

**PROCEEDINGS OF THE
BOARD OF COMMISSIONERS**

December 16, 2021

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, December 16, 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. Jake Smith, Steve Frisbie, Derek King, Tommy Miller, Gary Tompkins, and Kathy-Sue Vette

Absent: Comr. Rochelle Hatcher

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, three grandchildren of retiring Chief Deputy Clerk of Elections Teri Loew led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Res.220-2021

"Moved Comr. Vette, second by Comr. Miller to approve the agenda of the December 16, 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 December 2, 2021 Board of Commissioners' Regular Meeting.

Res.221-2021

"Moved Comr. Tompkins, second by Comr. Smith to approve the Minutes of the December 2, 2021 Board of Commissioners' Regular Meeting, as presented."

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

6. CITIZENS' TIME

There was none.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Sheriff Steve Hinkley encouraged the Board's support for additional State funding the Secondary Road Patrol program, which was an item of new business before the Board of Commissioners that evening. Sheriff Hinkley thanked his department for their hard work and dedication this year and wished them a happy holiday.

County Clerk/Register of Deeds Kimberly Hinkley expressed her gratitude to Teri Loew and her years of exemplary service. Clerk Hinkley informed the Board that Jill Stout of Fredonia Township will now serve as Chief Deputy Clerk of Elections with the Clerk and Register of Deeds. Mrs. Hinkley shared that there will be an Expungement Clinic scheduled for February 23, 2022.

State Representative Jim Haadsma expressed his gratitude to Teri Loew for her years of service to the County.

8. SPECIAL ORDER OF BUSINESS

A. *Proclamation - Retirement of Emergency Manager Durk Dunham*

Comr. Smith read the Proclamation into the record:

PROCLAMATION OF THE CALHOUN COUNTY BOARD OF COMMISSIONERS FOR THE RETIREMENT OF EMERGENCY MANAGER DURK DUNHAM

WHEREAS, Durk Dunham has served as Emergency Manager for 13 years during the tenure of Sheriffs Al Byam, Matt Saxton, and Sheriff Hinkley, leading emergency response to major incidents in Calhoun County and providing risk management assistance countywide; and

WHEREAS, Durk was hired by Calhoun County Sheriff Al Byam in 2008 after serving as a volunteer Special Deputy Sheriff with Emergency Services since 1993; and before being hired into this role, Durk was Director of Admissions at Olivet College, a firefighter with the City of Marshall, a member of the Michigan Sheriff's Association, and held countless crisis and emergency trainings and certifications; and

WHEREAS, Durk was a leading emergency manager in response to the oil spill that took place in 2010 when 800,000 gallons of oil polluted the Kalamazoo River and included EPA involvement to handle the cleanup, Durk Dunham played a crucial role in keeping residents safe and ensuring the situation was handled properly; and

WHEREAS, Durk Dunham has played a huge role in the management and logistics of Calhoun County's Countywide COVID-19 Emergency Operations Center by creating the link between our local response to state and federal resources; moderating weekly meetings among the Unified Command Team, the Joint

Operations Center, and the Joint Information Center Briefings; and connecting resources to ensure an efficient and effective public health response; and

WHEREAS, Durk has been committed to the community as we faced emergencies or prepared for potential threats, notably leading operations during straight-line winds that devastated the region in May 2001 and assisting with the acquisition of LESO Equipment from the federal government, as well as serving as a board member of the Michigan State Police Division of Emergency Management & Homeland Security for many years, leading the Calhoun County Local Emergency Planning Committee, and starting multiple volunteer Emergency Manager programs such as CERT, which assisted the Sheriff's Office with body recovery searches and more; and

WHEREAS, Durk's leadership as Emergency Manager has improved the standard of emergency management in Calhoun County, his organization skills and warm personality have improved relationships between essential service organizations in Calhoun, and his passion for helping people during the most stressful times has improved the lives of our residents;

NOW, THEREFORE, BE IT RESOLVED, the Calhoun County Board of Commissioners expresses its most sincere appreciation to Durk Dunham for his years of service to Calhoun County and its residents.

Signed: Steve Frisbie, Chairman, Calhoun County Board of Commissioners

Res.222-2021

“Moved Comr. King, second by Comr. Vette to approve the Proclamation - Retirement of Emergency Manager Durk Dunham, as presented.”

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

B. Proclamation - Retirement of Chief Deputy Clerk of Elections Teri Loew

Comr. Tompkins read the Proclamation on the record:

TRIBUTE TO TERI S. LOEW

WHEREAS TERI S. LOEW, Chief Deputy Clerk of Election with the Clerk and Register of Deeds, will retire from her position on December 31, 2021; and

WHEREAS Teri was hired as an Accounting Clerk 1 on March 31, 1992; her skills for accuracy and detail were evident early on in her career. On March 22, 1993 Teri was re-classified as an Administrative Secretary in the Clerk and Register of Deeds office when the Finance Department became its own separate department. Teri was re-classified as our Elections Specialist on July 18, 1994. She was then promoted as the Chief Deputy Clerk of Elections for the Clerk and Register of Deeds on November 30, 2012; and

WHEREAS Teri's election knowledge, excellent attention to detail, fortitude and compassion are just a few of the many characteristics that define her legacy; and

WHEREAS God, family and community is everything to Teri as evidenced by her love for her husband Dan, her daughter, Kristin, her son Michael and her son Daniel Jr, wife Erin and grandchildren Daniel III, Johannah, Isaiah and Elijah. The many organizations she has dedicated her time and talents to such as The Gideons International, North Athens Baptist Church, Athens Area Youth Council, Athens Community School Boosters, Athens Area Community Foundation, and the 4-H Swine Club; and

WHEREAS Teri's almost 30 years of employment have been marked by loyalty, dedication, and commitment to public service; and

WHEREAS Teri will be greatly missed by her fellow Calhoun County employees, co-workers and the more than 23 current and past local city and township Clerks, as well as the citizens she has served.

NOW, THEREFORE, BE IT RESOLVED by the Calhoun County Board of Commissioners that Teri S. Loew is hereby honored and thanked for her many years of dedicated service to Calhoun County and its citizens. We offer Teri our very best wishes for a healthy, happy, and well-deserved retirement.

Signed: Steve Frisbie, Chairman Calhoun County Board of Commissioners and Kimberly Hinkley, Calhoun County Clerk and Register of Deeds

Res.223-2021

"Moved Comr. Vette, second by Comr. King to approve the Proclamation - Retirement of Chief Deputy Clerk of Elections Teri Loew as presented."

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

C. Countywide Public Transit Presentation

Calhoun County Deputy Community Development Director Doug Ferrall and City of Battle Creek Public Transit Director Mallory Avis shared a brief presentation summarizing the progress of the recent countywide public transit study, and the City of Battle Creek's "BC Go" pilot program that launched in March 2021. Ms. Avis mentioned three service scenarios being considered for a new countywide transit system.

Mr. Ferrall gave an overview of the primary goals for a proposed joint meeting of the County Board of Commissioners and boards of each city within Calhoun County, recommended to be scheduled for January 26, 2022.

Comr. Miller questioned whether there are alternatives to the BC Go mobile transit app for those who are unable to access the mobile app. Mallory Avis replied that yes, the City maintains a central dispatch call center and that rides can be scheduled simply by calling the center as an alternative to booking rides on the mobile app.

Comr. Smith asked what type of vehicles would be used and whether there was consideration for why Calhoun County has not had services offered by Uber or Lyft. Avis replied that the consultants' study did not explore why the private sector is inadequate for public transportation within the County, and instead focused on how to fill this critical gap in service for our residents.

Comr. Frisbie noted that the, Administrator/Controller Kelli Scott and Doug Ferrall have been attending meetings of City and County managers, mayors, and board chairs, and that this group has been serving as the steering committee for planning for a countywide transit system.

9. CONSENT AGENDA

A. Petitions, Communications, Reports

1. Resolutions from Other Counties to be Acknowledged:
 - a. Cheboygan County re: Opposition to Legislation Related to Mental Health Services
 - b. Alpena County re: Support for State ARPA Funds Match Program

B. Resolutions

1. Senior Millage Allocation Committee Appointment:
 - a. Shirley Tuggle, to replace Art Kale (Term ending April 30, 2024)
2. 2022 Application for Survey & Remonumentation Grant
3. Community Action Senior Transportation Program Contract Amendment for Fiscal Years 2022 & 2023
4. Confirm Previous BOC approval and Authorize CCRD Managing Director to sign the MDOT State Trunkline Maintenance Contract from 10-1-2021 to 9-30-2026
5. Voluntary Recognition Agreement with TPOAM & Road Workers
6. Emergency Management Performance Grant Agreement for \$18,128 in Supplemental ARPA Funding for 10/1/20-9/30/21
7. Approval of Resolutions Concerning the Partial Settlement of the National Opioid Litigation
8. Scheduling of the 2022 Board of Commissioners Organizational Session for Thursday, January 6, 2022, at 7:00 p.m.
9. MERS Service Credit Purchase – Bradley Morgan

Res.224-2021

“Moved Comr. Vette, second by Comr. Miller to approve the Consent Agenda of the December 16, 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 Senior Millage Allocation Committee (SMAC) met on December 3 and approved the recommendation of Shirley Tuggle from Bedford Township to become a member. He added that the Committee also approved its 2022 meeting schedule, a mini-grant request for Marshall Lion's Club Dial-A-Ride Partnership, the addition of an educational program about bed bugs to the Bed Bug Remediation Minimum Service Standards, a contract amendment for Senior Transportation, and an increase in the income limit to 250% of poverty for 2022.

Comr. Tompkins reported that the Calhoun County Solid Waste Advisory Committee met and reviewed the volume of hazardous waste collected from recent County-hosted events.

Comr. Frisbie shared that the Calhoun County Consolidated Dispatch Authority Budget for 2022 has been approved.

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 expressed her appreciation to Teri Loew and Durk Dunham for their years of dedicated service to the County.

Administrator/Controller Scott noted for the Board's information that the new Telecommuting (Remote Work) Board Policy is being implemented starting January 1.

Kelli Scott reported that according to the Open Meetings Act, starting January 1, 2022 public bodies will be required to meet in-person with exceptions only for members away on military duty.

Ms. Scott informed the Board that the next meeting of the Board of Commissioners will be on January 6, 2022, and that the Board's primary duty for that organizational meeting will be to elect a vice-chair for 2022.

B. New Business

1. Professional Services Agreement for Brownfield Grant Cleanup Activities.

Administrator/Controller Kelli Scott shared that this agreement is being managed by Community Development Director Jen Bomba and Assistant County Administrator Brad Wilcox.

Ms. Scott added that the grant-funded agreement will support the selection of a consultant for the performance of the excavation of the contaminated mound next to the Justice Center in Battle Creek in compliance with EPA rules and manage remediation activities.

Res.225-2021

"Moved Comr. Vette, second by Comr. Miller to approve the Professional Services Agreement for Brownfield Grant Cleanup Activities, as presented."

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

2. Supplemental Grant Appropriation for the Secondary Road Patrol Program.

Ms. Scott reported that Calhoun County has participated in the Secondary Road Patrol grant since 1978 and currently has two deputies assigned, and that originally the grant funding was reduced to an amount covering the cost of only one deputy. She added that this supplemental appropriation restores funding for the second deputy and helps the County's General Fund budget.

Res.226-2021

"Moved Comr. King, second by Comr. Tompkins to approve the Supplemental Grant Appropriation for the Secondary Road Patrol Program, as presented."

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

3. CCRD Pothole Patching RFP#126-21 Contract Recommendation.

Kelli Scott noted that Road Department Manager John Midgley was present to answer any questions along with Assistant County Administrator Brad Wilcox.

Administrator Controller Scott stated the Pothole Patching Request for Qualification (RFQ) process was designed to pre-qualify contractors that are eligible for selection to provide pothole patching on Calhoun County roads for the 2022 road maintenance season.

Ms. Scott noted five contractors were pre-qualified and selected based on their qualifications and hourly rates for pothole patching. She added that as with past years, the CCRD will award work for each individual project based on the contractor's capacity to complete the work.

Res.227-2021

"Moved Comr. Vette, second by Comr. King to approve CCRD Pothole Patching RFP#126-21 Contract Recommendation, as presented."

On a roll call vote, Yes – 4, Comrs. Frisbie, King, Tompkins, and Vette.
No - 2, Comrs. Smith and Miller.
Absent - 1, Comr. Hatcher.
Motion **CARRIED**.

4. MSU Extension Services Agreement for 2022.

Administrator/Controller Kelli Scott explained that this agreement establishes a mechanism for delivering MSU Extension programming within Calhoun County, with the 4-H Coordinator and clerical staff both to be employees of MSU.

Res.228-2021

“Moved Comr. Tompkins, second by Comr. Vette to approve the MSU Extension Services Agreement for 2022, as presented.”

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

Absent – 1, Comr. Hatcher

Motion **CARRIED**.

5. 2021 Final Budget Amendments.

Kelli Scott shared the Controller-Finance Department reviewed all budgetary funds and received input from elected officials and department heads to determine necessary budgetary adjustments based on final projected balances for revenues and expenditures for 2021.

Res.229-2021

“Moved Comr. Vette, second by Comr. Smith to approve the 2021 Final Budget Amendments, as presented.”

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

Absent – 1, Comr. Hatcher

Motion **CARRIED**.

6. Calhoun County November 2021 Financials.

Ms. Scott mentioned the acceptance of the November 2021 financials is for informational purposes only.

Res.230-2021

“Moved Comr. Tompkins, second by Comr. King to approve the Calhoun County November 2021 Financials, as presented.”

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

7. APAA Collective Bargaining Agreement 2022-2023.

Human Resources Manager Kim Archambault summarized the terms of the collective bargaining agreement and noted the addition of a step to a new seven-step wage scale and various other improvements to the agreement.

Res.231-2021

“Moved Comr. King, second by Comr. Vette to approve the APAA Collective Bargaining Agreement 2022-2023, as presented.”

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

8. AFSCME 2022-2024 Collective Bargaining Agreement.

Human Resources Manager Kim Archambault noted that this agreement is related to a small group of supervisors and office managers.

Kim Archambault added that the agreement is for the time period of 2022-2024 and that it had already been ratified by the membership.

Res.232-2021

“Moved Comr. Vette, second by Comr. Smith to approve the AFSCME 2022-2024 Collective Bargaining Agreement, as presented.”

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

9. Contract to Construct a Storage Facility on County Property.

Corporation Counsel Jim Dyer shared the new facility is proposed to be located at the Road Department property and that it is needed to alleviate issues with the current facility being used for personal property storage by both the Treasurer and Sheriff, who obtain the property through foreclosures and abandonments.

Treasurer Brian Wensauer shared information related to the foreclosure of the property in question and the benefits of building the storage facility.

Mr. Dyer noted that the contracts with the vendors on this project would be subject to the County Purchasing Policy 405, with the County Administrator/Controller authorized to approve and sign any contract up to the budgeted maximum.

Mr. Dyer added that the project will be funded by the Treasurer through the Delinquent Tax Revolving Fund, which permits expenditure of funds to support the tax foreclosure process.

Res.233-2021

“Moved Comr. Vette, second by Comr. Smith to approve the Contract to Construct a Storage Facility on County Property, as presented.”

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

13. CITIZENS' TIME

Matt Hall of Sheridan Township expressed his gratitude of his years as an employee of the former Road Commission and the current Road Department, and shared that he is moving to Cheboygan County to manage their Road Commission.

14. COMMISSIONERS' TIME

Comr. Tompkins acknowledged Amelia Hoffman , a 5-year-old who called 911 to help her mother who had a diabetic reaction.

Comr. Smith expressed disappointment with the amount being proposed for the partial National Opioid Litigation settlement, noting his belief that the amount was drastically low given the potentially much larger long-term effects of opioid abuse within the County.

Comr. King expressed his condolences to the staff at Summit Pointe related to the shooting event that occurred this week in their parking lot, and also offered his prayers to Judge Tomak's family for her husband's health.

Comr. Frisbie noted that the Michigan Legislature approved changing the terms of Boards of Commissioners to 4-year terms , stating with the 2024 election.

15. CLAIMS PAYABLE

Res.234-2021

"Moved Comr. Miller, second by Comr. Smith to approve the Calhoun County Claims Payable for November 24, 2021 through December 8, 2021 in the amount of \$5,309,907.33, as presented."

On a roll call vote, Yes – 6, Comrs. Smith, Frisbie, King, Miller, Tompkins, and Vette.
Absent – 1, Comr. Hatcher
Motion **CARRIED**.

16. ANNOUNCEMENTS

There was none.

17. ADJOURNMENT

The meeting was adjourned at 8:15 p.m. at the call of the Chair.

smc

Susan M. Connolly
Deputy Clerk to the Board of Commissioners