

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

February 15, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, February 15, 2007 in the Commissioners' Meeting Room, County Building, Marshall, 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. Moore.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the February 15, 2007 agenda and addendum as presented.”

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 January 18, 2007 and the January 27, 2007 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Ms. Pearl Gray-McWhorter, Battle Creek resident, advised that on Friday, January 19 she fell at the Burnham Brook Center and reported the injury on the next Monday, after which she has not been allowed to receive therapy as it is a new injury. Ms. Gray-McWhorter stated that she wrote the Director of the Burnham Brook Center and it took him two weeks to write back advising that the City of Battle Creek is responsible for the injury. Ms. Gray-McWhorter continued that she wrote to the City, however, the City is refusing to pay. Ms. Gray-McWhorter stated that she discussed the injury with some attorneys and they are either too busy to take her case on a contingency basis or advised that there would be a conflict of interest. Ms. Gray-McWhorter requested the Board's assistance in getting her therapy.

**Board of Commissioners
February 15, 2007**

Mr. Gardy Berezonsky, Marengo Township resident, pointed out that the statute cited within Agenda Item No. 12.A. (2) is incorrect; further, advised that a magistrate does not need to be an attorney.

SPECIAL ORDER OF BUSINESS:

Special Tribute to Reggie LaGrand

Chairwoman Segal read and presented the following tribute to Mr. LaGrand.

Res. 20-2007

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

WHEREAS, REGGIE LAGRAN is leaving his position as Director of the Calhoun County Juvenile Home to assume the position of Program Director for the W.K. Kellogg Foundation.

Reggie started his career with the Juvenile Home on October 15, 1982 as a part-time Child Care Worker, which became a full-time position in March of 1983. Reggie was promoted to Juvenile Probation Officer in April of 1986, to Assistant Director of Treatment in September of 1988, and to Director of Treatment in May of 1990. Reggie resigned to assume a position with the Battle Creek Public Schools in August of 1990, however, returned to the Juvenile Home, accepting the position of Director on June 17, 2004.

WHEREAS, under Reggie LaGrand's leadership, the Juvenile Home has become more than just a detention facility with residents involved in education, recreation, counseling and behavior modification programs; and

WHEREAS, when Reggie LaGrand accepted the position as Director of the Juvenile Home he came at a time when employee morale at the Home was rapidly declining; and

WHEREAS, Reggie not only has made a significant impact upon the children he has cared for, but also positively impacted staff morale and set a new direction and vision for the role the Juvenile Home plays in the community, so much so, that this is what his staff says of Reggie.....

“Reggie is a true professional who has great compassion for the well-being of residents and people in general. He knows and understands what it is that sustains a person in their walk of life. He knows what integrity is and what people will remember and admire about them the most. Reggie knows that it's all about relationships with people and that those relationships are built through

**Board of Commissioners
February 15, 2007**

being honest, sincere and caring about all mankind, whether you are a CEO or a poor child looking for someone to love them.”

“What makes Reggie special is his caring attitude toward everyone. It never matters what he is doing or how busy he is, Reggie always stops to talk, offer suggestions or advice, or just to listen. He often can be found out of his office, talking with kids.”

“Reggie fully understood the importance of human relationships and individual growth, whether it be with personnel, kids or families.”

“Reggie wants everyone to reach their goals and realize their dreams. He has truly left his mark on the staff at the Calhoun County Juvenile Home. We have all learned some great life lessons from him. He is not only a co-worker, but a friend for life.”

WHEREAS, for these and many more reasons, Reggie will be greatly missed at the Calhoun County Juvenile Home.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, wish to take this opportunity to express our thanks to **REGGIE LAGRAN**D for his many years of compassionate service to the youth of Calhoun County and wish him well in his new position at the W.K. Kellogg Foundation and in any future endeavors.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Mr. LaGrand thanked his staff for coming. Mr. LaGrand stated that when he came back to the Juvenile Home it was a challenge; however that he received a lot of support and that without his staff providing the laughter and food, he would not have been able to do it.

Comr. Moore advised Mr. LaGrand that he believes it is fitting that his entire staff accompanied him, pointing out that it is indicative of the affect he has had on the staff and that it was his leadership and through his efforts that brought the team in tonight.

Comr. Todd stated that Mr. LaGrand seems to impact people’s lives wherever he is, and advised Mr. LaGrand that in his position as Director he presented a very significant role model for the African American male children. Comr. Todd congratulated Mr. LaGrand on his new position at the Kellogg Foundation.

Special Tribute to James Jenkins

Chairwoman Segal read and presented the following tribute to Mr. Jenkins.

**Board of Commissioners
February 15, 2007**

Res. 21-2007

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

WHEREAS, JAMES JENKINS, “Jim,” has tendered his resignation with the City of Springfield effective February 28, 2007 after serving as City Manager since March of 1999; and prior to that period as Acting City Manager on two occasions, and the City’s Director of Public Safety from 1991 to March 1999.

During Jim’s career as Director of Public Safety he cross-trained the then separate Police and Fire Department staff, was instrumental in the Department receiving the Cops FAST grant and a mini-traffic enforcement grant, the update of numerous traffic orders, the development of a OUIL Cost Recovery System, streamlining of a junk auto removal system, upgrade of equipment and the improvement of the Department’s professional and public image; and

During Jim’s career as City Manager his accomplishments have been many . . . Revision of the Code of Ordinances, the renovation of the City Hall, acquiring Clean Michigan Initiative funding to demolish an abandoned school, the receipt of a \$1 Million Brownfield Grant, the paving of park business roads, several road reconstruction projects and the construction of a large play structure as part of the Begg Park renovation. Jim also reduced the City’s telephone costs by thirty percent, and was instrumental in adding a farmer’s market to the park and the construction of a new housing development; and

WHEREAS, JAMES JENKINS was an integral part of the economic development of the City of Springfield, attracting several businesses to the City; and

WHEREAS, under Jim’s leadership many projects were completed by the City including the development of the east airport area into a thriving service oriented business district, the Magnificent Motor Mile, beautification of the Dickman Road Corridor, the institution of a mandatory sewer hook-up policy, the revision and consolidation of TIFA Plans, participation in an area-wide fiber optic program, contamination clean-up of the former Baker Oil site, and the reconstruction of Avenue A, to list a few; and

WHEREAS, JAMES JENKINS has improved the City’s professional appearance, operations and interagency cooperation substantially during his tenure as City Manager and shall be missed by staff and his many friends.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, do hereby honor and congratulate **JAMES JENKINS** for his many years of exemplary service to the citizens of the City of Springfield, and extend our best wishes for a happy, healthy and well-deserved

retirement.”

Voice Vote: Motion CARRIED

Mr. Jenkins advised that he could not have accomplished what he did without his staff, and without God for the strength and ability to work through the problems.

“Black History Month” Proclamation

Comr. Todd read and presented the following proclamation to Ms. Ethel Fitzpatrick and her family. Comr. Todd advised that Ms. Fitzpatrick reaches out to the youth at Easter with a big Easter egg hunt.

Res. 22-2007

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

WHEREAS, February marks the beginning of Black History Month, a celebration that has existed since 1926, which provides a unique opportunity to gain a deeper understanding and knowledge of the diverse contributions of African-Americans to our country and world; and

WHEREAS, in 1926 Dr. Carter Woodson, who was determined to bring Black History into the mainstream public arena, organized the first annual Black History celebration which took place during the second week of February. Dr. Woodson chose this date to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, two men who had greatly impacted the black population; and

WHEREAS, this is a time for all Americans to become more aware of the important role African-Americans maintain in our country’s defense and continued development as a great international nation; and

WHEREAS, the Calhoun County Board of Commissioners would like to take this opportunity to recognize the many accomplishments and contributions of African-Americans in Calhoun County.

NOW, THEREFORE, I, Kate Segal, Chairwoman of the Calhoun County Board of Commissioners, do hereby proclaim the month of February 2007 as

“BLACK HISTORY MONTH”

in Calhoun County and urge our citizens to recognize and support the ideals of human dignity

**Board of Commissioners
February 15, 2007**

and equal opportunity to which this nation is committed and which we celebrate during this month.”

Voice Vote: Motion CARRIED

Ms. Fitzpatrick advised that it is God that is working through her.

Red Dress – Red Tie Day Proclamation

Comr. Arnquist read and presented the following proclamation to Minority Health Partnership Director Angela Jackson.

Res. 23-2007

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

WHEREAS, heart disease is the number one cause of death for Calhoun County residents; and

WHEREAS, heart disease mortality is over 30% higher for African Americans than whites; and

WHEREAS, heart disease mortality rate for Black women is over 60% higher than the rate for White women; and

WHEREAS, heart disease kills more women than the next six causes of death combined (including all forms of cancer); and

WHEREAS, most women in Michigan do not participate in regular physical activity or eat a healthy diet; and

WHEREAS, the death rates for African Americans for other chronic disease such as stroke and diabetes are significantly higher than the rates for whites; and

WHEREAS, the *Minority Health Partnership* works with health and human service organizations, faith communities and volunteers to eliminate existing health disparities in communities of color; and

WHEREAS, February is Heart Health Awareness Month; and

WHEREAS, the Minority Health Partnership is hosting the Third Annual Red Dress Banquet to empower women and their friends and family by providing culturally, ethnically and

**Board of Commissioners
February 15, 2007**

linguistically appropriate health education, disease prevention, and health resources that promote healthier lifestyles.

BE IT THEREFORE RESOLVED, that Friday of February 23, 2007 Calhoun County will go Red and be declared Red Dress – Red Tie Day in Calhoun County, Michigan.”

Voice Vote: Motion CARRIED

Ms. Jackson advised that the banquet is in coordination with the Red Cross and that they shall be offering a heart healthy meal.

ELECTED/APPOINTED COUNTY OFFICIALS’ COMMENTS

Veterans Affairs Director Scott Losey introduced Committee Chairman Todd Kaminski, Co-Chairman Arnold Arquette and Service Officer Jude Lonergan.

Veterans Affairs Committee Chairman Kaminski invited Board members to stop by the office and attend a Committee meeting. Mr. Kaminski addressed 2005 fiscal statistics, advising that the Department received \$19 Million in veterans’ pension benefits and are eighth in the state to secure that much in pension benefits, due to the sound and reasonable evidence presented in acquiring the benefits. Mr. Kaminski stated that the Department shall continue to provide outstanding veterans’ support.

Mr. Kaminski advised that last year Mr. Losey was of great assistance to him in getting his Grandfather, a World War II veteran, awarded a bronze star for his service.

Mr. Losey stated that this country is still at war and troops are continually being deployed, and that if the war continues, the Veterans Affairs Department will become even busier. Mr. Losey advised that the Department shall continue to ensure that those veterans will be taken care of.

SPECIAL ORDER OF BUSINESS CONTINUED:

Purchase of Development Rights Program Presentation

Calhoun County Agricultural Preservation Board (Ag. Board) Member Moore addressed the Cost for Services Study, which determined that the value of agricultural commodities exceeded \$61 Million in Calhoun County, and that state-wide Calhoun County is the third largest in agricultural commodities.

Comr. Moore stated that it is a pleasure to announce that on Monday the Ag. Board shall be formally opening the Purchase of Development Rights Program application window and shall be issuing a press release tomorrow for the 90 day application window. Comr. Moore stated that since 1999 three dozen people have participated in the purchase of development rights process. The local application process is the first step in the county’s plan for making application for state and federal funds available for purchasing development rights from agricultural

**Board of Commissioners
February 15, 2007**

landowners in exchange for an easement restricting future development of the property for uses other than agricultural. Comr. Moore advised that the application cycle shall determine the interest of those wishing to donate 25 percent towards the local match.

Comr. Moore advised that 18 or 19 townships have “signed on” to allow the farmers to participate. Comr. Moore continued that the Board has approved the application selection criteria developed by the Ag. Board, and the application form has been developed. Comr. Moore stated that he is proud of the work that has been done, and introduced Ag. Board Chairman Ken Blight and Members Wayne Cornell, Matt Davis, Sue Ann Jessup, Daniel Kesselring and Larry Metzgar.

Ag. Board Chairman Blight stated that the Ag. Board has appreciated the Commission’s support. Mr. Blight advised that the Purchase of Development Rights Program has been a lengthy process of between 6 to 7 years with a lot of people involved.

Planning Director Jennifer Bomba stated that she has been very pleased to work with the Ag. Board. Ms. Bomba pointed out that the Program started from nothing to become a Program that will have a big impact upon the county.

Ms. Bomba advised that the Ag. Board shall be speaking at a Michigan Township Association meeting and has been partnering with other organizations within the county. Ms. Bomba advised that application packets are available in the Planning Department and have been distributed to the townships.

CONSENT AGENDA:

Res. 24-2007

“Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the February 15, 2007 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from Isabella County supporting Christine Alwood for the Michigan Association of Counties Board Member at Large. (Received and placed on file)

B. Resolutions:

- (1) Juvenile Justice Advisory Committee Appointments
 - {a} Pablo Lerma (Replacing Reggie LaGrand)
 - {b} Linn Miles

**Board of Commissioners
February 15, 2007**

- {c} Dave Roush
- (2) Calhoun County Agricultural Preservation Board Appointments
(Terms Expire December 31, 2009)
 - {a} Larry Metzgar – Agricultural Representative
 - {b} Daniel Kesselring – Conservation/Natural Resources Representative
- (3) Greater Battle Creek/Calhoun County Visitor and Convention Bureau Appointment
(Term Expires December 31, 2008)
 - {a} Ann Petredean
- (4) Solid Waste Planning Workshop Creation/Appointments
(Workshop Automatically Dissolves December 31, 2007)
 - {a} Mike Rae
 - {b} Terris Todd
 - {c} John Bomba
 - {d} Ken Kohs
 - {e} Marilyn Hennon”

Voice Vote: Motion CARRIED

UNFINISHED AND OLD BUSINESS – 2007 Board Rules Adoption:

Res. 25-2007

“Motion by Comr. Moore, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners remove from table the Proposed 2007 Board Rules.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Board Rules Review Workshop Chairman Solis thanked Members Arnquist and Moore, and Corporation Counsel Mullett for their work. Comr. Solis advised that most of the revisions are housekeeping items; however, that there are two major revisions; e.g., Rule 1.2 - Regular Board Meetings, additional language inserted to allow for Board meetings to be conducted at designated dates and places agreed upon by a majority vote. The other major revision is to Rule 6.1 - to allow for voting via a teleconference or video conference.

Comr. Arnquist advised that she supports Rule 6.1 for four reasons; i.e., private industry allows the use of available technology, each district has the right to be represented, people now are more informed, and lastly because these options for voting shall only be used for special circumstances.

Board of Commissioners
February 15, 2007

Comr. Bolger stated that he has concern regarding moving the meetings out of the county seat, and is opposed to voting by teleconference or video conference. Comr. Bolger pointed out that the voters must vote in person and that the Board should be expected to do so as well. Comr. Bolger stated that voting by teleconference/video conference denies the public the right to watch their Commissioners deliberate. Comr. Bolger stated that the Board is doing the public's business and he believes Commissioners should be present when voting.

Comr. Bolger addressed Rule 4 limiting Citizens' Time from five minutes to three minutes. Comr. Bolger stated that he does not believe the Board should limit the public's ability to address the Board. Comr. Bolger advised that without the change in the length of Citizen's Time and the deletion of voting by teleconference/video conference, he cannot support the proposed Rules.

Comr. Moore advised that his key problem with the proposed Rules is that he believes the use of technology has served as a crutch, where people are less in communication with people. Comr. Moore stated that the people that elected the Board expect to attend Board meetings and watch their Commissioners do business, not watch the meetings on television and not to hear voting over the telephone. Comr. Moore expressed further concerns regarding how people would be able to receive the printed information. Comr. Moore stated that the Board is placing higher importance upon attaining a quorum than in voting, which calls into question why the Board holds its sub-committees to higher standards than the Board holds itself. Comr. Moore advised that he shall be opposing the proposed Rules as they stand.

Comr. Rae pointed out that the revision to Rule 1.2 is necessary to allow for the Board to make arrangements to conduct Commission meetings at other places. Comr. Rae stated regarding Rule 6.1, that Commissioners Bolger and Moore have a legitimate argument. Comr. Rae inquired whether the insertion of language whereby teleconferencing/video conferencing were only to be allowed in a real emergency situation would make the rule revision more palatable.

Comr. Bolger advised that the insertion of language to allow for teleconferencing/video conferencing in an emergency situation would not change his objection. Comr. Moore advised that he would only entertain its use if the Board were meeting as a matter of emergency, a crisis, then he might consider vote by teleconference/video conference; however for regular Board business, he would not.

Comr. Rae stated, assuming that the Board Rules are approved, that within the minutes will be the discussion in regard to teleconferencing only to be used for an extreme emergency.

"Motion by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners adopt the 2007 Board Rules as presented."

The resolution died due to lack of support.

Comr. Solis stated that his constituents would ask him to vote as he had the ability to vote; pointing out that if voting is abused by the use of teleconference/video conference, he believes the constituents would let that Commissioner know. Comr. Solis pointed out that the Rule states "by prior arrangement."

**Board of Commissioners
February 15, 2007**

Comr. Todd stated that he believes Citizens' Time should remain at five minutes, and that he cannot support minimizing the time that the people have to address the Board; or if the time is being reduced, it should be across-the-board; i.e., Elected/Appointed County Officials' Comments. Comr. Todd stated regarding teleconferencing, that his constituents know that he is pretty flexible; further, pointed out that absentee voting is pretty important to voters, therefore, he can support the use of teleconferencing.

Comr. Arnquist pointed out that Citizens' Time is on the agenda twice, allowing each individual an opportunity of six minutes. Comr. Arnquist advised that the Workshop discussed placing Citizens' Time only once on the agenda, however, decided to leave Citizens' Time on the agenda twice. Comr. Arnquist stated regarding the quorum issue, that if four Commissioners are present, teleconferencing is okay; if only three Commissioners are present, the meeting should be cancelled. Comr. Arnquist stated that if the Board does not allow teleconferencing, it could discourage individuals from running for the County Commission; pointing out that many responsible jobs involve travel. Comr. Arnquist advised that she still strongly believes that the Rules should allow for teleconferencing.

Res. 26-2007

“Motion by Comr. Todd, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners amend Rule 2.1 - Citizens' Time of the Proposed 2007 Board Rules to allow for citizens to address the Board for up to five minutes, rather than three minutes.”

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

Res. 26-A-2007

“Motion by Comr. Rae, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners adopt the 2007 Board Rules, as amended.”

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

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Cognitive Education Programs Agreement

**Board of Commissioners
February 15, 2007**

Community Corrections Manager Roselynn Goff advised that cognitive education is a program within the jail for targeted offenders that is designed to reduce the severity and frequency of criminality by changing the thinking which leads to inappropriate and criminal behavior choices. Ms. Goff advised that 80 percent of those in the 2006 program did not return to jail. Twenty-Nine inmates are currently in the program. Ms. Goff further advised that there were 66 successful program completions in 2006.

County Administrator/Controller Greg Purcell pointed out that the agreement provides for 3 one year extensions as long as the community corrections funding continues to be received.

Comr. Rae noted that the cost listed within the agreement is \$22,500, yet the amount listed in the cover memorandum states \$24,640. Ms. Goff pointed out that the difference is the amount authorized in the grant and the cost presented as satisfactory from the vendor. Ms. Goff stated that the cost for the program is slightly less than the amount authorized by the state.

Comr. Rae inquired what straddle cell offenders are. Ms. Goff responded that the term pertains to where the inmates fall within the sentencing guideline offense grid.

Mr. Purcell addressed proposed changes in the sentencing guidelines, advising that he has discussed the issue with the state representatives.

Comr. Rae inquired whether there a G.E.D. program is provided at the jail. Ms. Goff responded yes, and advised that the jail provides a menu of programs, and offered to share the information with Commissioner Rae.

Res. 27-2007

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Agreement between Calhoun County Community Corrections and Cognitive Interventions for the period of October 1, 2006 through September 30, 2007 for continued provision of cognitive education programing for targeted inmates of the Calhoun County Correctional Facility; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County and Calhoun County Community Corrections.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

District Deputy Court Administrator/Attorney Magistrate Appointment

Court Administrator Michelle Hill advised that the Court has a vacancy because the State Court Administrator's Office hired Deputy Magistrate Jill Booth. Today was Ms. Booth's last day of work at the Court, however, she will keep in contact with the county. Ms. Hill advised that Robert Nickels has many years of experience and is an attorney, therefore, can handle the small claims hearings in Battle Creek two days per week whereby the judges can handle the criminal cases.

**Board of Commissioners
February 15, 2007**

Res. 28-2007

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

WHEREAS, Chief Judge John R. Holmes appointed Robert D. Nickels as Deputy Court Administrator/Attorney Magistrate for the Tenth District Court; and

WHEREAS, the Deputy Court Administrator/Attorney Magistrate is a budgeted position within the Tenth District Court; and

WHEREAS, M.C.L.600.8501(1) states that attorney magistrates shall be appointed by the judges of the district and the appointment shall be subject to approval by the county board of commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners approve the appointment of Robert D. Nickels as Deputy Court Administrator/Attorney Magistrate for the Tenth District Court.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

January 2007 Financial Statements

Mr. Purcell reported that revenues are at 8.11 percent and expenditures are at 6.25 percent.

Juvenile Home Annual Report

Project Leader Linnea Miles presented the Juvenile Home’s first Annual Report, reflecting an outline of the programs and services, and a listing of the organizations that the Home collaborates with in the community. Ms. Miles advised that additional copies of the Report are available at the Home and that the Report will be placed on the internet under county departments.

Comr. Moore inquired whether the statistics provided have been shared with The Coordinating Council. Mr. LaGrand advised that a lot of the information provided was included through discussion with The Coordinating Council.

Chairwoman Segal thanked the Home for the Report. Mr. LaGrand advised that the Report was a team project, however, that Ms. Miles did much of the work.

Health Department Fee Schedule Increases

Mr. Purcell requested Ms. Bowersox and Mr. Anderson provide the presentation. Mr. Purcell stated that the

**Board of Commissioners
February 15, 2007**

fee increase request is for a three year period at 4 percent. Mr. Purcell advised that the county provides the Health Department with only the minimum maintenance of effort.

Health Board Chairman Larry Anderson introduced Vice Chairman Jeffrey Mitchell and Member Richard Tsoumas. Mr. Anderson addressed the health indicators for Michigan which rank Michigan in the lower third for all states, and Calhoun County at the bottom third of all Michigan counties. Mr. Anderson stated that over the last couple of years there has been no increase in fees, and addressed budget concerns and the end of year projection for the fund balance.

Mr. Anderson pointed out that the county's maintenance of effort allocation to the Department has remained constant since 1990. Mr. Anderson addressed the Department's additional increases for overhead and other expenses. Mr. Anderson advised that the Department has conducted six town hall meetings to discuss increasing fees for services provided and the Sanitation Code amendments, and conducted a public hearing in the Health Department on February 2 and received no comments. Mr. Anderson advised that the fee increases are projected to generate an additional \$10,000 to \$20,000 annually.

Comr. Bolger stated that he understands the difficult budget situation the Health Department is under, however advised that his concern is that the increases are being passed on to the family-owned restaurants. Comr. Bolger stated that he would like the Board and the Health Board to work together to mitigate the Department's financial concerns, rather than pass the burden along to the constituents.

Health Officer Dottie-Kay Bowersox advised that the Department has conducted nine public forums to allow the residents opportunity to speak to the increases, and only ten commented, and that was in regard to the Sanitation Code amendments; further, that the Department has received not one single complaint regarding the fee increases. Ms. Bowersox pointed out that the four percent increase requested is almost meeting the cost of inflation.

Comr. Arnquist inquired regarding the county administrative overhead. Ms. Bowersox advised that the county charges the Department a central services cost and rent for the buildings the Department occupies, and that the cost has increased over the past three years.

Mr. Purcell advised that the overhead costs are real costs to the county, and that the costs are also assessed to the other departments. Mr. Purcell advised that unemployment costs for the Department have increased because of the 16 employees released from the Department who have filed for unemployment. Mr. Purcell pointed out that Administration consolidated the High Street Clinic back into the County Building to save the Department some expense.

Mr. Purcell thanked the Health Board for delaying in bringing the request for fee increases to the Board, advising the Board that the request had been intended for the first Board meeting. Mr. Purcell pointed out that the fees charged are the cost of doing business, and that if the Department is not recouping its expenses, those services are being subsidized by the taxpayers. Mr. Purcell stated that he believes the four percent increase

Board of Commissioners
February 15, 2007

requested for the next three years is too high, and should be reduced to 2.5 to 3 percent.

Comr. Moore inquired what shall occur if the Board does not approve the fee increases tonight. Mr. Anderson responded that a lot of the environmental health inspections are seasonal and if the fees are not set tonight, it will be too late to capture the additional revenue.

Comr. Moore stated that the cost allocation hourly rate charged to the Department is a number to maximize the amount charged back to the grants, however, that increase of the fees is a direct expense increase to the people. Comr. Moore noted that out of the Department's 102 line items only 7 cover the costs, and that even with the fee increases only 7 shall cover the costs. Comr. Moore stated that essentially the Board is asking the Department to operate at a deficit, which concerns him.

Comr. Rae inquired whether the fee increases could be for water, sewage and food inspections only, and not for immunizations and tests. Mr. Anderson advised that most of the people receiving the immunizations have Medicaid or Medicare, and the Department would lose money if the fees remain because Medicaid/Medicare will not pay the entire cost for the service. Mr. Anderson advised that the Department has the ability to apply a sliding fee schedule for those without insurance. Ms. Bowersox pointed out that the Department has a children's vaccine program for low-income individuals whereby they receive immunizations at no charge.

Comr. Moore addressed environmental health fees and inquired regarding line items where there currently is no fee assessed. Environmental Health Director Ted Havens stated that the Department is proposing a fee be assessed; i.e., \$250 starting this year for siting a condo. Comr. Moore advised that he has heard from some of his constituents that other counties do not charge a fee for that service, and inquired how the Department can justify charging. Mr. Havens responded that the Department believes \$250 is a reasonable fee to recoup some of the costs.

Mr. Purcell pointed out that the county has the responsibility to fund the Department should the Department run in a deficit. Mr. Purcell stated that he believes it is reasonable to increase the fees.

Comr. Rae stated that he is familiar with the excellent work the Department has provided, and advised that he supports the Department's request to increase fees.

Comr. Solis questioned should the Board approve the fee increases, how long it shall be before the increased fees catch up with the costs. Comr. Solis stated that he believes increasing the fees is only a band-aid solution to a huge problem, and does not address the health indicators. Comr. Solis stated that he believes what is needed is for the Board to work with the Health Board to determine some answers.

“Motion by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners table the Health Department's 2006-2007 fee structure for Water and Sewage, Food, and Other Fees and create a task force to work with the Board of Health on a strategic plan to determine fiscal solutions other than simply increasing fees.”

The resolution died due to lack of support.

Res. 29-2007

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Health Department’s 2006-2007 fee structure for Water and Sewage, Food, and Other Fees - (Immunizations - Testing) and create a task force to work with the Board of Health to develop a strategic plan to determine fiscal solutions other than simply increasing fees.”

Comr. Moore stated that if the Board does not approve the 2006-2007 fee structure tonight and allow the Department to recoup \$15,000, then the Board shall have to dip into the fund balance when it could not come up with \$26,000 this year to save a position. Comr. Moore advised that he shall support the resolution.

Comr. Solis advised that he shall support the resolution. Comr. Solis again addressed the health indicators, and Commissioner Moore’s statement regarding the position that failed to be funded, stating that in county government the focus seems to be on law enforcement.

Roll call vote: Yes - 6 (Comrs. Segal, Solis, Todd, Arnquist, Moore and Rae)
No - 1 (Comr. Bolger)
Motion CARRIED

Calhoun County Sanitation Code Amendments

Mr. Purcell advised that the Health Board has approved the amendments.

Mr. Havens advised that the Department conducted six meetings across the county, and that the well drillers recommended some of the changes and provided some good information. Mr. Havens advised that the amendments pertain to water wells and water well drilling, and addresses areas where there were loopholes due to changes in legislation, and to address meth problems. Mr. Havens advised that the last major revision of the Code was in 1995.

Comr. Moore thanked the Department for working with the well drillers.

Comr. Bolger questioned the “and/or” language within the Third Paragraph of Section 3.1 - Occupancy. Mr. Havens advised that if the dwelling can be cleaned up, that would satisfy the Department; however if not, or the owner would not, then the Department has the authority to condemn the dwelling and have it razed.

Res. 30-2007

“Motion by Comr. Bolger, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners amend the proposed Calhoun County Sanitation Code,

**Board of Commissioners
February 15, 2007**

deleting or with Section 3.1 Occupancy, Third Paragraph, as follows:

“In the event the dwelling, dwelling unit or premise is contaminated and ~~for~~ cannot be abated, the dwelling, dwelling unit or premise may be deemed unfit for habitation and condemned and ordered razed by a Michigan licensed hazardous waste handler/certified industrial hygienist.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Chairwoman Segal inquired how the state’s sanitation code affects the county’s. Mr. Havens responded that there is no state-wide code. Mr. Havens advised that due to problems a state-wide code has been set aside.

Res. 30-A-2007

“Motion by Comr. Todd, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the amended Calhoun County Sanitation Code, with further amendment of Section 3.1 Occupancy as provided with Resolution 30-2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Juvenile Home Educational Services Agreement

Assistant County Administrator Wendee Woods advised that currently Marshall Public Schools provides the services, however, that they will no longer provide the services effective June 30. The new agreement presented with Calhoun Intermediate School District (ISD) is to commence July 1.

Ms. Woods stated that the county appreciates Marshall Public Schools providing the service for the past seven years. Ms. Woods advised that ISD used to provide the service prior to Marshall Public Schools. Ms. Woods advised that if the agreement is approved, it shall go before the ISD Board next week; and if approved, Ms. Curry shall meeting with the Marshall Public School teachers to discuss their employment.

ISD Assistant Superintendent Mary Ellen Curry expressed the ISD’s pleasure to be providing the service; and advised that ISD has a plan to transition the teachers, provide them with time lines, and to explain what they can expect from ISD. Ms. Curry advised that she will work diligently with the teachers.

Ms. Woods advised that no increase in funding is expected, and that the Administrative staff and ISD have made arrangements to meet on a more frequent basis.

Comr. Moore inquired what is meant by “In the event that the funds from local sources... do not equal or exceed the program costs, the county shall reimburse the CISD for any such deficiency” stated on Page 4, Article V, Section 2. Ms. Curry responded “That did happen for a few years.” Ms. Curry advised that ISD deferred that revenue, and it offset future shortfalls. Comr. Moore questioned whether that should be stated within the

**Board of Commissioners
February 15, 2007**

agreement. Corporation Counsel Nancy Mullett responded that she does not believe it needs to be stated, however, that the Board could amend the agreement or put it in next year's agreement.

Comr. Todd questioned what is meant by to ... "unlawfully harass" as stated on Page 6, Article VII, Section 1. Ms. Mullett advised that the language was in the previous agreement, however, she would recommend it be deleted. Comr. Rae recommended the word "unlawfully" be deleted.

Res. 31-2007

"Motion by Comr. Solis, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Educational Services Agreement between the Calhoun Intermediate School District and the Calhoun County Board of Commissioners to provide educational program services to court placed students at the Calhoun County Juvenile Home for the period of July 1, 2007 through June 30, 2008; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County."

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS' TIME:

Ms. Gray-McWhorter again addressed the condition of her home and requested the Board's help in getting medical assistance.

Mr. Berezonsky stated that he never read that the Health Department was conducting public hearings. Mr. Berezonsky advised that he heard from a restaurant owner that is not happy with the increase in fees.

COMMISSIONERS' TIME:

Comr. Moore commended Ms. Mullett for her work in assisting to open the Boys and Girls Club.

Comr. Arnquist thanked Ms. Mullett for revising the Board Rules. Comr. Arnquist announced that in less than two hours is Chairwoman Segal's birthday.

Chairwoman Segal concurred with the commendation of Ms. Mullett for her role in the opening of the Boys and Girls Club. Chairwoman Segal stated that the facility is amazing, and the kids love it.

Chairwoman Segal invited everyone to the community "kick-off" to end homelessness at the Burnham Brook Center; further, announced that Monday is Presidents' Day and the County Building shall be closed.

CLAIMS PAYABLE LISTINGS:

Res. 32-2007

**Board of Commissioners
February 15, 2007**

“Motion by Comr. Rae, supported by Comr. Arnquist, 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 \$134,550.05 for the week of January 30, 2007; further, approve payment of the list of claims against the county in the total amount of \$771,946.62 for the week of February 6, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

RECESS:

The Board recessed at 10:23 p.m. at the call of the Chair.

mlb