

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

October 18, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, October 18, 2007 in the Battle Creek City Commission Chambers, Battle Creek City Hall, 10 North Division Street, Battle Creek, Michigan.

Roll Call: Present: Comrs. Bolger, Moore, Rae, Segal, Solis and Todd. Temporarily Excused: Comr. Arnquist (Arrived at 7:03 p.m.)

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Silent Prayer was observed; followed by the Pledge of Allegiance, led by Comr. Bolger.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Rae, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the October 18, 2007 agenda and addendum, as amended, to remove Item 12.A. (4) - Amendment of County Purchasing Policy No. 405 and add Revised Item 12.A. (6) - FY 2008 Elected Officials’ Salary Increase.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Bolger, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the September 20, 2007 minutes as presented.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

Domestic Violence Awareness Month Proclamation

Chairwoman Segal read and presented the following proclamation to Prosecutor Hallacy.

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Res. 156-2007

“Motion by Comr. Bolger, supported by Comr. Moore, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, the month of October 2007 has been designated as Domestic Violence Awareness Month; and

WHEREAS, in the United States a woman is beaten every 15 seconds; and

WHEREAS, in 2006, Calhoun County Law Enforcement Agencies responded to 2,566 calls for service involving Domestic Violence; and

WHEREAS, in 2006, 745 felony and misdemeanor arrest warrants involving Domestic Violence were issued by the Calhoun County Prosecutor’s Office.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that October 2007 is recognized as Domestic Violence Awareness Month in Calhoun County. The Calhoun County Board of Commissioners thank and recognize those Victims of Domestic Violence, the staff and volunteers at S.A.F.E. Place Domestic Violence Shelter, members of the Calhoun County Domestic Violence Coordinating Council, the Calhoun County Prosecutor’s Office, Law Enforcement and Service Agencies, who, through their cooperative effort in coordinating the events of Domestic Violence Awareness Month have helped to bring attention to the issues surrounding Domestic Violence, to educate our communities regarding Domestic Violence and to prevent the occurrence of Domestic Violence.”

Voice Vote: Motion CARRIED

Prosecutor John Hallacy thanked the Board for supporting the proclamation, and Chairwoman Segal for her work as a celebrity dinner waitress. Prosecutor Hallacy advised that the Office shall be providing information on Saturday from 10:00 a.m. to 2:00 p.m. at Lakeview Square Mall.

Breast Cancer Awareness Month Proclamation

Chairwoman Segal read the following proclamation, advising that it shall be presented to Melissa Jaconette for her work.

Res. 157-2007

“Motion by Comr. Solis, supported by Comr. Todd, resolved by the Calhoun County Board of Commissioners approve the following proclamation:

WHEREAS, breast cancer will claim the lives of an estimated 40,110 women and 470 men this year and another 211,240 new cases of invasive breast cancer will be diagnosed among women; and

WHEREAS, 100 women were diagnosed with breast cancer in Calhoun County in 2002 and 23 died from the disease; and

WHEREAS, breast cancer is the most common form of cancer among women, excluding skin cancers; and

WHEREAS, breast cancer is the second leading cause of cancer death among all women and the leading cause of cancer death among women between ages 40 and 55; and

WHEREAS, breast cancer can often be treated most successfully if detected early on; and

WHEREAS, education, regular clinical and self-examinations, regular mammograms, and biopsies (when appropriate) are critical to detecting and treating breast cancer in a timely manner; and

WHEREAS, the American Cancer Society recommends that all women aged 40 and over have annual screening mammograms and clinical breast examinations by health professionals, that women aged 20 to 39 have clinical examinations every 3 years, and that all women aged 20 and over perform a breast self-examination every month.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners support the observance of Breast Cancer Awareness Month in order to provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms; and commend the role played by community organizations, including the Southwest Michigan Affiliate of the Susan G. Komen Breast Cancer Foundation, and health care providers, including the Calhoun County Department of Public Health, in promoting awareness of the importance of regular clinical and self-examinations, regular mammograms, and biopsies (when appropriate), and in providing information, support, and access to services.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 158-2007

“Motion by Comr. Bolger, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following October 18, 2007 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice of a public hearing scheduled for October 16, 2007 regarding granting an Industrial Facilities Exemption Certificate to II Stanley Company, Inc. received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Jager)

B. Resolutions:

- (1) Calhoun County Youth Council Appointment
 - {a} Kate Segal --Term Expires December 31, 2008"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Road Commission Workshop

Chairwoman Segal advised regarding the process for filling the new Road Commissioner positions; e.g., November 15, 2007 at 5:00 p.m. is the deadline for receipt of applications, the Board of Commissioners shall rate the applications based upon criteria that shall be made available, the Road Commission Selection Committee shall conduct the interviews. Chairwoman Segal continued that after the interviews are conducted there will be a meeting with the Road Commission that shall be open to the public. The selection committee will provide a recommendation to the Board of Commissioners no later than the last Board meeting of the year. Chairwoman Segal advised that Road Commissioner qualifications will be available in the Board Office.

UNFINISHED AND OLD BUSINESS -- Calhoun County Animal Shelter Invoices:

County Administrator/Controller Greg Purcell advised that the invoices were tabled at the previous Board meeting, however, that the invoices were scheduled for early release and the checks were issued prior to the Board's action. Mr. Purcell stated that another invoice is being held. Mr. Purcell advised that Mr. Wilcox shall

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be meeting with the Shelter to review the fees, and that he hopes to report back in the near future regarding a lower fee for holding animals for prosecution. Mr. Purcell recommended the Board approve payment of the invoices.

Res. 159-2007

“Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners remove from table and approve payment of the invoices in the amounts of \$7,512.00 and \$9,288.00, for a total amount of \$16,800.00 to Calhoun County Animal Shelter.”

Comr. Rae questioned whether there should be some type of expense sharing if the amount is over the normal fee for picking up animals. Mr. Purcell responded that the expense could be paid from the Sheriff Department - Animal Control budget or from the Prosecutor’s budget, however, that the expense still comes out of the General Fund. Mr. Purcell stated that the issue can be reviewed.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

2007 Apportionment Report

Mr. Purcell stated that the Report establishes the millages for Calhoun County, and advised that there may be one more change depending upon the November elections.

Equalization Director David Jager reported that there was one minor correction for the Pennfield School District. Mr. Jager pointed out that there is one new millage this year for the Albion Library, which was voted upon and approved by the people.

Mr. Jager advised that there is one millage proposal on the ballot for November for the Hastings Area Schools, which if successful, shall require amendment of the Apportionment Report at that time.

Res. 160-2007

“Motion by Comr. Rae, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2007 Apportionment Report as presented by the Calhoun County Equalization Director.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2007 Sheriff Department Budget Amendment

Sheriff Allen Byam addressed new revenue resulting from renegotiation of the inmate telephone services agreement, and advised that the Department has security upgrades that have commenced; however, that upgrade to the exterior lighting in the fenced parking lot adjacent to the Emergency Operations Center and around the jail is required at a cost of \$31,570. Sheriff Byam continued that with the CrimeCog and jail security upgrade projects additional computer memory for storing security camera video is required at a cost of \$5,800 and server software upgrade to improve functionality and additional video cameras for a total cost of \$10,184 which was deleted from the original proposal to complete the security system.

Sheriff Byam advised that funding of \$6,240 is required for hiring temporary part-time Olivet College students to help with data migration of evidence from FSG to CrimeCog. Sheriff Byam continued that the Department further requires installation of a re-heat coil to reduce high humidity levels in the jail intake area which costs \$4,500; further \$11,178 is requested to finish purchasing the replacement cameras for the patrol vehicles, and a 5 percent contingency has been included in the amount of \$2,433.

Res. 161-2007

“Motion by Comr. Todd, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2007 Sheriff Department budget amendment as presented.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2008 Employees' Health and Welfare Benefit Recommendations

Asst. Administrator Wendee Woods stated that for 2008 the administrative management team recommends the county offer three Blue Cross/Blue Shield (BCBS) self-insured plans; e.g., Community Blue 1, Community Blue 3, and Point of Service 4; and eliminate the 80/20 Plan. Ms. Woods advised that the Community Blue 3 Plan is new and provides cost savings to both the employer and the employees. The Plan has a \$250/\$500 deductible and 80/20 coinsurance and provides the same benefits as the Community Blue 2 Plan. Ms. Woods stated that the administrative management team anticipates that a number of the employees will try the Community Blue 3 Plan based on the reduced co-payment, and to encourage participation the employee co-pay for 2008 will be five percent while the co-pay for the Community Blue 1 and Point of Service 4 Plans will be fifteen percent.

Ms. Woods advised that the administrative management team further recommends that the emergency room co-pay be increased from the current \$50 to \$100 for both of the Community Blue 1 and 3 Plans, that the gastric

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bypass surgery coverage be eliminated, and that the county continue with the current stop loss amount of \$150,000.

Ms. Woods advised that the team also recommends implementing additions to the prescription program; e.g., \$0 Generic Co-pay Program, CareLogic and Retrospective Drug Utilization Review. Ms. Woods recommended the county continue to offer the BCBS 80/20 traditional plan with prescription drugs for the retirees, and offer the Community Blue 3 as an option for those retirees and their spouses who are under age 65. The Community Blue 3 Plan will replace the Community Blue 1 Plan as the second retiree health plan option. Ms. Woods advised that the county shall also offer the BCBSM Medicare Advantage Plan for those retirees who have Medicare Parts A and B.

Ms. Woods continued that the team recommends the county return to Regency for short-term disability, and self-funding the benefit. Ms. Woods advised that no changes are recommended either in the carriers or the rates for dental, life/AD & D, voluntary long term disability, voluntary life insurance, and vision. Ms. Woods pointed out that the county shall continue to provide the Employee Assistance Program and health care and dependant care reimbursement accounts. Ms. Woods advised that a wellness incentive will be available to employees in 2008, however, details of the plan have not been finalized at this time.

Res. 162-2007

“Motion by Comr. Arnquist, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2008 Employees’ Health and Welfare Benefit Recommendations, as presented by Administration.”

Comr. Rae inquired whether a cost summary of employees health care could be shared with the employees. Ms. Woods responded that administration has done that for a couple of years and that it is on their “to do” list. Chairwoman Segal inquired whether that type of information could be generated on a regular basis with a new computer system. Mr. Purcell responded that administration would like a system that would do that.

Comr. Bolger voiced concern that administration’s recommendation still allows for an eight percent increase of benefit costs while revenue increases are projected at two percent. Comr. Bolger stated that the Board is building a deficit for tomorrow’s staff reductions.

Comr. Bolger presented Option #2, proposing that the Community Blue 1 in-network Plan deductible be increased from \$0 to \$250/\$500, that the office visit co-payment for Community Blue 1 be increased from \$10 to \$20, and that the office visit co-payment for Community Blue 3 be increased from \$10 to \$15 for a total savings of \$311,905.

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Res. 162-A-2007

“Substitute Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2008 Employees’ Health and Welfare Benefit Recommendations, with Option # 2.”

Comr. Rae asked Commissioner Bolger whether his substitute resolution allows for gastric bypass surgery. Comr. Bolger responded No. Comr. Solis inquired why gastric bypass surgery is being excluded. Ms. Woods responded that BCBS was mandated to cover gastric bypass surgery under State of Michigan filings, however, BCBS added a rider which excluded a portion of the coverages and now the county has the option to eliminate that coverage. Ms. Woods pointed out that it costs a lot of money for gastric bypass surgery.

Comr. Solis voiced concern with late receipt of the substitute options, and that the options were not presented at the time of the meetings with the employees. Comr. Solis advised that he cannot support the substitute option.

Comr. Arnquist inquired regarding employee discussion regarding the co-payment increases. Mr. Purcell responded that the meeting was informational.

Mr. Purcell inquired, “How much does the Board want to shift the burden of health care costs upon the employees?” Ms. Woods pointed out that for 2008 the employees shall be seeing an average fifty percent increase in their health care costs, an additional \$1,000 to \$1,200 of out-of-pocket expense, while salaries are only increasing between one to two percent in 2008.

Mr. Purcell again inquired regarding the amount of burden to be shifted upon the employees, and recommended the amount be \$1,000 more. Mr. Purcell addressed retaining and recruiting employees, cost to employees for the Defined Benefit Pension Plan, and salary and fringe benefit comparisons with comparable counties.

Comr. Arnquist stated that while she concurs with Commissioner Bolger’s sentiments regarding increasing health care costs versus revenue received, she believes the option would be a disincentive for employees wishing preventive care and that without preventive care, that the county could be paying more later to cure. Comr. Arnquist inquired whether the health and welfare benefits package can be tabled until the next Board meeting. Ms. Woods responded that if the benefits are tabled until the next Board meeting, it shall not give administration enough time to get the information and forms ready for the November 5 open enrollment. Comr. Arnquist inquired whether open enrollment needs to be conducted November 5. Ms. Woods responded that the employees are given thirty days to make their decisions, and then the information needs to be provided to the carriers, and everything must be done prior to January 1.

Ms. Woods voiced concern regarding increasing the co-payment for the Community Blue 3 Plan, that employees may choose the Point of Service 4 Plan. Chairwoman Segal pointed out that the median salary of

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county employees is \$40,000 and that the Board shall be requesting the employees pay fifty percent more for health insurance coverage. Comr. Moore stated that he believes increasing the co-payment for office visits from \$10 to \$20 and increasing the deductible from \$0 to \$250/\$500 is reasonable. Comr. Moore stated that the county must do better in communicating to the employees what the increased health care costs mean to the county's "bottom line."

Comr. Moore inquired whether the services were placed out for bid. Ms. Woods responded "Not this year. We did it last year." Comr. Moore inquired whether the November 5 open enrollment is BCBS's deadline, or the county's. Ms. Woods responded "Blue Cross/Blue Shield's."

Comr. Rae stated that he believes changing the benefits at the last minute with Option #2 after talking with the employees could undercut management's credibility and goodwill. Comr. Rae stated that he believes the Board should follow Administration's recommendation.

Comr. Bolger voiced concern regarding the financial burden placed upon the taxpayers.

Roll call vote on Substitute Resolution 162-A-2007:

Yes - 1 (Comr. Bolger)

No - 6 (Comrs. Arnquist, Moore, Rae, Segal, Solis and Todd)

Motion DEFEATED

Comr. Bolger presented Option #1, proposing that the Community Blue 1 in-network Plan deductible be increased from \$0 to \$100/\$200, that the office visit co-payment for Community Blue 1 and Community Blue 3 be increased from \$10 to \$15, for a total savings of \$137,822.

Res. 162-B-2007

"Substitute Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2008 Employees' Health and Welfare Benefit Recommendations, with Option # 1."

Comr. Moore pointed out that the employees have not seen the numbers, therefore, there have been no promises made to the employees. Ms. Woods advised that the information regarding the plans and a booklet with the numbers was provided to the employees. Comr. Moore stated that no promises were given to the employees. Comr. Moore stated that he believes Option 1 is reasonable and shall support the substitute motion.

Comr. Arnquist advised that she is opposed to the substitute resolution as she believes it would be a disincentive for employees wishing preventive care and that with this option the employees might switch to the Point of Service 4 Plan.

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Chairwoman Segal addressed the county's cost for the Point of Service 4 Plan, and stated that she does not want more employees switching to the Point of Service 4 Plan. Comr. Bolger offered to make a motion to eliminate the Point of Service 4 Plan.

Corporation Counsel Nancy Mullett addressed the five union labor agreements expiring next year, voicing concern that if management makes significant changes in the employees' contribution, it may harm administration's ability to negotiate.

Comr. Bolger pointed out that the risk for the Point of Service 4 Plan is only \$5 per employee per year, and that the expense could come from the savings provided through Option 1.

Comr. Solis stated that the county would be saving money by increasing the costs to the employees, however, that there are things more important than just saving money. Comr. Solis stated that he believes the Board should follow Administration's recommendation, pointing out that Administration has advised that they shall continue to negotiate.

Comr. Arnquist inquired regarding the status of tiered health insurance benefits. Chairwoman Segal responded that the issue was referred to the Budget Committee.

Roll call vote on Substitute Resolution 162-B-2007:

Yes - 3 (Comrs. Bolger, Moore and Segal)

No - 4 (Comrs. Rae, Solis, Todd and Arnquist)

Motion DEFEATED

Roll call vote on Resolution 162-2007:

Yes - 6 (Comrs. Moore, Rae, Segal, Solis, Todd and Arnquist)

No - 1 (Comr. Bolger)

Motion CARRIED

September 2007 Financial Statements

Interim Finance Director Pam Kline reported that revenues are now exceeding expenditures by \$942,629 and expenditures are below the targeted budget level.

FY 2008 Elected Officials' Salary Increase

"Motion by Comr. Bolger, resolved by the Calhoun County Board of Commissioners adopt the following:

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WHEREAS, MCL 45.421 requires that the annual salary of all salaried officers be fixed on or before October 31 each year; and

WHEREAS, County Policy No. 340 establishes the wages to deputies of elected officials.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve the FY 2008 Elected Officials' Salary Increase in the amount of two {2% } percent, effective the first pay period in 2008."

Chairwoman Segal declared that the motion died due to lack of support.

FY 2008 Friend of the Court Cooperative Reimbursement Program Agreement

Circuit Court Administrator Jeffrey Albaugh stated that the grant is a pass-through of federal funding. Mr. Albaugh stated that the Legislature will determine what, if any, state money shall be coming.

Res. 163-2007

"Motion by Comr. Rae, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Friend of the Court Fiscal Year 2008 Cooperative Reimbursement Program (IV-D Child Support Enforcement) Grant Agreement CSFOC-08-13001 with the State of Michigan in the total state and federal funding amount of \$2,783,233 for the period of January 1, 2008 through September 30, 2008; further, authorize the Board Chairwoman to execute said Grant Agreement on behalf of Calhoun County. Nothing in this approval shall be construed so as to prohibit the county from asserting a claim against the state for reimbursement of mandated local expenditures in providing services required by federal and/or state law/regulation."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

COMMISSIONERS' TIME:

Comr. Todd welcomed everyone to Battle Creek. Comr. Todd announced that the N.A.A.C.P.'s Annual Freedom Fund Dinner is October 26 at 6:30 p.m. at the Burnham Book Center. Comr. Todd advised that the tickets cost \$50 and that he has tickets available.

Comr. Moore announced that on Tuesday, October 30 at 2:00 p.m. in the Battle Creek City Commission Chambers the Michigan Public Service Commission shall be conducting a consumer forum, and invited everyone interested to attend.

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Comr. Arnquist announced that the Climate Change Coalition's open house is Monday, October 22 at 5:00 p.m. at the Battle Creek Community Foundation. Comr. Arnquist advised that the Coalition was involved in the river clean-up and handed out reusable canvas bags.

Chairwoman Segal announced that Monday, October 22 is the County-wide Summit with all the elected officials in Upper Baldwin Hall at Albion College. Task Force reports will be presented.

CLAIMS PAYABLE LISTINGS:

Res. 164-2007

“Motion by Comr. Arnquist, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve payment of the list of claims against the county in the total amount of \$3,583,252.70 for the week of October 4, 2007; further, approve payment of the list of claims against the county in the total amount of \$653,624.59 for the week of October 9, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CLOSED SESSION:

Res. 165-2007

“Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners meet in Closed Session for the purpose of discussing pending litigation with legal counsel.”

Voice Vote: Motion CARRIED

The Board met in Closed Session commencing at 8:50 p.m. until 9:21 p.m. with Corporation Counsel Nancy Mullett, County Administrator/Controller Greg Purcell, Assistant County Administrator Wendee Woods, Attorney Leonard Hickey of Hickey Combs PLC and Deputy Clerk Mary Lou Barrett present.

ADJOURNMENT:

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

mlb