

**PROCEEDINGS OF THE
BOARD OF COMMISSIONERS**

DECEMBER 15, 2022

1. Call to Order/Roll Call

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00p.m., Thursday, December 15, 2022, 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. Steve Frisbie, Derek King, Tommy Miller, Gary Tompkins, and Rochelle Hatcher.

Excused: Comr. Kathy-Sue Vette.

Resigned: Comr. Jake Smith.

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

2. Moment of Silence/Invocation

Chair Frisbie called a Moment of Silence.

3. Pledge of Allegiance

Comr. Tompkins led the Pledge of Allegiance.

4. Approval of Agenda

Res.199-2022

"Moved Comr. Tompkins, second by Comr. Hatcher to approve the agenda of the December 15, 2022, 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 December 1, 2022 Board of Commissioner's Regular Meeting*

Minutes of the December 1, 2022, Board of Commissioners' Regular Meeting.

Res.200-2022

"Moved Comr. Tompkins, second by Comr. Miller to approve the Minutes of the December 1, 2022, Board of Commissioners' Regular Meeting, as presented."

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

6. Citizens' Time

Cathy Jar addressed the board related to an MDOT denial for a Deaf Child road sign.

Rep. Haadsma thanked Comr. Tompkins for his years on the board and welcomed Comrs. Thompson and French. Mr. Haadsma also provided an update on matters in the Michigan House of Representatives.

7. Elected/Appointed County Officials' Comments

Prosecutor Dave Gilbert thanked Comrs. Tompkins and Smith for their time on the board and welcomed Comrs. Tompson and French.

Assistant Director of Community Development Doug Ferrall provided an update on the grant award for the Ott Preserve in the amount of \$250,000 and the future installation of public restrooms.

8. Special Order of Business

A. BCATS Holiday Season Resolution: Drive Sober or Get Pulled Over Campaign

Comr. King read onto the record:

2022 Holiday Season National Enforcement Mobilization Campaign
December 16, 2022 – January 1, 2023
“Drive Sober or Get Pulled Over”

WHEREAS, motor vehicle crashes involving alcohol (with at least one driver with a blood alcohol concentration of .08 grams per deciliter or above) still accounted for approximately 1/3 of all motor vehicle traffic fatalities in 2020 and injure hundreds of thousands more every year in the United States; and

WHEREAS, the Christmas and New Year’s holiday periods from mid' December through January 1st are traditionally one of the most deadly times of the year for alcohol-impaired driving, more than any other holiday period in 2020 for example; and

WHEREAS, in 2020 one person was killed every 45 minutes in a drunk-driving crash (as compared to every 52 minutes in 2019) in the United States and there were 11,654 persons killed in drunk-driving crashes in the United States that year; and

WHEREAS, drivers must remember that driving impaired by any substance, drugs (legal or illegal) or alcohol, is illegal and potentially deadly for themselves, passengers, and other road users; and

WHEREAS, based on December 2020 crash figures, male drivers were three times more likely to be involved in a fatal crash involving alcohol than female drivers, and drivers ages 21-34 accounted for the highest percent (26%) of alcohol impaired fatalities that month; and

WHEREAS, organizations across the nation are joining together to promote Holiday Season National Enforcement Mobilization to remove impaired drivers from the roadways under the “Drive Sober or Get Pulled Over” national public awareness campaign during the December 16, 2022 – January 1, 2023 time period;

NOW, THEREFORE, We, the Calhoun County Board of Commissioners, do hereby recognize the 2022 Holiday Season National Enforcement Mobilization effort from December 16, 2022 – January 1, 2023 under the "Drive Sober or Get Pulled Over" campaign. We call upon everyone to promote awareness of the impaired driving problem, to promote safer and healthier behaviors regarding the use of alcohol and all drugs, and to promote the awareness campaign this holiday season and throughout the year.

Dated: December 15, 2022

Signed: Steve Frisbie, Chair Calhoun County Board of Commissioners

Res.201-2022

"Moved Comr. King, second by Comr. Hatcher to approve the resolution as requested from the Battle Creek Area Transportation Study (BCATS), recognizing the 2022 Holiday Season National Enforcement Mobilization effort from December 16, 2022 – January 1, 2023 under the "Drive Sober or Get Pulled Over" campaign, as presented."

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

9. Consent Agenda

A. Petitions, Communications, Reports

1. Financial Statements for Information Only November 2022

B. Resolutions

1. FEMA Public Assistance Grant Agreements

2. CCRD 2023 Heavy Equipment Financing Resolution

3. Scheduling of the 2023 Board of Commissioners Organizational Session

4. Senior Millage Contract Amendment: Adult Day Care Program

5. Senior Millage Contract Amendment: Dental Program

6. CCRD Grant: T Drive NorthTree Removal

7. Rescind outdated Resolution 25-1996 that is no longer applicable

Res.202-2022

"Moved Comr. Tompkins, second by Comr. Miller to approve the Consent Agenda of the December 15, 2022, Board of Commissioners' Regular Session, as presented."

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

10. Special Committee/Workshop/Board Reports

Comr. King reported that the Calhoun County Land Bank Authority Board met on Dec.15 to review their budget, and to discuss future funding by the County Treasurer's Office.

Comr. King shared that the Battle Creek Area Transportation Study (BCATS) Policy Board also met today and discussed recent projects, including the Wattles Road project scheduled to start in 2023.

Comr. Frisbie reported that the Calhoun County Consolidated Dispatch Authority and the County successfully priced the upcoming \$16M in capital improvement bonds with favorable rates given current economic conditions.

11. Unfinished and Old Business

There was none.

12. New Business and County Administrator's Report

A. *Administrator/Controller's Report*

County Administrator/Controller Keli Scott shared information related to the sale of the 911 capital improvement bonds previously mentioned by Board Chair Stever Frisbie, noting that the process also included the County, as the financing agent, receiving a reaffirmed 'AA' bond rating with stable outlook from Standard & Poor's.

Ms. Scott reported that the Calhoun County Broadband Task Force met recently and will receive the contracted feasibility study in January.

Administrator/Controller Scott noted that this is the last meeting of the year, and so Administration and the 2021-22 Board Chair will be scheduling a board orientation session after the beginning of the new year.

B. *New Business*

1. *2023 Contracts for County Equalization Director and Appraisal services.*

County Administrator/Controller Kelli Scott explained that these contracts are a continuation of current contracts for the services of Matt Hansen, Equalization Director and CSZ Services, the contractor engaged to perform over 700 appraisals for the County annually.

Deputy Equalization Director, Tom Scott was present to answer any questions.

Res.203-2022

"Moved Comr. Hatcher, second by Comr. Tompkins to approve the contracts with Mathew Hansen to provide MMAO (Level IV) equalization services, and with CSZ Services, LLC to provide appraisal services for 2023, as presented."

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette

Resigned - 1, Comr. Smith
Motion **CARRIED.**

2. Revisions to Policy #310 - Employee Classification and Compensation

Ms. Scott informed the Board that the revisions to Policy 310 are to clarify discrepancies between union contracts and the current policy for nonunion employees related to overtime, compensatory time and employees who are called in for emergencies.

Res.204 -2022

“Moved Comr. Miller, second by Comr. Hatcher to approve changes to Policy #310, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED.**

3. CCRD Federal Aid MDOT Contract: Morgan Road Project - Phase II

Administrator/Controller Scott noted that the contracts relate to planned Morgan Road improvements. Ms. Scott noted of the 1 million dollars, 85% are from grant funds with 15% from the Road Department.

Res.205-2022

“Moved Comr. Miller, second by Comr. Hatcher to approve the Michigan Department of Transportation Contract #22-5510: Morgan Road Project - Phase II, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED.**

4. 2023 Contracts: Workers Compensation

Kelli Scott reported that the two contracts for Worker's Compensation coverage included one for claims administration and loss prevention, and one for excess coverage.

Res.206-2022

“Moved Comr. Tompkins, second by Comr. Hatcher to approve the 2023 Contracts: Workers Compensation, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED.**

5. *Tax Foreclosure Excess Proceeds Class Action Settlement Agreement*

Ms. Scott reported that this item was discussed previously with the Board during a closed session, and that the resulting attached Resolution is agreed upon with the outside legal Counsel for the Treasurer's Office along with Corporation Counsel Jim Dyer.

Kelli Scott noted that the County believes there are sufficient funds on hand to cover expected settlement payments within the foreclosure fund within the Delinquent Tax Revolving Fund.

Res.207-2022

“Moved Comr. Miller, second by Comr. Hatcher to adopt, as presented, the Resolution approving the Settlement Agreement to permit Calhoun County's participation in a class action settlement in the case of Wayside Church v. Van Buren County, et al., pending as case number 1:14-cv01274, in the US District Court for the Western District of Michigan, authorizes payment of claims from the appropriate foreclosure account of the Delinquent Tax Revolving Fund, authorizes payment of a pro rata share of the expenses of the Claims Administrator, and further authorizes the settlement of all claims properly made according to the terms of the settlement agreement.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

6. *2023 Agreement for MSU Extension Services*

Administrator/Controller Scott highlighted the terms of the renewal for 2023 with MSU Extension for the 4-H program, educator services, and support staff, with office space provided by the County.

District Director Julie Pioch was available to answer any questions.

Res.208-2022

“Moved Comr. Hatcher, second by Comr. Tompkins to approve the 2023 Agreement for Extension Services provided by Michigan State University (MSU), as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

7. *2022 Year-End Budget Amendments*

County Administrator/Controller Kelli Scott summarized the year-end budget amendments, highlighting the nearly \$1M in both revenue and expenses in Community Development for the Marshall Mega Site plans funded by state grants.

Finance Director Megan Banning was present to answer any questions.

Res.209-2022

“Moved Comr. Hatcher, second by Comr. Tompkins to approve the FY 2022 Year-End Budget Amendments for the General Fund and several Special Revenue Funds, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

8. Calhoun County Parks Spark Grant

Ms. Scott reported that this grant opportunity was new and resulted from federal COVID response funds through the State, and that the County Parks Department would be submitting an application for just under \$1M in Historic Bridge Park improvements.

Doug Ferrall was available to answer any questions related to the application or projects planned.

Res.210-2022

“Moved Comr. King, second by Comr. Hatcher to approve the submission of a grant application titled, “Historic Bridge Park Access Expansion” to the Spark grant program for ADA access improvements, event area, boardwalk replacement, and site furnishings at 14930 Wattles Rd., Battle Creek, in the amount of \$971,000, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

9. UAW-Road Collective Bargaining Agreement 2023-2025

Kelli Scott noted the agreement includes employees within the Road Department including front-line supervisors and office and engineering staff.

Human Resources Director Kim Archambault noted that she had sent to the Board a summary of the terms of the agreement, adding that the agreement was ratified after two days of negotiating.

Comr King shared the employees report they are happy with the ratification.

Res.211-2022

“Moved Comr. King, second by Comr. Miller to approve the UAW-Road collective bargaining agreement for 2023-2025, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

13. Citizens' Time

There was none.

14. Commissioners' Time

Comr. Tompkins noted it was his final meeting and shared his appreciation for his 6 years on the board.

Comr. Hatcher thanked Comr. Tompkins for his years on the board and it was noted by all commissioners.

15. Claims Payable Listing

- A. *Claims Payable for November 23, 2022 through December 7, 2022 in the amount of \$2,808,217.45*

Res.211-2022

“Moved Comr. Tompkins, second by Comr. Hatcher to approve the Calhoun County Claims Payable for November 23, 2022 through December 7, 2022, in the amount of \$2,808,217.45, as presented.”

On a roll call vote, Yes – 5, Comrs. Frisbie, King, Miller, Tompkins, and Hatcher
Excused - 1, Comr. Vette
Resigned - 1, Comr. Smith
Motion **CARRIED**.

16. Announcements

Comr. Miller shared the success of the Merry Mile at the fairgrounds and the recent turnout.

17. Adjournment

The meeting was adjourned at 7:47p.m. at the call of the Chair.

smc

Susan M. Connolly
Deputy Clerk to the Board of Commissioners