PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

June 17, 2021

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:01 p.m., Thursday, June 17, 2021 via Zoom Meeting and aired live on YouTube.

Chair Frisbie called the meeting to order, requested the Deputy Clerk call the roll and requested that all commissioners note their physical location for the current Board of Commissioners meeting in accordance with the Amended Open Meetings Act. All members indicated they were in Calhoun County, MI.

Present: Comrs. Tommy Miller, Gary Tompkins, Kathy-Sue Vette, Rochelle Hatcher (arrived 7:10p.m.), Jake Smith, Steve Frisbie and Derek King.

Staff Present: Administrator/Controller Kelli Scott, Corporation Counsel Jim Dyer, Assistant Administrator Brad Wilcox, HR/Labor Relations Director Kim Archambault, Communications Manager Lucy Blair, and Deputy Clerk Susan Connolly.

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

After a moment of silence, Comr. Miller led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Res.097-2021

"Moved Comr. Vette, second by Comr. Miller to approve the agenda of the June 17, 2021 Regular Session of the Calhoun County Board of Commissioners as presented."

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

5. APPROVAL OF MINUTES

Minutes of the May 28, 2021 Board of Commissioners' Special Workshop on American Rescue Plan Act and the Minutes of the June 3, 2021 Regular Session.

Res.098-2021

"Moved Comr. Tompkins, second by Comr. Vette to approve the minutes of the May 28, 2021 Board of Commissioners' Special Workshop on American Rescue Plan Act and the Minutes of the June 3, 2021 Regular Session as presented."

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

6. CITIZENS' TIME

Rod Auton, resident of Battle Creek and member of the Albion Healthcare Board shared details related to Senior Services' Strategic Project grant funding to move food distribution to Albion College to create space at the college for residents to obtain food through the food pantry. Mr. Auton added that a part-time position will be created to assist with the food distribution at Wesley Hall on the Albion College Campus.

Caller Beth Byrd (telephone #9407), resident of Emmett Township noted her support for the new policy related to the Board and Committee Appointments.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

County Clerk Kim Hinkley shared information about the hiring of a new Personal Protection Order (PPO) coordinator who will visit the Marshall office one day a week. Clerk Hinkley reported that the organizational meeting of the Apportionment Committee will meet June 23rd at 9am in the Board of Commissioners Chambers. Kim Hinkley noted the Census data is expected to be received September 30, 2021.

8. SPECIAL ORDER OF BUSINESS

A. Public Hearing as required by Section 147 (f) of the Internal Revenue Code, concerning the approval of a Resolution authorizing the issuance of certain bonds that will benefit Endeavor Charter Academy.

Res.099-2021

"Moved Comr. Vette, second by Comr. Hatcher to Open Public Hearing."

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

Administrator/Controller Kelli Scott stated the public meeting is required by the Internal Revenue Code and was requested by the legal counsel for the applicant. Ms. Scott noted that Endeavor Charter Academy is not asking the County to back the bond with full faith and credit of the County, and noted that this approval of issuance will not impact the County or its finances.

Corporation Counsel, Jim Dyer noted representatives Holly Horsley and Laura Kaleefey from the applicant and their law firm were participating on the Zoom call.

Laura Kaleefey informed the Board that the public hearing is a legal requirement to allow school capital improvements to be financed through a tax-exempt bond, noting that current interest rates will benefit the Academy.

Jim Dyer highlighted that a toll-free call in line for the public was provided for any callers who wished to speak.

No calls were received on the toll-free line, and no comments from the public were received on the Zoom link and Holly Horsley thanked the Board for holding the public hearing.

Res.100-2021

"Moved Comr. Tompkins, second by Comr. Smith to Close Public Hearing."

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

Res.101-2021

"Moved Comr. Hatcher, second by Comr. Vette to approve the Resolution authorizing the issuance of certain bonds that will benefit Endeavor Charter Academy as presented."

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

B. Juneteenth Day Proclamation

Comr. Frisbie read the Proclamation into record:

JUNETEENTH DAY PROCLAMATION

WHEREAS, Juneteenth had its origin in 1865 in Galveston, Texas, observing June 19 as the African American Emancipation Day and is the oldest known celebration of the ending of slavery; and

WHEREAS, Juneteenth commemorates the date June 19, 1865, when the last African American slaves held in Confederate states were freed, and has been observed since June 19, 1866; and

WHEREAS, it is a time for reflection and rejoicing; a time for assessment, self-improvement and for planning the future. Its growing popularity signifies a level of maturity and dignity in America long overdue, and in cities across the country, people of all races, nationalities, and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our society today; and

WHEREAS, sensitized to the conditions and experiences of others, only then can we make significant and lasting improvements in our society.

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners does hereby proclaim June 19th as:

"JUNETEENTH DAY"

In Calhoun County and encourages all citizens to participate in Juneteenth Day celebrations as permissible and to honor this great moment in the history of our nation.

Signed,
Steve Frisbie
Chair, Board of Commissioners

Res.102-2021

"Moved Comr. Hatcher second by Comr. Tompkins to approve the Juneteenth Day Proclamation as presented."

Comr. Hatcher thanked the Board for accepting the Proclamation and the acknowledgment of the need for diversity.

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

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Resolutions from Other Governmental Units to be Acknowledged

    a. Crawford County re: 4-Year County Commission Terms

B. Resolutions

1. 2020 Homeland Security Grant Program Intergovernmental Funding Agreement
2. Project Agreement for Kimball Pines Development Grant
3. Calhoun County Veterans Affairs Committee Reappointments (Terms to Expire June 3, 2025):
    a. Charles Baker
    b. Ronald Cady
4. Ratifying Approval of a Contract to Pave Emily Corlett South of Kiethen Way
5. Appointment to Calhoun County Community Mental Health Authority (dba Summit Pointe) Board of Directors (Term to Expire March 31, 2023):
    a. Frank Straub

Res.103-2021

"Moved Comr. Vette, second by Comr. Smith to approve the Consent Agenda of the June 17, 2021 Board of Commissioner's Regular Session as presented."

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

10. SPECIAL COMMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Tompkins shared that the Senior Millage Allocation Committee (SMAC) met on June 4 to approve the funding of the strategic project for the Albion Health Care Alliance and the CareWell Services Southwest strategic project.

Comr. Tompkins reported that the Solid Waste Committee recently met virtually and voted to change meetings to every other month. He added that Solid Waste Coordinator Sara Kelly informed the Committee of the success of recent recycling events.

Comr. Hatcher informed the Board that she recently met with residents and businesses within District 2 to discuss entrepreneurship endeavors.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR'S REPORT

A. County Administrator/Controller's Report

County Administrator/Controller Kelli Scott noted that Juneteenth (June 19) has just been added as a Federal Holiday and that Governor Whitmer declared June 17 as Essential Worker Appreciation day in Michigan.

Kelli Scott reported that on June 4, County Board Chair Steve Frisbie and she hosted a quarterly City/County meeting, via Zoom. The meeting provided an opportunity to exchange ideas with city and village managers and mayors in Calhoun County and talk about shared initiatives and concerns.

Administrator/Controller Scott reported that the FireKeepers Local Revenue Sharing Board (FLRSB) met virtually on June 4 and approved the disbursement of checks for nearly all of this year's Tier II, III and IV allocations totaling $4.8 million. She added that the FLRSB will meet one more time in 2021 to wrap up this year's business, including accepting the 2020 financial audit.

Ms. Scott noted that on June 7 the monthly Union Leadership Roundtable was held virtually. She added the HR/Labor Relations Director Kim Archambault and Scott gave updates to the union leadership about the revised County's Health Emergency Response Leave Policy based on new federal and state COVID-19 guidance and orders, and updates on the 457B retirement savings plan Consolidation project.

Kelli Scott shared that the Calhoun County Broadband Task Force held its second meeting on June 8. She noted that they discussed plans for the Merit Network to conduct a countywide survey starting mid-July to collect data about access to internet services.

Administrator/Controller Scott reported that she met as a new appointee with the Battle Creek Airport Advisory Board on June 9 virtually. She added that an overview and possible development plans for the airport and its property was discussed.

Ms. Scott mentioned the Calhoun County Veterans Affairs Committee met virtually on June 9. She noted that in his administrative update Director Aaron Edlefson provided information on the department's budget, its record digitization effort, and an opportunity to offer services to veterans from the County Building in Marshall.

Kelli Scott stated that on June 9 Calhoun County was approved by the Michigan Treasury Department to issue up to $30 million in planned Pension Obligation Bonds to pay remaining unfunded liabilities within our pension plan for the final two divisions recently closed to new hires. Scott added that this approval green-lights the sale of those bonds, which is scheduled to close on July 8.

Ms. Scott reported that the Marshall Area Economic Development Alliance (MAEDA) Board met on June 15 and reelected the same slate of officers for the 2021-2022 year and approved the FY2021-2022 budget. She noted that the Board also heard from CEO Jim Durian and MAEDA staff plans for summer activities and upcoming development projects.

Administrator/Controller Kelli Scott informed the Board that the Calhoun County Road Department (CCRD) and County Administration convened a meeting with Township Supervisors to discuss the possibility of working together to leverage American Rescue Plan Act Funds to invest in our roads. She noted that County Commissioners Gary Tompkins and Kathy-Sue Vette attended the meeting, along with several township supervisors and Road Department professional staff.

Kelli Scott shared that on June 15, the Calhoun County Visitors Bureau (CCVB) Board met virtually and heard updates from CEO Linda Freybler on tourism and sports related activities including this summer's baseball/softball schedules and resuming sales trips.

B. New Business

1. Lake Level Capital Project Fund Deficit Elimination Plan: Year 2.

Administrator/Controller Kelli Scott explained that the County is required by the State to submit deficit elimination plans for any funds included in Audited Financial Statements that end in one of two deficit situations. She added that at the end of fiscal year 2019 a $129,000 deficit existed in the Lake Level Capital Project Fund as a result of capital expenditures for lake level projects for which future assessments will be necessary; and that at the end of fiscal year 2020 a $37,000 deficit remained. In accordance with Public Act 140 of 1971, deficit elimination plans for the Lake Level Capital Project

Fund are required and must be approved by the County Board of Commissioners. Scott noted that this would be the Water Resource Commissioner's final year's plan to eliminate the deficit.

Res.104-2021

"Moved Comr. Vette, second by Comr. Hatcher to approve the Lake Level Capital Project Fund Deficit Elimination Plan: Year 2 as presented."

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

2. Staffing Allocation Request--Equalization Clerk.

Kelli Scott reported that Deputy Equalization Director, Tom Scott is requesting the addition of Equalization Clerk to the Authorized Staffing Allocations for the Equalization Department. She noted that the plan is for this individual to train with the current Office Administrator in preparation for a future vacancy. She added that the Equalization Clerk position will also assume additional duties due to the current retirement of the department's Property II Appraisers.

Res.105-2021

"Moved Comr. Vette, second by Comr. Miller to approve the Staffing Allocation Request--Equalization Clerk as presented."

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

3. Senior Services Strategic Project Contracts: Albion Health Care Alliance and CareWell Services.

Ms. Scott noted that funding to CareWell Services continues the partnership between the County, CareWell Services, Oaklawn and the City of Marshall to establish and operate a Marshall area senior center. . Scott added that funding to the Albion Health Care Alliance will help with food distribution to seniors and was also approved by the SMAC on June 4.

Res.106-2021

"Moved Comr. Tompkins, second by Comr. Vette to approve the Senior Services Strategic Project Contracts: Albion Health Care Alliance and CareWell Services as presented."

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

4. Board and Committee Appointment Policy (New).

Administrator/Controller Scott noted the commissioners discussed the board and committee appointment process during this year's Board orientation session and that in response, County Administration is recommending this new policy to better set forth the requirements and expectations for recruitment and participation on boards and committees. Scott said the hope was that this new policy will create improved structure, efficiency, accountability, diversity, and inclusion.

Comr. Smith and Hatcher thanked Kelli Scott and Administration for their work behind the creation of the new policy.

Res.107-2021

"Moved Comr. Hatcher, second by Comr. Smith to approve the Board and Committee Appointment Policy (New) as presented."

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

5. Revisions to the Standing Rules of the Board of Commissioners.

Administrator/Controller Kelli Scott reported that the revised Rules incorporate the Board and Committee appointment process in a more comprehensive manner.

Corporation Counsel, Jim Dyer noted the rules also now incorporate prior changes approved by the Board.

Res.108-2021

"Moved Comr. Hatcher, second by Comr. Miller to approve the Revisions to the Standing Rules of the Board of Commissioners as presented."

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

6. Calhoun County May 2021 Financials.

County Administrator/Controller Scott reported the financial statements now reflect the deposit of American Rescue Plan Act (ARPA) funds and highlighted other items mentioned in the summary memo issued by County Finance.

Res.109-2021

"Moved Comr. Tompkins, second by Comr. Vette to approve the Calhoun County May 2021 Financials as presented."

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

7. Updates to 2021 Fee Schedule.

Kelli Scott reported that as of May 2021, the User Fee Study has been finalized by consultants MGT and the results have been discussed with respective Department Heads and Elected Officials. She added that as a result of those discussions, County Administration and the Department Heads and Elected

Officials are recommending changes to a few fees County Wide that not only benefit the public as users of County Services, but in turn also benefit the County in an effort to recoup costs of providing those services or creating efficiencies associated with that service.

Comr. Smith and King confirmed there would be zero increase to seniors and the most vulnerable through a discount within the Clerk's Office fees.

<u>Res.110-2021</u>

"Moved Comr. Vette, second by Comr. Smith to approve the Updates to 2021 Fee Schedule as presented."

On a roll call vote, Yes – 4. No - 2, Absent (lost connection) – 1.
Yes - Comrs. King, Tompkins, Vette, Frisbie
No - Miller, Smith
Absent (no connection) – Hatcher
Motion **CARRIED**.

8. BCATS FY2022 Local Funding Resolution.

Ms. Scott explained that local funding for the Battle Creek Area Transportation Study (BCATS) is used to support the BCATS work program by matching available Federal transportation planning funds. She added that BCATS' work program also provides funds to the CCRD for traffic counts and asset management activities, and that the existence of BCATS makes it possible for local units of government to receive surface transportation, transit, rail, and Congestion Mitigation Air Quality (CMAQ) funds from the U.S. Department of Transportation.

<u>Res.111-2021</u>

"Moved Comr. Smith, second by Comr. King to approve the BCATS FY2022 Local Funding Resolution as presented."

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

9. Award of Construction Contract to Improve J Drive S. in Albion Township to Hoffman Brothers.

Ms. Scott noted the Calhoun County Road Department, in cooperation with Albion Township, have agreed to fund the repairs to J Dr. S between 27 Mile Rd. and M-99 at a 50/50 cost share. She added that the Albion Township Board approved an updated Local Road Agreement based on these revised bids on June 14, 2021.

<u>Res.112-2021</u>

"Moved Comr. Tompkins, second by Comr. Vette to approve the Award of Construction Contract to Improve J Drive S. in Albion Township to Hoffman Brothers as presented."

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

13. CITIZENS' TIME

There was none.

14. COMMISSIONERS' TIME

Comr. Tompkins and Hatcher wished colleagues a Happy Father's Day and upcoming July 4th.

Comr. King reported the sudden death of Marshall Police Chief Lankerd's daughter and sent condolences for the family.

15. CLAIMS PAYABLE

Res.113-2021

"Moved Comr. Hatcher, second by Comr. Miller to approve the Calhoun County Claims Payable for May 28, 2021 through June 9, 2021 in the amount of $2,783,883.85 as presented."

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

16. ANNOUNCEMENTS

Comr. Tompkins mentioned the upcoming events in Albion in celebration of Juneteenth Day.

Comr. Hatcher informed of events in Battle Creek in honor of Juneteenth Day.

17. CLOSED SESSION AS PERMITTED BY SECTION 8 (E) AND (H), OF THE MICHIGAN OPEN MEETINGS ACT TO DISCUSS PENDING LITIGATION

Res.114-2021

"Moved Comr. Vette, second by Comr. Tompkins to retire to closed session to discuss pending litigation."

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

Closed session commenced at 8:28 p.m.

Open session resumed at 9:21 p.m.

18. ADJOURNMENT

The meeting was adjourned at 9:21 p.m. at the call of the Chair.

smc

Susan M. Connolly
Deputy Clerk to the Board