

**PROCEEDINGS OF THE
BOARD OF COMMISSIONERS**

November 4, 2021

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, November 4, 2021 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. Gary Tompkins, Kathy-Sue Vette, Rochelle Hatcher, Jake Smith, Steve Frisbie, Derek King, and Tommy Miller.

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. Hatcher led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Res.182-2021

"Moved Comr. Smith, second by Comr. Hatcher to approve the agenda of the November 4, 2021 Regular Session of the Calhoun County Board of Commissioners, as presented."

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

5. APPROVAL OF MINUTES

Minutes of the October 21, 2021 Board of Commissioners' Apportionment Meeting.

Res.183-2021

"Moved Comr. Tompkins, second by Comr. Miller to approve the Minutes of the October 21, 2021 Board of Commissioners' Apportionment Meeting, as presented."

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

6. CITIZENS' TIME

A few residents of Battle Creek and Marshall expressed concerns related to the Health Department's COVID-19 quarantine order and the data supporting it, specifically as related to COVID-19 cases within certain school districts.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Sheriff Steve Hinkley shared an update on the proposed Sheriff's Department budget for 2022 and expressed appreciation to countywide elected officials and administration for working together to avoid major impacts on public safety.

Sheriff Hinkley announced the retirement of Emergency Management Services Coordinator Durk Dunham and introduced Lieutenant Chris Young, who pending Board of Commissioners approval within the current agenda, was recommended by the Sheriff for the position due to Lt. Young's experience and training.

8. SPECIAL ORDER OF BUSINESS

There was none.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Resolutions from Other Counties to be Acknowledged:
 - a. Muskegon County re: supporting Build Back Better grant application
 - b. Alger County re: opposing proposed Mental Health Code changes
 - c. Alger County re: requesting amendments to Open Meetings Act
 - d. Missaukee County re: supporting Vaccine Awareness and Medical Autonomy
 - e. Dickinson County re: supporting State ARPA Matching Programs for Counties
 - f. Branch County re: requesting amendments to Open Meetings Act

B. Resolutions

1. Municipal Employee Retirement System Generic Service Credit by Carol Brown

Res.184-2021

"Moved Comr. Miller, second by Comr. Smith to approve the Consent Agenda of the November 4, 2021 Board of Commissioner's Regular Session, as presented."

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

10. SPECIAL COMMITTEE/ WORKSHOP/BOARD REPORTS

Comr. Tompkins shared that the Calhoun County Broadband Taskforce met Nov. 4 and continued discussions regarding next steps.

Comr. Vette informed the Board that the Summit Pointe Board met Nov. 2 and welcomed new Board member Dr. Adrien Bennings, president of Kellogg Community College, and also heard a presentation on the First Step Program.

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 shared that the County's communications staff have improved the bi-weekly Board of Commissioners electronic report and are adding a new County newsletter on the alternate weeks with links to County events and news items.

Administrator/Controller Scott encouraged the Board and employees to take time to recognize community members during November, which is Native American Heritage Month and on November 11, Veteran's Day.

Kelli Scott reported that the federal government released its new OSHA Emergency Temporary Standard, which will require employers with 100 or more employees to mandate vaccinations or weekly negative test results for all employees who report to work in person. Ms. Scott added that the County will need to comply with rules adopted by MIOSHA, which are expected to be identical or similar to the OSHA rule.

B. New Business

1. Bid Award--Roadside Mowing RFP#127-21.

Administrator/Controller Kelli Scott explained that this bid provides for mowing and litter removal services on local and primary roads throughout Calhoun and Jackson Counties.

Comr. Hatcher questioned how vendors received notification of the bids and the process to submit an application.

Assistant Administrator Brad Wilcox replied that vendors self-register online on the County's purchasing software platform, which has been in use for approximately one year, adding that all prior vendors were notified of the new application process.

Res.185-2021

“Moved Comr. Vette, second by Comr. Miller to approve the Bid Award--Roadside Mowing RFP#127-21 to Wolfcreek Landscape Services LLC, as presented.”

Commissioner Miller stated that he would not be supporting this bid award because he feels that this mowing activity could be completed by Road Department employees and not outsourced.

On a roll call vote, Yes – 6, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, and King.

No -1, Comr. Miller.

Motion **CARRIED**.

2. Bid Award--Mineral Aggregate RFB#131J-21.

Ms. Scott stated that this bid is to offer pickup and/or delivery of a variety of aggregate materials required on County roads at the direction of the CCRD/JCDOT.

Kelli Scott noted the materials used in road construction are required to meet the latest Michigan Department of Transportation (MDOT) standard specifications and contractors are required to provide the Road Department with density testing per MDOT specification.

Res.186-2021

“Moved Comr. Tompkins, second by Comr. Miller to approve the award of one-year contracts with Carr Brothers & Sons Inc., Stoneco of Michigan, Lester Brothers Excavation, K & J Trucking LLC, and Trojan Sand and Gravel, to provide mineral aggregate material to the Calhoun County Road Department and Jackson County Department of Transportation for the 2021/2022 construction seasons based on their bid response to RFB#131J-21, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.

Motion **CARRIED**.

3. Bid Award--Elevator Maintenance RFP#117-21.

Kelli Scott stated that this bid award is for a qualified firm to provide monthly elevator maintenance and inspection for 9 elevators through the county buildings.

Administrator/Controller Scott added that the Purchasing evaluation team determined that Otis Elevator met the County's technical requirements, as well as excellent service call response time based on references and their proposal.

Res.187-2021

“Moved Comr. Vette, second by Comr. Miller to approve the Bid Award--Elevator Maintenance RFP#117-21 to Otis Elevator, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.
Motion **CARRIED**.

4. Bid Award--RFP#103-21: Agreement and Statement of Work with Tyler Technologies, Inc. to provide Enterprise Resource Planning (ERP) and Human Capital Management (HCM) software and implementation services.

Administrator/Controller Kelli Scott reported that the proposed software will allow the County to develop and integrate a single platform for all departments, including incorporating the Road Department's financial reporting and payroll functions.

Information Technology employee Sarah Grimm explained that the software advancements will improve the platform for various departments to work on the same system and offered to answer any questions.

Res.188-2021

"Moved Comr. Smith, second by Comr. Vette to approve Bid Award--RFP#103-21: the SaaS Agreement and Statement of Work with Tyler Technologies, Inc. to provide Enterprise Resource Planning (ERP) and Human Capital Management (HCM) software and implementation services, as presented."

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.
Motion **CARRIED**.

5. Calhoun County Parks Millage Operating Guidelines.

Kelli Scott reminded the Board that they appointed about ten years ago a 10-person committee of citizens as the Calhoun County Parks and Recreation Commission (PARC) to advise the ongoing efforts of the County Parks and Recreation Department. She added that on August 4, 2020, Calhoun County voters approved the Parks Millage, and noted that the proposed Parks Millage Operating Guidelines are intended to create a documented framework for how Parks Millage funds will be dispersed, spent, and monitored for the remainder of the millage duration.

Communications Department Manager Jennifer Bomba and the County Parks and Recreation Manager Doug Ferrall were present to answer any questions.

Ben Lark, a member of PARC, provided a status update on a few current projects and noted the increase in park usage the past year.

Comr. Miller stated that he wished that the millage allocations to the municipalities had been based on taxable value and not population, noting that certain townships feel they are not receiving their fair share of the millage. He added that based on the information provided by County administration,

he agreed with the notion that making that change to the allocation formula at this point would not be the right thing to do.

Res.189-2021

“Moved Comr. Vette, second by Comr. Smith to approve the Calhoun County Parks Millage Operating Guidelines, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.
Motion **CARRIED**.

6. Emergency Management Resolution and Designation of Emergency Services Coordinator.

Ms. Scott reported that Michigan’s Emergency Management Act requires a County to appoint an Emergency Management Coordinator. She added that the proposed resolution prepared by Corporation Counsel Jim Dyer both adopts a new emergency resolution for the County, and appoints a new County Emergency Management Coordinator, given the pending retirement of Durk Dunham.

Kelli Scott added the proposed Resolution formalizes the existing practice of locating the Emergency Management Coordinator in the Office of the County Sheriff.

Sheriff Steve Hinkley and Lt. Chris Young, appointed as the new Emergency Management Services Coordinator, again approached the Board and thanked them along with Durk Dunham for their support during this transition.

Res.190-2021

“Moved Comr. Tompkins, second by Comr. King to approve the Emergency Management Resolution, as presented and upon the recommendation of the Sheriff, appoints Lt. Christopher Young as Emergency Services Coordinator, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.
Motion **CARRIED**.

7. Retainer for Michael J. Watza and PROTEC Membership for Broadband Consulting Services.

Administrator/Controller Kelli Scott informed the Board that attorney Michael Watza, a partner with the firm of Kitch, Drutchas, Wagner and Valiutti, P.C. was being recommended to act as the coordinator for the pre-construction phase of a county-wide broadband system. She added that Mr. Watza proposes to lead a group of technical, regulatory, and financial consultants that would design and determine financial impact of the system. Scott also noted that the choice to select a different firm from Aspen Wireless, who had initially been selected, to complete a feasibility study , would assure the greatest possible participation and fairness to potential bidders and the County.

Ms. Scott added the resolution also would authorize the County to join as a member of PROTEC, a membership association of municipalities that advocates for right-of-way and other municipal regulatory issues, and that this membership also allows for a discount on the hourly rate to be charged within the legal retainer of Mr. Watza.

Res.191-2021

“Moved Comr. Smith, second by Comr. Vette to approve the Retainer Agreement with Michael J. Watza and PROTEC Membership for Broadband Consulting Services, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.

Motion **CARRIED**.

8. Sexual Assault Investigator Independent Contract and Memorandum of Understanding with the State of Michigan.

Administrator/Controller Scott reported the proposed contract extends through September 2022 the Memorandum of Understanding (MOU) between the Michigan Attorney General and Calhoun County Prosecutor David Gilbert for the prosecution of untested rape kit cases.

Kelli Scott added the proposed contract with Gerald Stonebraker implements the MOU by continuing his role as an investigator.

Prosecutor Dave Gilbert was present to answer any questions.

Res.192-2021

“Moved Comr. King, second by Comr. Tompkins to approve the Sexual Assault Investigator Independent Contract and Memorandum of Understanding with the State of Michigan, as presented.”

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.

Motion **CARRIED**.

13. CITIZENS' TIME

There was none.

14. COMMISSIONERS' TIME

Comrs. King, Miller and Frisbie shared their opposition to the vaccine and mask mandates.

15. CLAIMS PAYABLE

Res.193-2021

"Moved Comr. Miller, second by Comr. Vette to approve the Calhoun County Claims Payable for October 15, 2021 through October 28, 2021 in the amount of \$18,291,202.71, as presented."

On a roll call vote, Yes – 7, Comrs. Tompkins, Vette, Hatcher, Smith, Frisbie, King, Miller.
Motion **CARRIED**.

16. ANNOUNCEMENTS

Comr. Tompkins announced that the American Legion would be hosting a dinner the next weekend.

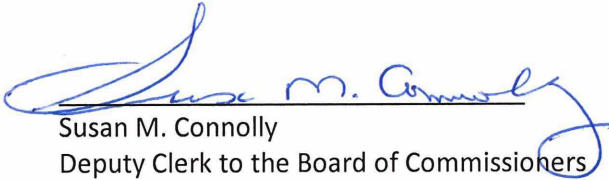
Comr. Tomkins offered Commissioner Kathy-Sue Vette and Prosecutor Dave Gilbert birthday wishes.

Comr. Miller announced that the Fairgrounds Board is still looking for volunteers to assist with the Merry Mile at the County Fairgrounds.

17. ADJOURNMENT

The meeting was adjourned at 8:07 p.m. at the call of the Chair.

smc


Susan M. Connolly
Deputy Clerk to the Board of Commissioners