

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

November 17, 2005

The Regular Session of the Calhoun County Board of Commissioners convened at 7:06 p.m., Thursday, November 17, 2005 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the November 17, 2005 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the October 20, 2005 minutes as presented.”

Voice Vote: Motion CARRIED

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Assistant County Administrator Wendee Woods advised that the Calhoun County United Way Campaign collected \$24,025 which was above the goal of \$20,000. Ms. Woods reported that there was a 29 percent increase in employee pledges and 326 percent increased participation in the special events. Ms. Woods stated that a lot of the credit for the Campaign's success is due to the committee and Ms. Hill.

SPECIAL ORDER OF BUSINESS:

Adoption Day Proclamation

Chairman Miller read and presented the following proclamation to Family Court Administrator Michael Boltz.

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Res. 198-2005

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

WHEREAS, the month of November 2005 has been designated as National Adoption Month; and

WHEREAS, the Michigan Supreme Court and the Michigan Department of Human Services have set November 22, 2005, as “Michigan Adoption Day;” and

WHEREAS, in November 2003, the Michigan Supreme Court and the Michigan Department of Human Services co-sponsored the first statewide Michigan Adoption Day, beginning an annual tradition of celebrating adoptive families; and

WHEREAS, there are approximately 523,000 foster care children in the United States, of whom 118,000 are waiting to be adopted; and

WHEREAS, there are more than 19,000 foster care children in Michigan, over 4,000 of whom are waiting for permanent families; and

WHEREAS, there are approximately 368 foster care children in Calhoun County, of whom 129 are waiting to be adopted; and

WHEREAS, all our children deserve the love and stability of a permanent family.

NOW, THEREFORE, WE, THE CALHOUN COUNTY BOARD OF COMMISSIONERS, RESOLVE, that November 22, 2005, be recognized as **Adoption Day in Calhoun County**. The Calhoun County Board of Commissioners offers its thanks to the families, courts, foster and adoption workers and all others participating in this year’s Adoption Day.”

Voice Vote: Motion CARRIED

Mr. Boltz advised that 16 families and 28 children shall be participating in the event on Tuesday, November 22 in the Commission Chambers and invited Board members to attend.

Special Tribute to Dr. William Richardson

Res. 199-2005

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

WHEREAS, Dr. William Richardson, President and Chief Executive Officer of the W. K. Kellogg Foundation since 1995, shall be retiring; and

WHEREAS, during his tenure as President and Chief Executive Officer, Dr. Richardson reaffirmed the Foundation’s dedication to Mr. Kellogg’s hometown. During the years the Foundation’s assets dropped and program funding allocations all over the world had to be reduced, Battle Creek programming was the exception, with funding remaining the same; and

WHEREAS, Dr. William Richardson has worked tirelessly behind the scenes in the community as a role model and leader; and

WHEREAS, he has been instrumental in assisting with economic development. He supported the Keebler relocation every step of the way, and the Foundation’s “*Yes We Can!*” Program is injecting \$19.5 Million into Battle Creek’s neighborhoods; and

WHEREAS, Dr. Richardson’s leadership has been invaluable in continuing Dr. Kellogg’s legacy. The results of his efforts will continue to enhance the quality of life in our community for many years to come.

NOW, THEREFORE, I, Benjamin A. Miller, Chairman of the Calhoun County Board of Commissioners, do hereby offer this small token of appreciation to

DR. WILLIAM RICHARDSON

for his dedicated service to W. K. Kellogg Foundation and his community, and extend our best wishes for a happy, healthy and well-deserved retirement.”

Voice Vote: Motion CARRIED

Calhoun County Community Report Card Presentation

The Coordinating Council Director Anji Phillips stated that the Community Report Card was created to provide a clear collection of data for organizations to pursue grant funding. Ms. Phillips advised that in Calhoun County there are 65 agencies that participate with the Council.

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Ms. Phillips advised that the Council met with a variety of community members to discuss indicators of various topics to determine whether Calhoun County is moving in a positive or negative situation. Ms. Phillips stated that the Council had tremendous collaboration on the project.

Council Chairman Dr. A. J. Jones stated that the statistics are not very good and that a benchmark is required for improving those statistics. Dr. Jones stated that since the various organizations are all competing for the same grants, the Report Card should be reviewed as a resource for grant writers. Dr. Jones advised that the Report Card shall be updated each year; further that the Report Card shall be distributed throughout the county, and is also available on the internet.

Forfeitures and Foreclosures Update

Treasurer Ann Petredean reported that the Office and its partners, Legal Services and the Volunteer Center, received a three-year grant of \$264,000 to provide information to taxpayers regarding how to prevent foreclosure, how to pay by credit card, how to apply for a one-year hardship exemption, and all the services available in Calhoun County. Ms. Petredean advised that staff shall be going to each home and noticing those that are occupied. Ms. Petredean stated that many of the owner-occupied homes are owned by senior citizens, and that through the “Yes We Can” initiative the Office shall be hiring someone this week to refer people who need help regarding tax deferments or lowering their taxes. Ms. Petredean advised that the collaborative is also working with the Community Action Agency to provide every available assistance. Ms. Petredean expressed appreciation to the Kellogg Foundation for the grant.

CONSENT AGENDA:

Res. 200-2005

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following November 17, 2005 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Notice and Permit Application received from Gage Energy, Inc. of Troy, Michigan advising that Gage Energy intends to drill on property in Calhoun County late this year. (Received and placed on file, with a copy remitted to Environmental Health Director Ted Havens)
- (2) Notice received from the Michigan Department of Environmental Quality advising that the City of Battle Creek has applied for a permit to restore the McCamly Street crossing of the Battle Creek River, and soliciting comments regarding the project. (Received and placed on file)

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- (3) Resolutions received from Gratiot, Antrim and Leelanau Counties opposing House Bill 5124 {Access to All Electronic Records}. (Referred to the Legislative Liaisons)
- (4) Third Quarter 2005 Out-of-State Travel Report

B. Resolutions:

- (1) Calhoun County Senior Millage Allocation Committee Appointment (Term Expires December 31, 2006)

- {a} Terris Todd -- Replacing Daniel Strowbridge

- (2) Purchasing Policy Review Workshop Dissolution

BE IT RESOLVED, that the Purchasing Policy Review Workshop, created April 1, 2004, having completed its assignment to update County Purchasing Policy No. 405, is hereby dissolved.

- (3) Calhoun County Veterans Affairs Committee Appointment

- {a} Philip Savage -- Term Expires October 31, 2009"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS -- Legislative Liaisons:

Workshop Chairperson Segal reported that the Workshop met tonight and shall be recommending two resolutions opposing state legislation, House Bill No. 5124 and transfer of remonumentation funds, at the December 1 Board Meeting.

UNFINISHED AND OLD BUSINESS -- Emergency Management Coordinator Appointment:

Comr. Strowbridge reported that a four person review board reviewed four candidates and unanimously recommend appointment of Larry Utterback.

Res. 201-2005

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“Motion by Comr. Strowbridge, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners remove from table the appointment of a Emergency Management Coordinator and appoint Larry Utterback as Calhoun County Emergency Management Coordinator.”

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

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

FY 2006 Michigan Drug Court Grant Program Agreement

County Administrator/Controller Greg Purcell stated that the grant is in the amount of \$40,000.

Drug Court Coordinator Jacqueline Smith advised that the State Byrne Drug Court Grant is in the amount of \$119,433 with an in-kind match requirement of \$80,000, \$40,000 of which shall be provided by the Michigan Drug Court Grant, \$20,000 carried over from last year and United Way funds. Ms. Smith stated that there is no cost to the county.

Ms. Smith advised that the Women’s Court operates with federal funds that are covered for the next two years. Ms. Smith reported that there are currently 24 women in the program, there have been 19 graduates, 9 on probation, one parolee, and six are attending college. Ms. Smith advised that the Men’s Court has 16 currently in the program, that there have been 8 graduates, and 7 who have received their GEDs.

Res. 202-2005

“Motion by Comr. Segal, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2006 Michigan Drug Court Grant Program award to the Circuit Court, SCAO Grant number SCAO-2006-025, in the amount of \$40,000; further, authorize the Board Chairman to sign the Grant Agreement between the Michigan Supreme Court State Court Administrative Office and the Thirty-Seventh Judicial Circuit Court on behalf of the Court’s funding unit.”

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

FY 2005-2006 SCAO Byrne Memorial Formula Grant Agreement

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Res. 203-2005

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve acceptance by the Thirty-Seventh Judicial Circuit Court of a State of Michigan Byrne Drug Court Grant for 2005-2006 in the total amount of \$199,055 (Federal funds of \$119,433; local funds of \$80,000) with local funds to consist of an SCAO provided grant of \$40,000, and the balance from other than General Fund local grant sources for implementation of a men’s drug court program due to three-year Federal funding of a full women’s drug court program; further, authorize the Board Chairman to sign the Grant Agreement (SCAO Contract # SCAO 06-026) on behalf of the Court’s funding unit.”

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

Substance Abuse Services Coordinating Agency Designation Change

Summit Pointe Director Ervin Brinker stated that Summit Pointe is the administrator of Medicaid behavioral health benefits for the Medicaid benefit plan, and that substance abuse services are a critical component in that plan. Mr. Brinker advised that as a result of federal/state law and Department of Community Health policy, funding and accountability for behavioral health services has been split.

Mr. Brinker stated that Summit Pointe is 1 of 46 community mental health centers that covers all 83 counties in Michigan, and 1 of 18 prepaid inpatient health plan administrators responsible for managing the Medicaid waiver plan for Barry, Branch, Van Buren, Berrien and Calhoun Counties. Summit Pointe has been administering the plan for three years as Venture Behavioral Health covering approximately 73,000 people receiving Medicaid within the five counties. Mr. Brinker advised that approximately 70 percent of the people that use Summit Pointe services also have an accompanying substance abuse issue or problem. Mr. Brinker stated that he believes that integrating the mental health and substance abuse funding would benefit the people throughout the five counties.

Mr. Brinker advised that Summit Pointe presently works with three separate coordinating agencies, and that for the past 35 years funding has come in two “streams,” funding for mental health services and funding for substance abuse services. The prepaid inpatient health plan federal waiver has put the substance abuse and mental health funding together.

Mr. Brinker requested the Board designate Summit Pointe as the substance abuse coordinating agency for the five counties, and addressed the process related to state designation.

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

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WHEREAS, the Calhoun County Board of Commissioners established the Calhoun Community Mental Health Authority (doing business as “Summit Pointe”) as a community mental health services program pursuant to Act 258 of the Public Acts of 1974 as amended (the Mental Health Code); and

WHEREAS, on January 3, 2002, the Michigan Department of Community Health issued an Application for Participation as the process for selecting specialty Prepaid Inpatient Health Plans for Medicaid mental health and substance abuse services and supports in Michigan effective October 1, 2002; and

WHEREAS, pursuant to Section 226 (1) (h) of Act 258 of said Mental Health Code, the Calhoun County Community Mental Health Authority, the Barry County Community Mental Health Authority, The Berrien County Community Mental Health Authority, the Branch County Community Mental Health Authority and the Van Buren Community Mental Health Authority, thereafter entered into an Affiliation Agreement pursuant to the Intergovernmental Transfer of Functions and Responsibilities Act, Michigan Compiled Laws (MCL 124.531 *et seq*), for the purpose of establishing a legal mechanism for the preparation, submission, and implementation of a “Consolidated Application” to the Michigan Department of Community Health for a Medicaid Prepaid Inpatient Health Plan; and

WHEREAS, under said Affiliation Agreement, the Calhoun County Community Mental Health Authority has been designated by the parties to be the Medicaid Prepaid Inpatient Health Plan per the Consolidated Application submitted for the Community Mental Health Services Programs involved; and

WHEREAS, the Michigan Department of Community Health approved the Consolidated Application and the Calhoun County Community Mental Health Authority as the specialty Medicaid Prepaid Inpatient Health Plan to contractually manage the 1915 (b) Specialty Services Waiver Program and the 1915 © Habilitation Supports Waiver Program approved by the federal government and implemented concurrently by the State of Michigan in the designated Medicaid services area of the Counties of Calhoun, Barry, Berrien, Branch and Van Buren and to provide a comprehensive array of Medicaid mental health and substance abuse services and supports effective October 1, 2002; and

WHEREAS, under the authority granted by Section 116 (2) (b) and 3 (e) and Section 228 of the Mental Health Code, the Michigan Department of Community Health entered into a Prepaid Inpatient Health Plan (PIHP) Managed Specialty Supports and Services Contract, as amended, with the Calhoun County Community Mental Health Authority effective October 1, 2002; and

WHEREAS, the Calhoun County Community Mental Health Authority has the right under said

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Medicaid Master Contract with the Michigan Department of Community Health to direct-operate and/or to subcontract for administrative services and for the provision of such Medicaid mental health and substance abuse specialty supports and services to such Medicaid eligibles as to its Medicaid service area of the Counties of Calhoun, Barry, Berrien, Branch and Van Buren; and

WHEREAS, a substance abuse coordinating agency cannot be a Prepaid Inpatient Health Plan unless it also is a community mental health services program; and

WHEREAS, a community mental health services program can be approved and designated by the Michigan Department of Community Health, with the concurrence of the involved county (ies), as a substance abuse coordinating agency; and

WHEREAS, the Calhoun County Community Mental Health Authority has informed the Michigan Department of Community Health that it wants to be approved and designated by the Director of said Department, with the concurrence of the involved county (ies), as the substance abuse coordinating agency for the Counties of Calhoun, Barry, Berrien, Branch and Van Buren pursuant to Michigan Compiled Laws (MCL), Section 333.6226.

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners endorse such a designation of the Calhoun County Community Mental Health Authority as the substance abuse coordinating agency for the counties of Calhoun, Barry, Berrien, Branch and Van Buren; and

BE IT FURTHER RESOLVED, that the Calhoun County Board of Commissioners request that the Michigan Department of Community Health, with the concurrence of the involved county (ies), so approve and designate the Calhoun County Community Mental Health Authority as the substance abuse coordinating agency for the Counties of Calhoun, Barry, Berrien, Branch and Van Buren, pursuant to Michigan Compiled Laws (MCL), Section 333.6226.”

Comr. Solis inquired regarding the time frame involved to change the designation. Mr. Brinker estimated October 2006 at the earliest. Comr. Solis addressed the impact to consumers and services, inquiring what Calhoun County’s goals are in regard to prevention. Comr. Solis stated that he discovered that the county has two major organizations that provide prevention services, and that those organizations are not necessarily “on the same page.” Comr. Solis advised that he would have to see a comprehensive county-wide prevention plan before he could support the designation change.

Res. 204-2005

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“Motion by Comr. Solis, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners table designation of the Calhoun County Community Mental Health Authority as the Substance Abuse Coordinating Agency for the Counties of Calhoun, Barry, Berrien, Branch and Van Buren until a comprehensive county-wide prevention plan is presented to the Board of Commissioners.”

Roll call vote: Yes - 4 (Comrs. Todd, Miller, Segal and Solis)
No - 2 (Comrs. Strowbridge and Bolger)
Excused - 1 (Comr. Moore)
Motion CARRIED

Prosecutor’s FY 2006 Cooperative Reimbursement Program Grant Agreement

Mr. Purcell advised that Agreement is in the amount of \$372,859, and recommended approval.

Res. 205-2005

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2005-2006 Cooperative Reimbursement Program Title IV -D Grant Agreement (CSPA-06-13002) between the Michigan Department of Human Services and the County of Calhoun (Prosecutor’s Office) for the period of October 1, 2005 through September 30, 2006 in the amount of \$372,859; further, authorize the Board Chairman to execute the Agreement on behalf of Calhoun County.”

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

October 2005 Financial Statements

Finance Director James Latham stated that with ten months of the year completed, 82.1 percent of the budget has been expended. Mr. Latham advised that the benchmark is 83 percent for expenditures. Mr. Latham continued that revenues are at 84 percent and are pretty much “on target.”

Mr. Latham advised that there are two items on the watch list; i.e., jail bed rental and Child Care Fund costs.

FY 2006 County Budget Recommendation

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Mr. Purcell presented his recommendation totaling \$36,875,580, and advised that the public hearing shall be conducted at the December 1 Board Meeting with budget adoption anticipated at the December 15 Board Meeting.

Mr. Purcell stated that while other counties have dealt with dramatic reductions in services and personnel over the last several years, Calhoun County has been able to avoid such reductions; unfortunately, this year 18.65 positions are proposed to be cut. Also, some departments shall be using flexible work hours, voluntary layoffs and unpaid time off to meet their budget targets. Mr. Purcell advised that two of the positions eliminated are within E 9-1-1 Services.

Mr. Purcell stated that the department heads shall attempt to limit reduction of services to the public; however with reductions in personnel, it shall translate into reduction of some services to the public as well.

2005 Apportionment Report Amendment

Mr. Purcell stated that the Report requires amendment to reflect several millages approved by the voters. Mr. Purcell advised that Bellevue Schools voters approved 18.0000 mills on non-primary residential property, Emmett Township voters approved 1.0000 mill for public safety, and Springport Schools and Mar Lee School each passed additional millages.

Res. 206-2005

“Motion by Comr. Segal, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Revised 2005 Apportionment Report, as presented.”

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

CITIZENS' TIME:

Mr. Gardy Berezonsky, Marengo Township resident, inquired where he may obtain a copy of the 2006 County budget. Mr. Purcell responded that a copy is available within the Finance Department, the Clerk's Office, or Administration.

CLAIMS PAYABLE LISTINGS:

Res. 207-2005

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“Motion by Comr. Strowbridge, supported by Comr. Bolger, 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 \$2,380,473.16 for the week of November 1, 2005; further, approve payment of the list of claims against the county in the total amount of \$828,584.63 for the week of November 8, 2005.”

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

ANNOUNCEMENTS:

Chairman Miller announced that the Battle Creek Holiday Parade begins Saturday at 5:00 p.m. and encouraged everyone to attend.

Comr. Bolger announced that the Marshall Parade shall be on Monday, November 28 at 7:00 p.m. and encouraged everyone to attend.

Chairman Miller further announced that Albion’s Parade shall be on November 29 at 6:00 p.m.

RECESS:

The meeting recessed at 7:57 p.m. at the call of the Chair.

mlb