

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

January 19, 2006

The Regular Session of the Calhoun County Board of Commissioners convened at 7:01 p.m., Thursday, January 19, 2006 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

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

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. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the January 19, 2006 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 15, 2005 minutes, with correction of Page 312, Last Paragraph, to state: [Comr. Bolger advised that he can support the proposed amended policy and local preferences; however has a problem with prevailing wage and local labor mandates, as Calhoun County would not want other counties to do the same. Comr. Bolger pointed out that Calhoun County’s neighboring counties are anticipating projects, while Calhoun County is not and by approving the local labor mandate provision the county could potentially narrow work opportunities for its citizens.]”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

Special Tribute to Mary Jo Petrosus

Chairman Miller read and presented the following tribute to Mary Jo Petrosus.

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Res. 11-2006

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

WHEREAS, Mary Jo Petroskus tendered her resignation as Juvenile Probation Supervisor with the Family Division of the 37th Circuit Court effective January 19, 2006; and

WHEREAS, Mary Jo Petroskus is retiring after thirty-six (36) years of dedicated service with the Calhoun County Courts, during which she held the positions of Youth Counselor, Juvenile Probation Officer, Court Services Specialist and, since January 10, 1992, Juvenile Probation Supervisor; and

WHEREAS, prior to being hired as a Juvenile Probation Officer on June 2, 1969, Mary Jo was employed four years by the Calhoun County Department of Social Services as a Children’s Protective Services caseworker; and

WHEREAS, Mary Jo has been a caring and compassionate professional, who throughout her career served as an advocate for children and families in our community; and

WHEREAS, Mary Jo has worked to improve the competency and professionalism of juvenile probation officers and supervisors across the State through her leadership role in the Family Division Mid Managers Association and the Juvenile Justice Association of Michigan; and

WHEREAS, Mary Jo’s integrity, competence, fairness and willingness to help others are appreciated and will be missed.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, do hereby honor and thank MARY JO PETROSHUS for her 36 years of exemplary service to the citizens of Calhoun County and the Calhoun County Courts, and extend our best wishes for a happy, healthy, well-deserved retirement.”

Voice Vote: Motion CARRIED

Ms. Petroskus stated that she is very proud of the staff that she worked with, and thanked the Board for its support of the things that have been done in the court. Ms. Petroskus also thanked former Commissioner Barbara Frederick who was a champion of the workers.

CONSENT AGENDA:

Comr. Solis requested Item B.(1) be removed from the Consent Agenda for separate consideration.

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Res. 12-2006

“Motion by Comr. Strowbridge, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following January 19, 2006 Consent Agenda, as amended, with deletion of Item B.(1) - Board of Health Appointment for separate consideration:

A. Petitions, Communications, Reports:

- (1) Resolution received from Tuscola County recommending legislation be adopted requiring the State of Michigan to pay its invoices and obligations in a timely manner. (Referred to the Legislative Liaisons)
- (2) Copy of a well drill permit application remitted to the Michigan Department of Environmental Quality received from the Trendwell Energy Corporation of Greenville, Michigan. (Received and placed on file, with a copy remitted to Environmental Health Director Ted Havens)

B. Resolutions:

- (1) Emergency Telephone District Board Appointments
 - {a} Scott Kipp -- Alternate for Eric Miller
 - {b} Bret Pehrson – Alternate for Michael Olson
 - {c} Bill Hankinson – Calhoun County Fire Chiefs Council Representative
(Replacing Terry Travis)
 - {d} Tom Hardy -- Alternate for Bill Hankinson
 - {e} Daniel Strowbridge – County Commissioner Representative
(Term Expires December 31, 2006)
 - {f} Jase Bolger -- Alternate for Daniel Strowbridge
(Term Expires December 31, 2006)”

Voice Vote: Motion CARRIED

Board of Health Appointment

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Res. 12-A-2006

“Motion by Comr. Segal, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners postpone an appointment to the Board of Health until the February 2, 2006 Board of Commissioners Meeting.”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

Adult Probation Residential Services Agreement, and Mental Health Services
and Residential Substance Abuse Treatment Services Agreement

County Administrator/Controller Greg Purcell advised that one agreement is with Home of New Vision and the other is with Pine Rest Christian Mental Health Services and Residential Substance Abuse Treatment Services.

Jail Population Manager Roselynn Goff stated that the agreements expand the Sheriff Department’s options for appropriate placement of probationers and non-probationers. Ms. Goff advised that Home of New Vision is for women and provides specific transitional living services, including outpatient substance abuse treatment. The other agreement provides men with substance abuse programs and a specialized drunk driving program.

Mr. Purcell thanked Ms. Goff for providing the local jail population numbers to the Criminal Justice System Workshop.

Res. 13-2006

“Motion by Comr. Moore, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Adult Probation Residential Services Agreement between the Calhoun County Board of Commissioners and Home of New Vision for the period of October 1, 2005 through September 30, 2006; further, approve the Agreement between the Calhoun County Board of Commissioners and Pine Rest Christian Mental Health Services and Residential Substance Abuse Treatment Services for the period of October 1, 2005 through September 30, 2006, and authorize the Board Chairman to execute both Agreements on behalf of the Board of Commissioners.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2006 Survey and Remonumentation Grant Application

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Mr. Purcell stated that the grant application is in the amount of \$140,383 and requires a local match of \$56,000, which is available.

Res. 14-2006

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2006 Survey and Remonumentation Grant Application in the amount of \$140,383 for remittance to the Michigan Department of Labor & Economic Growth, Office of Land Survey and Remonumentation.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

County Policy No. 405 - Purchasing Waiver Request

Mr. Purcell advised that the Health Department is in a bit of a time “crunch,” therefore, is requesting waiver of County Policy No. 405 and the formal request for qualifications process to hire an evaluator for the HCAP Program.

Health Officer Dottie-Kay Bowersox advised that the grant will conclude in August and that currently most areas within the framework of the grant are not compliant. Ms. Bowersox stated that the previous evaluator concluded her business relationship with the Department in December 2005. Ms. Bowersox advised that \$25,250 of the grant has been budgeted for the facilitation and implementation of the evaluation section.

Res. 15-2006

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners waive County Policy No. 405 - Purchasing to allow the Health Department to hire a contractual evaluator for the HCAP Program without going through the formal bid process.”

Comr. Solis noted the grant’s August deadline and questioned whether the bid process time would endanger the grant. Ms. Bowersox responded that the evaluation was to be on-going, however, now the Department has to go back a year and a half and review the numbers. Ms. Bowersox stated that the Program was not determined to be a priority prior to her being appointed Director.

Comr. Bolger inquired what shall occur should the Board not waive the policy. Ms. Bowersox responded that there would be less time to implement the programs and the Department may not be able to spend the grant funds.

Comr. Strowbridge inquired how much notice the previous evaluator provided. Ms. Bowersox responded that in December the Regional Health Alliance discussed the progress of the evaluation section, discovering that a lot of areas were not in compliance with the grant requirements.

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Chairman Miller asked Ms. Bowersox when in December she realized that the former vendor would not work out. Ms. Bowersox responded "Around the holidays." Chairman Miller pointed out that there have been two Board of Health meetings since the December Regional Health Alliance meeting and the issue has not been discussed. Chairman Miller inquired whether there were additional costs to terminate the previous vendor agreement. Ms. Bowersox responded that the Department only paid the evaluator for her time.

Chairman Miller questioned the need for an evaluator at the front end of the grant process, rather than at the closing of the process. Ms. Bowersox advised that some of the existing program benefits cannot be substantiated, therefore, the evaluator is required to work with the providers. Chairman Miller stated that the work should have been completed months ago, and inquired why organizations that have been unable to support what they have or have not been doing should be considered for funding.

Ms. Bowersox concurred that the evaluator was to be doing the work a long time ago. Ms. Bowersox stated that she needs to correct the problem now as potentially the Department may have to return some of the grant funding.

Comr. Moore expressed concern that currently most areas within the framework of the grant are not compliant, and inquired whether the Department paid the evaluator for work that was not up to expectations. Ms. Bowersox responded Yes. Ms. Bowersox advised that there was a change of staff during the grant period and no clear method for reporting; further, that she believes some of the expectations were not clarified.

Comr. Moore pointed out that the HCAP grant was a major cue for the county, and expressed disappointment that the county clearly "dropped the ball." Comr. Moore noted that Ms. Bowersox indicated in her memorandum that the county bears some of the responsibility for the program not being compliant, and inquired how much responsibility falls upon the service providers. Comr. Moore stated that he does not want to fund organizations that do not do their work. Ms. Bowersox responded that the Department has small groups providing the services, and that it is very difficult for those groups to analyze their services. Comr. Moore asked Ms. Bowersox should the Board grant the waiver, whether she can state come August with the grant under her administration that the Board will not hear "Oops, we fumbled again." Ms. Bowersox responded Yes.

Comr. Todd inquired how the proposed consultant was chosen. Ms. Bowersox responded that the consultant led a conference and reported her findings to the Regional Health Alliance, and advised that she has checked the consultant's references and conducted an interview. Comr. Todd asked Ms. Bowersox whether she has worked with the consultant previously. Ms. Bowersox responded No. Comr. Todd inquired when the consultant was recommended. Ms. Bowersox responded that the consultant was recommended a couple of weeks ago.

Comr. Segal advised that one of the successes of the grant is the Calhoun County Health Plan.

Comr. Stowbridge stated that he understands the importance of the Program and likes the fact that the proposed consultant is a local vendor, however, that he hates to take a policy that the Board worked on for a long time and throw it by the wayside.

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Mr. Purcell advised that the proposed consultant is well known in the community and just received her PhD; further, has been recommended by Erv Brinker. Mr. Purcell pointed out that if the county abides by the policy, hiring shall be delayed by a minimum of six weeks.

Chairman Miller stated that he does not have any reason to believe that iEval Consulting shall not be able to handle the work, however, pointed out that a lot of the same things had been said regarding the previous consultant. Chairman Miller stated that he is uncomfortable with saying that if a department is not doing something right, bend the rules to make it right. Chairman Miller continued that he believes the rules/policies should be followed, and stated that he would rather the funds be returned than to have the funds misspent. Chairman Miller stated that if the policy requires a request for qualifications, then the county needs to get those qualifications; therefore, he shall not support the waiver.

Finance Director James Latham stated that it is one thing to say that if the funds are not spent, that those funds can be returned to the grant funder; however, pointed out that if some of the spent funds are determined to be ineligible, it could cause the county to have to reimburse those funds.

Comr. Segal inquired whether the proposed consultant shall provide a mid-way report. Ms. Bowersox responded that the evaluator shall report monthly to the Regional Health Alliance, of which she is a member.

Roll call vote: Yes - 5 (Comrs. Moore, Segal, Strowbridge, Todd and Bolger)
No - 2 (Comrs. Miller and Solis)
Motion CARRIED

Command Officers Association of Michigan Letter of Understanding

Mr. Purcell advised that the letter of understanding dates back to September 2005 and is linked to the 2006 Sheriff Department budget.

Sheriff Allen Byam requested the Board support his recommendation to place the Support Services Manager position with the bargaining unit retroactive to June 1997.

Mr. Purcell advised that there is a commitment that the position will not be filled for five years.

Mr. Latham advised that in order for the transfer to occur for the individual to participate in the MERS Retirement Plan funds must be transferred from the Defined Benefit Retirement Plan, both the employee's portion and the county's contributions. Further, the assets from the employee's 401 (k) Plan, both contributions. Mr. Latham continued that the difference must be paid by the employee.

Res. 16-2006

“Motion by Comr. Strowbridge, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Letter of Understanding with the

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Calhoun County Sheriff Department Supervisory Unit Command Officers Association of Michigan (COAM) placing the Support Services Manager position within the COAM Bargaining Unit, retroactive to June 1997 in accordance with the provisions as stipulated within the Letter of Understanding; further, authorize the Board Chairman to execute said Letter of Understanding on behalf of Calhoun County; and

BE IT FURTHER RESOLVED, that the Support Services Manager, Robin Grondin, shall have 32 years 11 months of service credit in the Calhoun County Sheriff Department Supervisors (Division 2) Municipal Employees' Retirement System of Michigan (MERS) as of January 31, 2006; and

BE IT FURTHER RESOLVED, that the following transactions will occur as soon as administratively possible as a result of placing the Support Services Manager position within COAM.

1. The employee's contribution plus interest in the amount of \$15,037.30 and the employer's contribution plus interest in the amount of \$14,089.13 shall be transferred from the Calhoun County Defined Benefit Plan to the Calhoun County Division 2 MERS retirement plan.
2. The employer's contribution plus interest in the amount of \$11,469.93 shall be transferred from Ms. Grondin's 401(k) account to the Calhoun County Division 2 MERS retirement plan.
3. Ms. Grondin shall contribute \$65,825.58 to the Calhoun County Division 2 MERS retirement plan. This amount reflects the amount of money Ms. Grondin would have contributed to the plan had she been a member of the Command Officers Association of Michigan since 1997."

Comr. Moore voiced concern regarding the Defined Benefit Retirement Plan suffering. Mr. Purcell pointed out that the individual was excluded from the MERS Retirement Plan and that an alternative of not placing the position within the COAM bargaining unit is a grievance by the Union. Comr. Moore pointed out that the Sheriff is taking on considerable risk, as is the county; and stated that it is unfortunate as this matter should have been resolved much sooner.

Sheriff Byam advised that the issue also involved a re-structuring of the Department and results in abolishment of the Support Services Manager position.

Comr. Bolger inquired regarding the potential precedent. Sheriff Byam advised that Ms. Woods, Attorney Mullett and another attorney provided an option which will make it very difficult for anyone else to follow suit.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Medical Examiner Services Agreement

Mr. Purcell stated that the Medical Examiner appointment was approved at the last Board meeting, after which he negotiated the agreement with Dr. Ismailoglu. Mr. Purcell advised that the agreement is for four years and that a provision of the agreement is to pass along to Dr. Ismailoglu two thirds of the state reimbursement for child death review cases. Mr. Purcell further advised that the issue regarding malpractice insurance has been clarified with the Michigan Municipal Risk Management Authority (MMRMA).

Res. 17-2006

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the four-year Medical Examiner Services Agreement between the Calhoun County Board of Commissioners and Mehmet B. Ismailoglu, M.D., effective January 1, 2006 through December 31, 2009; further, authorize the Board Chairman to execute said Agreement on behalf of the Board of Commissioners.”

Comr. Bolger inquired whether the general liability insurance also covers the Medical Examiner’s investigators. Mr. Purcell responded that he had an oral discussion during which MMRMA indicated that the investigators would also be covered. Comr. Bolger requested Mr. Purcell get the issue clarified in writing.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2006 Budget Amendments

Mr. Latham advised that the budget must be amended for some events that occurred since December 15, 2005; i.e., correction of a miscalculation within the Sheriff Department budget, creation of two new business units within the Sheriff Department budget to facilitate the accounting for the Tether Program and the Inmate Cost Recovery Program, and transfer of salary and fringe benefit costs from contractual services within the Equalization Department to account for the hiring of a new director.

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners approve 2006 budget amendments, as presented by the Finance Director.”

Comr. Strowbridge stated that it was his understanding that the salary and fringe amounts were previously budgeted. Mr. Latham advised that funding was put within the Equalization budget, however, within the contractual services account. Those funds will simply be transferred from one line item to the other. Comr. Bolger pointed out that the funds within the contractual services account were only a quarter of the cost for an Equalization Director.

Comr. Strowbridge offered as a friendly amendment, that the budget amendments be split for separate consideration. Comr. Bolger accepted the friendly amendment and Comr. Segal supported the amendment.

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Res. 18-2006

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following, as amended: Resolved by the Calhoun County Board of Commissioners divide the three {3} 2006 budget amendments presented by the Finance Director as follows: [1] Transfer of \$67,000 from Building & Grounds - Toeller to the Sheriff Department budget, and adjustments totaling \$146,604 within the Sheriff Department budget to reflect two new programs; and [2] transfer of \$54,326 within the Equalization Department’s Contractual Services Account to the Salary and Fringes Accounts.”

Voice Vote: Motion CARRIED

Res. 18-A-2006

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve 2006 budget amendment [1] (ATTACHMENT A) as presented by the Finance Director.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Comr. Segal inquired what would occur if the second budget amendment is not approved. Mr. Latham responded that the county would not be able to offer Mr. Lee the position.

Res. 18-B-2006

“Motion by Comr. Segal, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve 2006 budget amendment [2] (ATTACHMENT B) as presented by the Finance Director.”

Roll call vote: Yes - 5 (Comrs. Bolger, Miller, Moore, Segal and Solis)
No - 2 (Comrs. Strowbridge and Todd)
Motion CARRIED

A.F.S.C.M.E. - Health Department Supervisory Employees’ Labor Agreement

Assistant County Administrator Wendee Woods stated that this agreement and the Assistant Prosecuting Attorney Association agreement are the last two agreements that expired in 2005.

Ms. Woods advised that the agreement represents four Health Department positions and provides for increase in the health insurance premium co-share to the point that all employees shall be contributing, and the same prescription program as for other employees. Ms. Woods stated that the agreement is for three years.

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Res. 19-2006

“Motion by Comr. Bolger, supported by Comr. Segal, adopt the following: Resolved by the Calhoun County Board of Commissioners ratify the Agreement between the Calhoun County Board of Commissioners and the American Federation of State, County and Municipal Employees (AFSCME), Local No. 2431- Health Department Supervisory Employees, effective January 1, 2006 through December 31, 2008; further, authorize the Board Chairman to execute said Labor Agreement on behalf of the Board of Commissioners.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Assistant Prosecuting Attorneys Association Labor Agreement Ratification

Mr. Purcell advised that Prosecutor Hallacy could not attend tonight’s Board meeting, however, recommends approval of the agreement.

Ms. Woods advised that the agreement is for four years with the fringe benefits and terms stated within the cover memorandum.

Res. 20-2006

“Motion by Comr. Segal, supported by Comr. Strowbridge, adopt the following: Resolved by the Calhoun County Board of Commissioners ratify the Labor Agreement between the Calhoun County Board of Commissioners and the Prosecuting Attorney, and the Assistant Prosecuting Attorneys Association, effective January 1, 2006 through December 31, 2009; further, authorize the Board Chairman to execute said Labor Agreement on behalf of the Board of Commissioners.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS’ TIME:

Sheriff Byam introduced Deputy Todd Turner to advise regarding the February 24 Family Safety Day.

Deputy Turner stated that the outdoor Family Safety Day is sponsored by the area schools. Deputy Turner advised that he teaches the teen program in the schools. Deputy Turner presented a flyer pointing out that most of the students on the flyer are from Calhoun County. Deputy Turner stated that Family Safety Day is an awesome event, and expressed his appreciation to those who support the program. Deputy Turner advised that this year there shall be even more participants and he looks forward to more students attending.

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COMMISSIONERS' TIME:

Comr. Moore recognized Road Commissioner Charles Monaweck.

Comr. Segal expressed thanks for all the congratulations on the birth of her daughter, and thanked Battle Creek Health Systems and her nurses for her wonderful experience at the Hospital. Comr. Segal advised that Elise Mae shall make an appearance in late February.

CLAIMS PAYABLE LISTINGS:

Res. 21-2006

“Motion by Comr. Segal, supported by Comr. Strowbridge, 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 \$279,220.56 for the week of January 3, 2006; further, approve payment of the list of claims against the county in the total amount of \$1,174,173.82 for the week of January 10, 2006.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

RECESS:

The Board recessed at 8:27 p.m. at the call of the Chair.

mlb