

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

May 17, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, May 17, 2007 in the Battle Creek City Commission Chambers, 10 North Division Street, Battle Creek, Michigan.

Roll Call: Present: Comrs. Arnquist, Bolger, Moore, Rae, Segal, Solis and Todd.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Solis, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the May 17, 2007 agenda as presented; and the May 17, 2007 addendum, with deletion of Item No. 12.A. (7) - Road/Parks Work Pilot Program Appropriation.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the April 17, 2007 Equalization Session minutes, and the April 25, 2007 Special Session minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

Mr. Gardy Berezonsky, Marengo Township resident, voiced displeasure that he drove from Marengo to Battle Creek only to be advised that Item 12.A (7) has been removed from the agenda. Mr. Berezonsky addressed Item 12.A.(3) and inquired why jail inmates have the right to have voice mail, cable/satellite television and air conditioning. Mr. Berezonsky stated that the inmates are supposed to be in jail to be punished and that he has a problem with the inmates being provided better benefits that what he has in his home.

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Battle Creek City Commissioner Brian Hersha welcomed the Board and congratulated Commissioner Rae for his idea to conduct county Board meetings throughout the county.

SPECIAL ORDER OF BUSINESS:

“Armed Forces Day” Proclamation

Comr. Todd read the following proclamation.

Res. 65-2007

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

WHEREAS, the men and women of the U.S. Military Active, Reserve and Guard forces serve and respond whenever called upon to defend our State and Nation’s security at home and abroad; and

WHEREAS, our men and women in uniform put their lives at risk, placing their country’s safety and security above their own, seeking to secure freedom and liberty for oppressed people around the world; and

WHEREAS, the words of President Dwight D. Eisenhower written in 1953 remain true today: “It is fitting and proper that we devote one day each year to paying special tribute to those whose constancy and courage constitute one of the bulwarks guarding the freedom of this nation and the peace of the free world.” On Armed Forces Day, our grateful Nation salutes the brave men and women who protect our country, defend freedom, and help make our world a better place; and

WHEREAS, we are honored to have Major General Charles Bolden come to Calhoun County Friday, May 18, 2007 to pay tribute to our men and women in uniform at the Annual Armed Forces Day Luncheon at the Burnham Brook Center in Battle Creek.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, do hereby thank and honor our men and women in uniform on **Saturday, May 19, 2007 - Armed Forces Day 2007** and call upon all citizens of the County of Calhoun to take a moment this day to join us and others in honoring them and remembering those that have given their lives to protect our freedoms in this great country, and encourage everyone to attend our local events in their honor.”

Voice Vote: Motion CARRIED

Chairperson Segal advised that Commissioner Todd will present the proclamation at the Armed Forces Day Luncheon at the Burnham Brook Center.

“Drug Court Month” Proclamation

Chairwoman Segal read and presented the following proclamation to Mid-South Substance Abuse Commission Director Suzanne Horsfall and Drug Court Case Manager Suzanna Bourne.

Res. 66-2007

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

WHEREAS, drug courts combine judicial accountability and evidence-based treatment to effectively intervene against substance abuse and related crime; and

WHEREAS, at least three experimental studies have yielded definitive evidence that drug courts are demonstratively effective and significantly improve substance-abuse treatment outcomes, substantially reduce crime, and produce greater cost benefits than other justice strategies; and

WHEREAS, the judges, prosecutors, defense attorneys, substance abuse treatment and rehabilitation professionals, law enforcement and community supervision personnel, researchers and educators, national and community leaders and others dedicated to the movement have had a profound impact within their communities; and

WHEREAS, the drug court movement has grown from the twelve original drug courts in 1994 to 1,927 operational drug courts as of December 2006; and

WHEREAS, the Calhoun County Drug Court was launched on January 23, 2003 with the purpose of successfully rehabilitating substance abusers, through intensive court supervised treatment, while maintaining public safety; and

WHEREAS, the Calhoun County Drug Court supports “Drug Court Month;” and is dedicated to the promise of recovery, restoring hope to drug court graduates and their families.

THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners declare that a “Drug Court Month” be established during the Month of May 2007, recognizing the

practitioners and participants who make drug courts work and the significant contributions that drug courts have made, and continue to make, in reducing drug usage and crime.”

Voice Vote: Motion CARRIED

CONSENT AGENDA:

Res. 67-2007

“Motion by Comr. Moore, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following May 17, 2007 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from Clinton County supporting Senate Bills 410 and 411 {Emergency Telephone Service Enabling Act Amendment}. (Referred to the Legislative Liaisons, with a copy remitted to County Administrator/Controller Greg Purcell and Emergency Telephone District Board Chairman Allen Byam)
- (2) Resolutions received from Hillsdale and Clinton Counties urging the Michigan Legislature to identify a full replacement for the Single Business Tax and determine solutions for the budget deficit. (Referred to the Legislative Liaisons)
- (3) Copy of Permit No. 07-13-0011-P issued to the Michigan Department of Transportation to extend an existing equalizer culvert at M-311 in Newton Township received from the Michigan Department of Environmental Quality. (Received and placed on file, with a copy remitted to Road Commission Managing Director Dennis Randolph and Drain Commissioner Blaine VanSickle)
- (4) Notice of a public hearing scheduled for May 15, 2007 regarding granting an Industrial Facilities Exemption Certificate to Denso Manufacturing received from Battle Creek City. (Received and placed on file, with a copy remitted to Equalization Director David Lee)
- (5) Notice of a public hearing scheduled for May 14, 2007 regarding granting an Industrial Facilities Exemption Certificate to Jorgensen Steel Machining &

Fabrication, Inc. for new equipment received from Tekonsha Village. (Received and placed on file, with a copy remitted to Equalization Director David Lee)

B. Resolutions:

(1) Emergency Telephone District Board Appointments

{a} James Demarest -- A.M.S.A. Representative
(Replacing Jim Jenkins)

{b} Robert Behnke -- Alternate for James Demarest"

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Intergovernmental Cooperation Conference

Chairwoman Segal reported that Mr. Purcell and she attended a Michigan State University Intergovernmental Cooperation Conference today. Chairwoman Segal stated that it was an incredible opportunity on a state-wide level as a follow-up to the County-wide Summit. Chairwoman Segal advised that she shall pass along the conference information. Chairwoman Segal commended the county, city and village officials for being proactive in this area.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Industrial Facilities Exemptions Discussion

County Administrator/Controller Greg Purcell advised that the county contributed \$2,058 and \$700 in taxable revenue to Denso Manufacturing and Jorgensen Steel Machining and Fabrication, Inc. as an economic development stimulus.

FY 2007 Emergency Management Performance Grant Agreement

Mr. Purcell advised that the grant is in the amount of \$23,943.

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Emergency Services Coordinator Larry Utterback advised that the annual grant funds a portion of his salary and fringe benefits.

Res. 68-2007

“Motion by Comr. Rae, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2007 Emergency Management Performance Grant Agreement between the Michigan Department of State Police, Emergency Management and Homeland Security Division, and Calhoun County Emergency Services in the amount of \$23,943 for the period of October 1, 2006 through September 30, 2007; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County and Calhoun County Emergency Services.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Inmate Telephone Services Bid Award

Mr. Purcell advised that with the agreement proposed the county shall gain additional revenue, decrease the cost for telephone usage for inmates and increase the services provided.

Administrative Services Director Bradley Wilcox addressed the major features and highlights of Securus Technologies, Inc.'s proposal; e.g., secure connect architecture, voice biometrics, secure instant mail, KIOSK, voice mail, recovery program, commissary assistant, and debit card calling. Mr. Wilcox advised that the secure connect architecture is a fully integrated inmate call processor and jail management platform which shall allow greater control and management of the inmate's phone privileges and increases the effectiveness of investigating and fraud tracking programs such as three-way call detection, word search applications, voice biometric identification, offsite monitoring and on-line web access for data and call records. Mr. Wilcox stated that secure connect is designed to reduce Sheriff staff labor and increase investigative ability.

Comr. Todd questioned the impact on Sheriff Department staffing. Mr. Wilcox responded that he does not know, however, that the platform shall improve the efficiency for the Department.

Mr. Wilcox continued that the voice biometrics feature can validate inmate identity and that of the called party which reduces fraud and potential liability. Mr. Wilcox advised that the secure instant mail feature shall offer inmates and their families another alternative to one-way phone calls and USPS mail delivery. Mr. Wilcox pointed out that mail can be a primary entry point for contraband and the distribution of coded messages which requires a significant amount of time for Sheriff staff to process. Mr. Wilcox further advised that the KIOSK provides families and friends with the ability to deposit funds into an inmate trust account from a free standing

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electronic information center which shall be located in the jail visitation area. In addition, KIOSK could be utilized to provide jail policy information, account access, bond payments and issuance of debit cards. Mr. Wilcox stated that Securus has offered to provide KIOSK at no cost and cover all maintenance for two years.

Mr. Wilcox further advised that Securus has significant experience with collections and offers collection for current and future accounts receivables related to jail activity to increase revenue for the Department. Mr. Wilcox stated that commissary assistant shall provide a simple way for inmates to order commissary products and check their inmate accounts; and that debit card calling will continue to be a strong contributor to revenue as proposed by Securus.

Mr. Wilcox addressed Securus' proposal which offers the county a commission rate of 63 percent, compared to the 55.5 percent of the previous contract; and offers a \$125,000 signing bonus, compared to the previous \$50,000 bonus. Mr. Wilcox advised that the estimated revenue generated from the proposed agreement for the seven year period is \$3,535,000.

Res. 69-2007

“Motion by Comr. Rae, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners award the bid {RFP#103-07} to provide inmate telephone services for the Calhoun County Sheriff Department to Securus Technologies, Inc. of Dallas, Texas; further, authorize the Board Chairwoman to enter into a seven {7} year Agreement with Securus Technologies, Inc. on behalf of Calhoun County.”

Sheriff Allen Byam stated that he believes this agreement is the best in the state in terms of revenue and services.

Comr. Bolger inquired regarding telephone call security for the victims. Mr. Wilcox advised that the system identifies the call as coming from the jail and the victims can opt not to take the call and by punching #7 any future calls from that location would be blocked. Comr. Bolger inquired whether the Sheriff Department can also block calls. Mr. Wilcox responded Yes.

Comr. Solis addressed the estimated revenue, noting that a good percentage of the cost is borne by the families of the inmates, and inquired whether the proposed services shall provide some savings to those families. Mr. Wilcox responded yes, pointing out that the surcharges and fees have been reduced.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Intergovernmental Transfer for Indigent Health Care Programs

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Mr. Purcell stated that the state has changed the Medicaid plan that is the basis for disproportionate share hospital payments related to indigent care agreements effective June 1, 2006, which requires the Board approve another resolution authorizing the intergovernmental transfer. Mr. Purcell advised that all county Health Plans must execute a new indigent care agreement with their hospital partners, and Calhoun Health Plan and Battle Creek Health System have done so.

Calhoun Health Plan Director Samantha Pearl advised that payments have been sent to the state on a quarterly basis for two years and addressed programs available to those at or below the poverty level; e.g., Plan B, Advocacy, Prescription Drug Access and Dental Care.

Comr. Bolger inquired whether there are any changes to the Health Plan. Ms. Pearl responded No.

Chairwoman Segal advised that she shall abstain from voting because she serves as the Health Plan President.

Res. 70-2007

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

WHEREAS, Calhoun County is committed to supporting programs that provide access to appropriate health care services for low-income residents of our community; and

WHEREAS, the Federal government has approved Michigan’s Medicaid State Plan Amendment TN No. 05-13, effective June 1, 2006, which creates an “Indigent Care Agreements Pool” for hospitals qualifying for Medicaid Disproportionate Share Hospital (“DSH”) payments to receive DSH payments under the Indigent Care Agreements Pool so long as:

- (a) The hospital has an Indigent Care Agreement with a local health care entity, such as the Calhoun Health Plan, and
- (b) The Indigent Care Agreement stipulates that direct or indirect health care services be provided to low-income patients with special needs who are not covered under other public or private health care programs; and

WHEREAS, Calhoun Health Plan purposes to include promoting, organizing, managing and administering programs to create a system for providing or arranging and paying for health care services in a cost effective manner for persons unable to pay for such health care services; and

WHEREAS, Calhoun Health Plan has entered into an Indigent Care Agreement with Battle Creek Health System, requiring the Calhoun Health Plan to directly or indirectly operate a

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program of arranging and paying for health care to low-income individuals with special needs who are not covered under other public or private health care programs and who are unable to pay for such services; and

WHEREAS, both the Federal Government and the State of Michigan participate in the financing of the Indigent Care Agreements Pool, with the Federal Government matching the State's portion pursuant to the Federal medical assistance percentage formula; and

WHEREAS, certain intergovernmental transfers of public funds from Calhoun County may be made to the State of Michigan to be used as the State's share in claiming the Federal match.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners hereby authorizes intergovernmental transfers in an amount of \$500,000 annually to the State of Michigan for the purpose of participating in the financing of the non-federal share of DSH payments made under the Indigent Care Agreements Pool to Battle Creek Health System so long as the Calhoun Health Plan maintains a current Indigent Care Agreement with Battle Creek Health System."

Roll call vote: Yes - 6 (Comrs. Moore, Rae, Solis, Todd, Arnquist and Bolger)

Abstain - 1 (Comr. Segal)

Motion CARRIED

April 2007 Financial Statements

Interim Finance Director Pam Kline reported that expenditures have exceeded revenues by \$2,432,114 which has created a reduction to the General Fund for the first four months of 2007. Ms. Kline stated that until the tax levy is received in July, the budget shall remain in this situation.

Battle Creek Downtown Development Authority Meeting Discussion

Mr. Purcell advised that Administration made a presentation to the Battle Creek Downtown Development Authority (D.D.A.) requesting \$350,000 to keep the Department of Human Services at their present location in the Toeller Building, and the D.D.A. awarded the county \$175,000. Mr. Purcell stated that this is good news for Calhoun County and downtown Battle Creek and expressed appreciation to the members of the D.D.A.

Proposed Roads/Parks Work Pilot Program

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Mr. Purcell advised that the Program is a good program and has been withdrawn from the agenda as there were some liability questions to be addressed. Mr. Purcell stated that he anticipates the item shall be back on the June 7 Board agenda.

CITIZENS' TIME:

Mr. Berezonsky stated that he never heard the Board change their Board Rules regarding method of voting tonight. Mr. Berezonsky stated that he would prefer to hear each Commissioner vote and believes that the Board Rules do not allow for electronic voting.

COMMISSIONERS' TIME:

Comr. Todd advised that he voted yes to each item voted upon by the Board tonight.

Comr. Todd announced that the recipients of the Future Leaders Awards were Treeonna Edmonds and Asieonna Mabry of Ann J. Kelloggs, Brittany Elliott and Dontrel Childress of Wilson Elementary, Brandon Hainer and Paylend Swartz of Franklin Elementary, Nicholas Stanford and Jace Trevino from Lamora Park Elementary, Camden Hames and Tyler Roedersheimer of Coburn Elementary, Chelsea Stevens and Shane Eberhard of W.K. Kelloggs, and Jessie Mosier and Bradley Pierce of Urbandale. Comr. Todd apologized for not sending out invitations for the event, however, advised that the awards were conducted at the Kellogg House where space was limited and he wanted the students to be able to have room for their families.

Comr. Todd congratulated John Byrd upon his election to the Kellogg Community College Board of Directors.

Comr. Moore encouraged everyone to honor the men and women of the armed forces by attending the Armed Forces Day Luncheon tomorrow at the Burnham Brook Center; further, invited everyone to attend the Memorial Day ceremonies at the Fort Custer Cemetery on Sunday, May 27 commencing at 2:00 p.m.

Comr. Rae thanked the Battle Creek City Commission and staff for allowing the Board to use their facilities.

Comr. Bolger invited everyone to attend Celebrate Michigan Week in Marshall which commences tomorrow with the Mayor's Prayer Breakfast at 7:30 a.m. Comr. Bolger advised that he shall be in the 5 k race on Saturday morning and requested everyone pray for him that he shall be able to "hang" with his son.

Chairwoman Segal echoed Commissioner Rae's thanks to the Battle Creek City Commission and thanked Clerk Bedsole for assisting the Board this evening.

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Chairwoman Segal congratulated Nick Schrippa upon his new assignment to the City of Battle Creek and wished him the best of luck.

CLAIMS PAYABLE LISTINGS:

Res. 71-2007

“Motion by Comr. Moore, 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 \$11,788,094.77 for the week of May 8, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

ADJOURNMENT:

The Board adjourned at 8:06 p.m. at the call of the Chair.

mlb