and encourages participation in the fundraising campaign.

Signed,

Steve Frisbie, Chair  
Calhoun County Board of Commissioners

Res. 171-2019

“Moved Comr. Tompkins, second by Comr. Hatcher to approve the Calhoun County Workplace United Way Campaign proclamation as presented.”

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

2. Miles for Memories Proclamation

Miles for Memories Proclamation

WHEREAS, Miles for Memories began with its first event on September 7, 2013 for the purpose of raising funds and increasing awareness of Alzheimer’s disease in Calhoun County; and

WHEREAS, Miles for Memories has adopted the vision statement of creating solutions for those impacted by dementia in Calhoun County through movement, programming, and research; and

WHEREAS, Miles for Memories is a volunteer-led organization that has developed programs and trainings across the county aimed at helping those impacted by dementia. Such initiatives offer hope for identifying and providing the best types of care, lifestyle programs, personal training, safety, risk reduction, and more; and

WHEREAS, Miles for Memories takes pride in the amazing collaborations made through the development of the Help Home program, a program designed to help individuals experiencing some form of dementia to register in a database maintained by Consolidated 9-1-1 Dispatch; and

WHEREAS, Miles for Memories has expanded those collaborations to develop a new G.P.S. safe return watch and personal medical I.D. to locate loved ones that have wandered.

WHEREAS, the Help Home program was expanded in February to include a visual bracelet program aimed at helping provide emergency contact information for loved ones who have wandered or are missing. These combined safety programs have helped bring at least 33 individuals back home without an unnecessary trip to the hospital for care; and

NOW, THEREFORE, the Calhoun County Board of Commissioners, does hereby proclaim that Miles for Memories be recognized for their commitment to raising awareness and funds for Dementia as well as creating solutions for families throughout Calhoun County.

Signed,

Steve Frisbie, Chair  
Calhoun County Board of Commissioners

Res. 172-2019

“Moved Comr. King, second by Comr. Hatcher to approve the Miles for Memories proclamation as presented.”

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

Comr. Frisbie shared that the Annual Community Stroll would take place on Saturday, Sept. 14 at 8:30 in Downtown Battle Creek.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

There was none.

B. Resolutions

1. 2019 MERS Officer and Employee Delegates
2. 2019-2021 WKKF School Wellness Program Grant
3. Standing Rules of the Calhoun County Board of Commission

Res. 173-2019

“Moved Comr. Vette, second by Comr. King to approve the Consent Agenda of the Sept. 5, 2019 Board of Commissioners’ Regular Session as presented.”

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

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Frisbie thanked Health Officer Eric Pessell, Deputy Health Officer Brigette Reichenbaugh, and Finance staff for creating the Health Department budget.

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 shared that on Friday, Aug. 23 the Calhoun Public Safety Information Alliance Board (RMS Board) met and that almost all of the partner law-enforcement agencies were on electronic ticketing now rather than issuing paper tickets. She stated that the IT Executive Committee, chaired by Commissioner Smith, met on Tuesday, Aug. 27 and discussed the redesign of the County's website and the transition to Microsoft 360. She shared that the Calhoun County Economic Development Corporation (EDC) met Tuesday, Sept. 3 and approved \$2,000 in grant matching support for an EPA Brownfield Clean-Up grant to clean up the contaminated mound near the Justice Center in Battle Creek. Ms. Scott concluded that earlier that day the County received its most recent Standard & Poor's bond credit rating of AA. She explained that they continued to talk about strong performance in the General Fund, strong management practices, budgetary performance, flexibility and strong liquidity. Ms. Scott explained that they expressed that the local economy was slow and urged the County to continue work on pension and retiree health liabilities.

### B. New Business

#### 1. Secondary Road Patrol Grant Application

Ms. Scott explained that this annual item was supplemental funding for secondary road patrol for two deputies assigned to that grant. She explained that the cost for the two deputies and related expense was \$200,000 and that the grant covered \$150,000 of those expenses.

Sheriff Saxton explained the deputies' duties, noting that their primary role is traffic related matters but they are eligible to assist in other areas as back-up if needed. He explained that the state grant is funded through \$10 of every ticket written and that due to the reduction in law enforcement, fewer tickets are being written, reducing the amount of funding the office receives.

#### Res. 174-2019

"Moved Comr. Hatcher, second by Comr. King to approve the Secondary Road Patrol and Traffic Accident Prevention Program application as presented."

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

#### 2. Calhoun County Public Health Department FY20 Budget

Health Officer Eric Pessell, Deputy Health Officer Brigette Reichenbaugh, Health Department Accountant Kyler Watson and Deputy Controller Megan Banning were present.

Administrator/Controller Scott thanked everyone involved in the creation of the budget and noted that the budget directly addresses the community's health needs assessment priorities and also the work toward obtaining national accreditation.

Mr. Pessell stressed that they worked on building a strategic budget that addresses the community needs assessment that was recently completed in Calhoun County that includes the opioid epidemic.

Comr. Frisbie acknowledged Kyler Watson's outstanding work on the newly implemented Medicaid Full Cost Reimbursement Program.

Res. 175-2019

"Moved Comr. King, second by Comr. Hatcher to approve the Calhoun County Public Health Department Fiscal Year Ending 2020 Budget as presented."

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

3. Resolution to Implement and Adopt a Local Pavement Warranty Program

Ms. Scott explained that this item was a resolution to adopt a Local Pavement Warranty Program required by State legislation and that it applies only to projects that are greater than \$2M. She stated that the State only requires the County to report on all the state and federally funded projects greater than \$2M and to consider warranty programs for those projects.

Comr. Miller requested that Township projects that didn't meet the \$2M threshold be given the same consideration as those with projects that met the threshold.

Comr. Frisbie explained that the warranties were expensive and that it is important that local entities understand and were willing to absorb the cost.

Res. 176-2019

"Moved Comr. King, second by Comr. Miller to approve the Resolution to Adopt and Implement a Local Pavement Warranty Program required by the Michigan Legislature (MCL 247.662, 247.663) as presented."

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

4. Cutting Edge RFP #111J-19 Award

Assistant Administrator Wilcox explained that this item was for snowplow blades. He added that it was the County's sixth time bidding for these items in an effort to mitigate risk and eliminate contingency caused by fluctuating commodity prices. He stated that they received four bids and eliminated two bids that didn't meet bid specifications. Mr. Wilcox explained that Winter Equipment Company was the low bidder and that the estimated \$220,000 contract was 4% greater than the previous year due to tariffs and other economic factors.

Res. 177-2019

“Moved Comr. Miller, second by Comr. Vette to approve the contract with Winter Equipment Company, Inc. for the purchase of cutting blades in an amount estimated at \$220,000 as presented.”

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

5. Signs & Post RFB #112J-19 Bid Award

Ms. Scott stated that this item was a two year bid award for signs and posts for the Jackson and Calhoun Road Departments in the estimated amount of \$250,000.

Mr. Wilcox explained the recommendation was for Dornbos, which is the same company that had provided signs and posts for Jackson and Calhoun Counties for a number of years. He stated that while they were the low bidder the contract was 17 1/2% higher than the previous contract. Mr. Wilcox explained that the second closest bidder was 5% greater than Dornbos and the third closest bidder was 20% greater. He stated that the increased costs were caused by increased tariffs and other economic factors and that the County was considering other strategies and shorter contracts.

Res. 178-2019

“Moved Comr. Vette, second by Comr. Smith to approve a two year contract with Dornbos Sign, Inc. for road signs and posts as presented.”

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

6. DHHS Lease Amendment #2524-2007

Ms. Scott stated that this was an \$8,500 lease agreement renewal with the Michigan Department of Health & Human Services (MDHHS) for a small space in the Toeller building.

Mr. Wilcox explained that 2007 Board approved a 20 year lease agreement with MDDHS and another lease 2013 for additional storage space for MDHHS. He stated that this item was an amendment to combine the additional rental contract agreement into the long-term agreement.

Res. 179-2019

“Moved Comr. Vette, second by Comr. Miller to approve the Amendment #2 to the State of Michigan lease Agreement #2524-2007 as presented and authorize the Board Chair to sign the agreement on behalf of Calhoun County.”

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

7. Michigan Works Rental Agreement

Ms. Scott explained that this was a month-to-month \$2,000 rental agreement with Michigan Works! through the Upjohn Institute that operates the County's workforce development program to lease approximate 200 sq. ft. in the Albion building.

Assistant Administrator Wilcox explained that the County was creating space for the agency because they were forced to leave their previous location. He explained that Michigan Works! provided a valuable service to Albion and the County wanted to assist them until they were able to find another location.

Res. 180-2019

"Moved Comr. Smith, second by Comr. Miller to approve the 12 month rental agreement with W.E. Upjohn Institute for 204 square feet of Michigan Works! Southwest office space in the Albion Building for \$1,920 per year and authorize the County Administrator/Controller to sign the agreement on behalf of the County."

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

8. Utility Easement for Electrical Lines with Marshall Energy Center, LLC Resolution

Ms. Scott explained that this resolution authorizes the option to enter into an agreement with Marshall Energy Center to purchase an easement for electrical lines adjacent to the Road Department property. She stated that it was related to a large economic project for a new energy center in Marshall and that the easement was needed to ensure necessary infrastructure was in place. Ms. Scott explained that the County would receive reasonable compensation for allowing them to use five and half acres of the County's property.

Corporation Counsel Jim Dyer stated that the easement would be used for high-power lines and explained at this time that this item was only an approval for an option to enter into the agreement. He stated that the company would pay \$2,000 now for a two-year option and if they exercised the option they would pay another \$16,200.

Comr. King asked about the Road Department's Master Plan and if selling the easement would impact that plan.

Managing Director John Midgely stated that staff had completed research and it would not impact the Plan.

Comr. Miller stated he agreed with Mr. Midgely.

Res. 181-2019

"Moved Comr. Vette, second by Comr. Miller motioned that the Calhoun County Board of Commissioners, acting in its capacity as the Calhoun County Road Commission, approve an Option to Purchase Easement for Electrical Lines with Marshall Energy Center, LLC, and authorize the County Administrator/Controller and the Board Secretary to sign the



Option, and all other documents necessary to create the Easement upon exercise of the Option.”

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

9. Syringe Services Program (SSP) MDHHS Grant

Ms. Scott explained that this item was for acceptance of a federal grant to evaluate a new syringe services program for Calhoun County and that the County was targeted for funding to address the community needs identified in the recent assessment. She stated that the program was included in the Health Department’s budget that was approved earlier in the meeting, the Board of Health approved acceptance of the grant and there would be a lot more development to determine if and how to implement a program.

Comr. Frisbie stated that he had a discussion with each of the Commissioners that week regarding the program and that Dr. Nettleton was very passionate about the program. He shared that the Health Board requested additional data from Dr. Nettleton to support the bullet points outlined to mitigate potential concerns. He explained that people that utilize a needle exchange program were five times more likely to seek help for drug addiction. Comr. Frisbie shared that they would make information available as they received it.

Comr. Tompkins stated that he was glad that they sought additional information and was looking for the data and taking the necessary evaluation steps.

Res. 182-2019

“Moved Comr. Vette, second by Comr. Hatcher to approve the acceptance of a \$55,000 grant from the Michigan Department of Health and Human Services to evaluate a Syringe Services Program (SSP) for Calhoun County.”

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

10. Public Defender Contract Attorney Program

Ms. Scott explained that this item related to continued development of the Public Defender’s Office. She shared that Chief Public Defender David Makled was currently working through developing procedures, forms, and legal documents to get the office up and running and as well as hiring staff. Ms. Scott stated the new office would include a roster of independent attorneys to assist with arraignments.

Mr. Dyer explained that they were presenting the form and the scope of contract’s intended use which would authorize the Chief Public Defender to enter into and sign the contracts in compliance with the MIDC standards and within budgeted amounts.

Comr. King asked if these contracts were for co-defendant work.

Mr. Makled stated that yes and that the goal of the contract was to employ private bar counsel to address conflicts of interest, as well as to handle a substantial percentage of all cases and arraignments.

Comr. King inquired to and wanted to ensure that Michigan Indigent Defense Commission standards would be adhered to.

Mr. Makled stated that yes they would.

Res. 183-2019

“Moved Comr. Smith, second by Comr. Vette to approve the form of contract for Indigent Defense Contract Attorneys as presented, and further authorizes the Chief Public Defender to negotiate to completion, and to sign on behalf of the County, a sufficient number of contract attorney agreements, and to fund those contracts within the amounts appropriated in the Public Defender budget for contract attorney fees, subject to minor modifications of each individual contract acceptable to the Administrator/Controller and the Corporation Counsel.”

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

13. CITIZEN’S TIME

10<sup>th</sup> District Court Judge Paul Beardslee introduced Jason Bomia, Governor Whitmer’s newly appointed district court judge to replace Judge Durham.

Judge Bomia stated that he was excited to work with everyone and for the citizens of Calhoun County, provided his professional and personal background. He shared that he and his family had lived in Marshall for 20 years and were very active in the community. Judge Bomia explained that his practice handled multiple types of cases and that the focus had changed from being an advocate to completely independent and fair and that was his intention.

Mr. Midgely stated that the Road Department was getting in the last of the invoices for pothole patching and he should be able to email the final information to the Board within the next week.

Jerry Keller asked about the status of the D Drive North bridge.

14. COMMISSIONERS TIME

Comr. Tompkins congratulated Sheridan Township on their recent Consumers Energy agreement.

Comr. Hatcher shared that Habitat for Humanity was celebrating their 30 year anniversary and there would be a dinner on Tuesday, Sept. 10 and that the Post-Franklin neighborhood will hold a clean-up on Saturday, Sept. 7 and that she and Comr. King would be in attendance.

Comr. King addressed Mr. Keller's question regarding the D Drive bridge and shared that it would be repaired and that the township did commit 50% of the funds to repair.

Comr. Smith shared that a few weeks prior he attended his first Michigan Community Corrections Advisory Board. He shared that they were unable to approve any grants because the State's budget had not been finalized.

Comr. Vette shared that Deputy Court Clerk Danielle Willerick was named August Employee of the Month for being knowledgeable and helping those around her. She stated that Ms. Willerick enjoyed learning new information every day and working with numerous departments and agencies.

Comr. Frisbie stated that Convis Township voted in August to approve 1,100 acres going into solar and that seven different owners were involved.

## 15. CLAIMS PAYABLE

- A. Claims Payable for August 9, 2019 through August 29, 2019 in the amount of \$6,178,837.39

### Res. 184-2019

"Moved Comr. King, second by Comr. Smith to approve Claims Payable for August 9, 2019 through August 29, 2019 in the amount of \$6,178,837.39 as presented."

On a roll call vote, Yes – 6. Excused – 1. Motion **CARRIED**.

## 16. ANNOUNCEMENTS

Comr. Tompkins shared that Sunday, Sept. 8 at 6 p.m. the last Swingin' at the Shell of the season would take place at Victory Park in Albion and would feature dueling pianos. He stated that the first Homer All In Community Breakfast of the season would start on Friday, Sept. 13 at Homer Community Schools and the Albion Community Center would host the 2019 Healthy Babies Day on Saturday, Sept. 14.

Comr. Frisbie shared that there would be a Sept. 11 Remembrance Ceremony at 6 p.m. in McCamly Park.

## 17. CLOSED SESSION TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE

### Res. 185-2019

"Moved Comr. Hatcher, second by Comr. Miller to retire to closed session to consider material exempt from discussion or disclosure by State or Federal statute."

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

Meeting retired to closed session at 8:14 p.m. at the call of the Chair.

Meeting returned to open session at 9:32 p.m.

18. ADJOURNMENT

The meeting was adjourned at 9:33 p.m. at the call of the Chair.

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Chairman

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Clerk to the Board