

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

April 7, 2005

The Regular Session of the Calhoun County Board of Commissioners convened at 7:07 p.m., Thursday, April 7, 2005 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

Roll Call: Present: Comrs. Miller, Moore, Segal, Solis, Strowbridge and Todd. Excused: Comr. Bolger.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Pledge of Allegiance was led by Comr. Segal, followed by a Moment of Personal Prayer.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 7, 2005 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Segal, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the March 3, 2005, the March 5, 2005, and the March 17, 2005 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Mr. Gardy Berezonsky, Marengo Township resident, pointed out that Commissioner Miller was absent from the March 17 Board Meeting, therefore, he believes that Commissioner Miller should abstain from voting on the minutes of that meeting as he does not know whether the minutes are correct or not.

Ms. Pearl Gray-McWhorter, Battle Creek resident, advised that the food being served at Washington Heights Community Ministries is not being properly prepared and requested the Board conduct an investigation.

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Ms. Gray-McWhorter advised that she has a daughter that is mentally retarded who is being taken advantage of and she has been unable to acquire any assistance from law enforcement. Ms. Gray-McWhorter inquired whether there is someone who can help her protect her child.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Juvenile Home Director Reggie LaGrand presented a brochure regarding the Juvenile Home, advising that the brochure was an effort of the entire staff who worked on it for months.

Assistant County Administrator Wendee Woods expressed appreciation to Ms. LaGrand who printed the brochure free of charge.

SPECIAL ORDER OF BUSINESS:

Crime Victims' Rights Week Proclamation

Res. 42-2005

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

WHEREAS, the week of April 10-16, 2005 has been designated as National Crime Victims' Rights Week; and

WHEREAS, President Ronald W. Reagan first declared “National Crime Victims' Rights Week” in 1981 to focus our Nation's attention on the plight of crime victims; and

WHEREAS, this Silver Anniversary of National Crime Victims' Rights Week provides a national opportunity to reflect on the devastating impact of crime and terrorism on victims and our entire Nation, and to strengthen our national resolve to ensure that victims' needs are identified and addressed; and

WHEREAS, this 20th Anniversary of the passage of the Michigan Crime Victims' Rights Act provides an opportunity for the citizens of this state to recognize the significance of ensuring fundamental rights for crime victims; and

WHEREAS, since 1981, the crime victim assistance field has expanded from a handful of assistance programs to include over 10,000 community and justice-based programs, and in 2005, there are more than 32,000 federal and state statutes that define and protect victims' rights; and

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WHEREAS, despite impressive accomplishments over the past 25 years in crime victims' rights and services, there remain many challenges to ensure that all crime victims and survivors are treated with dignity and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them; and

WHEREAS, America has joined together annually for the past 25 years to recognize the needs and rights of crime victims and survivors during National Crime Victims' Rights Week each April.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that April 10-16, 2005 is recognized as Crime Victims' Rights Week in Calhoun County. The Calhoun County Board of Commissioners thanks and recognizes those Victims of Crime, members of the Calhoun County Prosecutor's Office, the Calhoun County Sheriff's Department and other Law Enforcement and Service Agencies, who, through their cooperative effort in coordinating the events of Crime Victims' Right Week, help heighten awareness of the plight of those who are or become a victim of crime."

Voice Vote: Motion CARRIED

Chairman Miller and Prosecutor John Hallacy presented the proclamation to Victim Services Unit Director Maria Markos. Prosecutor Hallacy thanked Ms. Markos and her staff for doing an excellent job, the Board for their support, and the Sheriff and his staff.

Special Tribute to Maria L. Markos

Res. 43-2005

"Motion by Comr. Segal, supported by Comr. Moore, resolved by the Calhoun County Board of Commissioners approve the following tribute:

WHEREAS, Maria L. Markos has tendered her resignation as Director of the Victim Services Unit for the Calhoun County Prosecutor's Office, effective April 15, 2005; and

WHEREAS, Maria L. Markos began her career with the Prosecutor's Office on April 1, 1991 as a paralegal in the C.R.P. Division. On May 24, 1994 Maria L. Markos began her work with crime victims, when she was promoted to the position of Assistant/Advocate in the Victim Services Unit; and

WHEREAS, on August 18, 1997 Maria L. Markos was promoted to the position of Director of the Victim Services Unit; and

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WHEREAS, Maria L. Markos has been a leader, both locally and statewide, in professional and community education on the issues relating to victim rights; and

WHEREAS, throughout her career Maria L. Markos has worked to bring peace and closure to those who are victims of crime; and

WHEREAS, Maria L. Markos has been recognized as Michigan's 2005 Crime Victim Advocate of the Year, by The Crime Victim Foundation of Michigan; and

WHEREAS, the professionalism, dedication and integrity of Maria L. Markos shall be greatly missed by the Calhoun County Prosecutor's Office, Calhoun County Law Enforcement and the citizens of Calhoun County.

NOW, THEREFORE, BE IT RESOLVED, by the Calhoun County Board of Commissioners that Maria L. Markos is hereby honored and thanked for her many years of dedicated service to the Calhoun County Prosecutor's Office, Calhoun County Law Enforcement and the citizens of Calhoun County. We offer our best wishes for the future to Maria and her family."

Voice Vote: Motion CARRIED

Chairman Miller and Prosecutor Hallacy presented the tribute to Ms. Markos. Prosecutor Hallacy stated that Ms. Markos has served the county with professionalism throughout her career; that she did not just do her job, but lived her job, and made sure those that came into her office were treated with respect. Prosecutor Hallacy stated that Ms. Markos will be missed and wished her the best.

Ms. Markos stated that she could not have done her job as well without the efforts of the entire staff, Prosecutor Hallacy, Sheriff Byam and his staff, and all the law enforcement agencies.

Equal Pay Day Proclamation

Res. 44-2005

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

WHEREAS, forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to suffer the consequences of inequitable pay differentials; and

WHEREAS, according to statistics released in 2003 by the U.S. Census Bureau, year-round, full-time working women in 2002 earned only 77 percent of the earnings of year-round, full-time

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working men, indicating little change or progress in pay equity; and

WHEREAS, according to a January 2002 report released by the General Accounting Office (the investigative arm of Congress), women managers in 7 of 10 industries surveyed actually lost ground in closing the wage gap between 1995 and 2000; and

WHEREAS, according to an analysis of data in over 300 classifications provided by the U.S. Department of Labor Statistics in 2001, women earn less in *every* occupational classification for which enough data is available, including occupations dominated by women (e.g., cashiers, retail sales, registered nurses and teachers); and

WHEREAS, higher education is not free from wage discrimination according to a U.S. Department of Education analysis, reporting that, after controlling for rank, age, credentials, field of study and other factors, full-time female faculty members earn nearly 9 percent less than their male counterparts; and

WHEREAS, national statistics rank the State of Michigan among the lower one-third of all U.S. states in fair pay, citing that an average of 68 cents is earned by women to every dollar their male counterparts are paid – a gap of 32 cents; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family as estimated **\$500,000** in lost wages, impacting Social Security benefits and pensions; and

WHEREAS, fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

WHEREAS, fair pay strengthens the security of families today and eases future retirements costs, while enhancing the American economy; and

WHEREAS, Thursday, April 7th symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, do hereby proclaim Thursday, April 7, 2005:

EQUAL PAY DAY

in Calhoun County and urge the citizens of Calhoun County to recognize the full value of women’s skills and significant contributions to the labor force, and further encourage businesses to conduct an internal pay evaluation to ensure women are being paid fairly.”

Voice Vote: Motion CARRIED

Chairman Miller presented the proclamation to Mary Leonardson, President of the Albion Chapter of the Business and Professional Women's Association, and Ms. Barbara Frederick.

Ms. Frederick expressed appreciation to the Board for supporting the proclamation to raise public awareness.

CONSENT AGENDA:

Res. 45-2005

“Motion by Comr. Strowbridge, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following April 7, 2005 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice of a public hearing scheduled for March 21, 2005 regarding granting an Industrial Facilities Exemption Certificate to Miller Brothers Manufacturing received from Homer Village. (Received and placed on file, with a copy remitted to Equalization Director Richard Gruber)
- (2) Resolution received from Washtenaw County urging the Federal Government to maintain community development funding in fiscal year 2006. (Referred to the Legislative Liaisons, with a copy remitted to Road Commission Managing Director Dennis Randolph)
- (3) Notice of a public hearing scheduled for April 12, 2005 regarding granting an Industrial Facilities Exemption Certificate to Prairie Farms Dairy, Inc. received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director Richard Gruber)
- (4) Copy of a communication remitted to Holloo Farms, LLC of Marshall received from the Michigan Department of Agriculture requesting a written manure nutrient management plan and implementation schedule or letter of intent to address the identified problem be provided by May 1, 2005. (Received and placed on file, with copies remitted to Environmental Health Director Ted Havens and Drain Commissioner Blaine Van Sickle)
- (5) Resolution received from Newaygo County opposing closure of the Michigan Youth Correctional Facility. (Referred to the Legislative Liaisons, with a copy remitted to Juvenile Home Director Reggie LaGrand)

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- (6) Resolution received from Lake County supporting GEO, Inc. in regards to the Michigan Youth Correctional Facility. (Referred to the Legislative Liaisons, with a copy remitted to Juvenile Home Director Reggie LaGrand)
- (7) Invitation to attend the “Future Leaders Award” Banquet on April 17, 2005 received from Commissioner Terris Todd. (Received and placed on file)

B. Resolutions:

- (1) Community Corrections Advisory Board Appointments
 - {a} Barbara Frederick -- Business Community Rep.
 - {b} Laraine Van Lopik -- Circuit Court Probation Rep.
 - {c} Laura Hoyer – Alternative Program Rep. Alternate
 - {d} Michael Boltz -- Probate Court Rep. Alternate
- (2) Summit Pointe Board of Directors Appointment
(Term Shall Expire March 31, 2008)
 - {a} John Seita”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Calhoun County Youth Council

Council Chairperson Segal reported that the Council’s project for National Youth Service Day is clean up at the Veterans Administration’s Medical Center. Comr. Segal advised that she shall be joining the students there on Saturday, April 16.

Employee Recognition and Relations Committee

Committee Chairperson Segal advised that the birthday luncheon for this month at Captain Luey’s Calabash is provided by Commissioner Todd, and requested he draw the winner.

Comr. Todd announced the winner to be Amy Cannon. Comr. Segal wished a happy birthday to Ms. Cannon and everyone having a birthday in April.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Juvenile Home Medical Services Agreement

County Administrator/Controller Greg Purcell advised that the new agreement was negotiated by General Counsel.

Res. 46-2005

“Motion by Comr. Moore, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Medical Services Agreement for the period commencing March 1, 2005 through February 28, 2007 between Marshall Medical Associates, P.C. and Calhoun County for provision of medical services to individuals residing at the Calhoun County Juvenile Home; further, authorize the Board Chairman to execute said Agreement on behalf of Calhoun County.”

Roll call vote: Yes - 6 (Comrs. Miller, Moore, Segal, Solis, Strowbridge and Todd)
Excused - 1 (Comr. Bolger)
Motion CARRIED

A.F.S.C.M.E. - County Employees Labor Agreement Ratification

Mr. Purcell advised that the agreement was negotiated by the Asst. County Administrator, the Human Resource Director and General Counsel.

Ms. Woods advised that the two-year agreement covers six supervisory employees and provides for paid time off in lieu of vacation and personal time, co-pay on health insurance premiums and prescriptions, language changes referring to county policies, and a wage increase of two percent for 2005 and two percent for 2006.

Res. 47-2005

“Motion by Comr. Strowbridge, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners ratify the Employee Labor Agreement between the Calhoun County Board of Commissioners and the American Federation of State, County and Municipal Employees (AFSCME - Supervisory Employees) effective January 1, 2005 through December 31, 2006; further, authorize the Board Chairman to execute said Agreement on behalf of the Calhoun County Board of Commissioners.”

Roll call vote: Yes - 6 (Comrs. Moore, Segal, Solis, Strowbridge, Todd and Miller)
Excused - 1 (Comr. Bolger)
Motion CARRIED

Interim Emergency Services Coordinator Appointment Authorization

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Mr. Purcell stated that the request presented is for authorization for the Sheriff to appoint an Interim Emergency Services Coordinator necessary for utilizing grant funding.

Sheriff Allen Byam advised that appointment of an Interim Emergency Services Coordinator shall allow the Department to continue the search for a full-time permanent replacement.

Res. 48-2005

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners authorize the Sheriff to appoint an Interim Emergency Services Coordinator.”

Roll call vote: Yes - 6 (Comrs. Segal, Solis, Strowbridge, Todd, Miller and Moore)
Excused - 1 (Comr. Bolger)
Motion CARRIED

Criminal Justice Records Improvement Program Grant Application

Mr. Purcell stated that the request is for authorization for the Sheriff to submit a grant application in the amount of \$42,000. Mr. Purcell congratulated the Sheriff for the collaborative effort.

Sheriff Byam advised that the grant application is for an additional \$42,000 which will be used along with the JAG Grant to fund the completion of the Livescan and Mugshot System for Albion, Battle Creek and Marshall.

Res. 49-2005

“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2004-2005 Byrne Memorial Formula and Local Law Enforcement Block Grant Application for the Criminal Justice Records Improvement Program for the period of October 1, 2004 through September 30, 2005 in the amount of \$42,000 for remittance to the Michigan Department of Community Health, Office of Drug Control Policy.”

Comr. Strowbridge advised that in his role as Interim Public Safety Director in Albion he had been involved in the negotiations that proceeded the application, therefore, shall abstain from voting.

Roll call vote: Yes - 5 (Comrs. Solis, Todd, Miller, Moore and Segal)
Excused - 1 (Comr. Bolger)
Abstain - 1 (Comr. Strowbridge)
Motion CARRIED

CITIZENS' TIME:

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Ms. Gray-McWhorter advised of problems she encountered when she attempted to acquire her medications at the Burnham Brook Center.

Ms. Gray-McWhorter stated that she is new in dealing with mental problems and requested that the Board assist her in acquiring classes in tough love.

COMMISSIONERS' TIME:

Comr. Todd thanked those who responded to his letter regarding the Future Leaders Award Banquet he is sponsoring on April 17 to honor students in the community for their academic achievements in social studies and government.

CLAIMS PAYABLE LISTINGS:

Res. 50-2005

“Motion by Comr. Segal, supported by Comr. Solis, 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 \$647,530.89 for the week of March 15, 2005; further, approve payment of the list of claims against the county in the total amount of \$66,406.21 for the week of March 22, 2005; and finally, approve payment of the list of claims against the county in the total amount of \$464,489.91 for the week of March 29, 2005.”

Roll call vote: Yes - 6 (Comrs. Strowbridge, Todd, Miller, Moore, Segal and Solis)
Excused - 1 (Comr. Bolger)
Motion CARRIED

ANNOUNCEMENTS:

Prosecutor Hallacy announced that next week is Crime Victims' Rights Week during which there shall be a luncheon and an awards presentation at the Kellogg Foundation, as well as a vigil at the Rotunda in Lansing commencing at 6:00 p.m. at which Ms. Markos shall receive her award.

RECESS:

The meeting recessed at 7:46 p.m. at the call of the Chair.

mlb