

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

August 16, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:02 p.m., Thursday, August 16, 2007 in the Battle Creek City Commission Chambers, Battle Creek City Hall, 10 North Division Street, Battle Creek, Michigan.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Silent 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 August 16, 2007 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Moore, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the July 19, 2007 minutes as presented.”

Voice Vote: Motion CARRIED

SPECIAL ORDER OF BUSINESS:

Medical Care Facility Construction Project Update

Medical Care Facility Administrator Donna Mahoney stated that it is hard to believe that it has already been nearly a year since the Facility broke ground on the project, and introduced Missions Director Bill Sheldon and Controller John Castle.

Ms. Mahoney reported that the ground breaking ceremony was conducted on September 12, 2006, and that from September to December 2006 the first foundation was poured and the first structural steel was erected in the

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rear of the building. Ms. Mahoney advised that from January to March 2007 the foundation in the basement was started, structural steel in several areas was finished, masonry was started on the units at the rear of the building, and the new generator was installed; further, that from May to July all foundations and structural steel was completed, interior walls were started, and drywall was started in the rear dining units. Ms. Mahoney continued that in August the steel studs for interior second story walls were completed; and that the masonry, with the exception of the main entrance, shall be completed. Once masonry is completed, the drywall will be started in the two story area of the new addition. Ms. Mahoney addressed challenges of the project; e.g., structural damage, theft of copper, plumbing, popularity of the Renaissance Faire and parking.

Ms. Mahoney stated that when the project is completed there will be two 12-bed dementia units, 6 dining rooms, 88 private rooms, 16 semi-private rooms; further advised that the Facility shall be the first skilled nursing facility in Calhoun County to adopt the Eden Alternative. Ms. Mahoney addressed project finances, advising that only 30 percent of the contingency has been used through July, and 84 percent of the \$8 Million in bond issued funding has been used through July. Payments out of the Facility's \$7.5 Million in cash reserves will start being paid out in October. Ms. Mahoney advised that FIDS reimbursement for Medicaid beds will begin in January 2008, which shall produce \$159,000 annually.

Ms. Mahoney continued that transition into the new addition will begin in January 2008 and that renovations within the existing facility shall commence in five phases, with phase one completed in January, phase two by March, phase three by May, phase four by July and phase five in September 2008.

Mr. Sheldon advised regarding the Eden Alternative, that the Facility was required by the state to implement the Alternative as part of the FIDS Program (Facility Innovative Design Supplemental). The FIDS Program pays an additional \$5 per Medicaid bed per day to the Facility. Mr. Sheldon advised that the Eden Alternative fights to eliminate the three plaques of loneliness, helplessness and boredom; and that the Facility has 57 trained Eden associates to help with the transition from the institutional model to the Eden Alternative, and that several committees have been established to assist with the transition.

Comr. Rae inquired whether project completion shall be on time. Ms. Mahoney responded that the project is approximately six weeks behind schedule. Comr. Rae inquired whether any penalties shall be assessed to the construction firm. Ms. Mahoney responded that a provision for late completion was not written into the agreement. Ms. Mahoney stated that she would not be surprised if the firm catches that time up.

Comr. Arnquist stated that she is very impressed with the Eden Alternative and inquired how soon it shall be implemented. Ms. Mahoney responded that the Facility started the transition four years ago, pointing out that it is an on-going process, which she believes will be fully operational at the conclusion of the project.

Chairwoman Segal inquired what system is in place for the residents during the inside construction. Ms. Mahoney responded that a fire break wall will be put up, and that the Facility's emergency plan is being updated; further, advised that criminal checks are being conducted on all the workers.

CONSENT AGENDA:

Res. 114-2007

“Motion by Comr. Bolger, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following August 16, 2007 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from the Citizens for Alternatives to Chemical Contamination supporting enforcement of Public Act No. 451, temporary moratorium on construction of all confined animal feeding operations (CAFOs), local government regulation of CAFOs, and Department of Environmental Quality oversight of all new and existing CAFOs. (Referred to the Legislative Liaisons, with a copy remitted to Health Officer Dottie-Kay Bowersox)”

Voice Vote: Motion CARRIED

SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS:

Emergency Telephone District Board

Comr. Bolger addressed proposed Senate Bills 410 and 411 pertaining to the E 9-1-1 surcharge which presently expires December 31, 2007. Comr. Bolger advised that the new legislation would provide Commissioners a lot of authority; further that the Bills require the Michigan Public Service Commission to approve the surcharge by September 17, which shall require the Board to take action in time for the resolutions to be to the legislators, therefore, a special session has been scheduled for Thursday, September 13. Comr. Bolger advised that the special session can be canceled should something happen with the legislation.

Calhoun County Agricultural Preservation Board

Comr. Moore reported that Monday the Agricultural Preservation Board took action to move forward with looking at one property and has begun seeking bids for appraisals. The Board will review at least three bids, and reviewed some of the firms on Monday.

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Department of Human Services Office Space Rental Agreement

County Administrator/Controller Greg Purcell advised that the agreement presented is an interim agreement with the state for the Department of Human Services' office space at the Toeller Building. Mr. Purcell stated that hopefully the final agreement shall be available for action at the September 6 Board Meeting.

Administrative Services Director Bradley Wilcox advised that the current agreement expires at the end of September. Mr. Wilcox stated that he has reached an agreement with the state for a month to month agreement which establishes some base lines; i.e., rental length and spacing, for the new long-term lease. Mr. Wilcox advised that the agreement provides the county with \$150,000 from the state for payment of construction costs; i.e., roof and flooring replacement, painting and a new security system. Mr. Wilcox stated that in executing the agreement and accepting the \$150,000 the county is almost assured that the state will execute a long-term lease to recover their investment in the Department of Human Services' office space.

Mr. Wilcox advised regarding the long-term lease, that the county will be required to provide \$350,000 in funding for building improvements in addition to the \$150,000 provided by the state. The \$350,000 will be repaid to the county by the state over the next ten years through proceeds of the proposed lease term.

Mr. Wilcox stated that revenue in the amount of \$41,252.34 per month will be received from the state under the month-to-month agreement.

Res. 115-2007

“Motion by Comr. Arnquist, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the month-to-month Office Space Rental Agreement between Calhoun County and the State of Michigan for the Department of Human Services for lease of 34,569 square feet of office space within the Toeller Building for the amount of \$41,252.34 per month; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County.”

Comr. Rae addressed the \$175,000 contribution from the Downtown Development Authority, advising that when the money was sought there had been discussion regarding “sprucing up” the building; i.e., landscaping, and addressed its importance for economic development.

Mr. Wilcox stated that some of the improvements will be outside the building, however, that most of the construction improvements are required on the inside to secure the long-term lease with the state.

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

FY 2008 Crime Victim Services Grant Agreement

Mr. Purcell advised that the agreement is in the amount of \$133,200 which shall pay the wages for the four employees within Victim Services Unit.

Prosecutor John Hallacy stated that the grant is identical to what it has been in the past, and pays the salaries of the employees. Prosecutor Hallacy pointed out that the county pays for the employees' fringe benefits, however, that the Prosecutor's Office received \$20,000 from the Battle Creek Police Department for juvenile justice and that the Office shall look into using some of that funding to assist with the fringe benefits.

Res. 116-2007

“Motion by Comr. Moore, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2008 Crime Victim Services Grant Agreement between the Michigan Department of Community Health and Calhoun County in the amount of \$133,200 for the period of October 1, 2007 through September 30, 2008; further, authorize the Board Chairwoman to execute said Agreement on behalf of Calhoun County.”

Comr. Rae inquired regarding the source of the funding. Prosecutor Hallacy responded that with the passage of the Crime Victim Rights Act in the 1980s defendants are assessed fees, and the money collected is submitted back to the Prosecutor's Offices throughout the state in the form of a yearly grant. Comr. Rae inquired whether Governor Granholm's proposal regarding lessening felonies would impact the funding. Prosecutor Hallacy responded “Probably not.”

Comr. Rae inquired why the county pays the employees' fringe benefits. Prosecutor Hallacy responded that when the county established the Victim Services Unit, the Board determined that the funding should be used for the victims and to fund the positions of the Unit, and provided for the employees' fringe benefits. Prosecutor Hallacy advised that each year the Office addresses those fringe benefits with the state.

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

Juvenile Home Staffing Plan Amendment

Mr. Purcell advised that the request presented is to change the staffing plan to add a new Team Leader II position, with no increased cost to the budget.

Juvenile Home Director Michael Gillum requested to eliminate one vacant Team Leader position and a .25 FTE vacant Youth Specialist position to add one full time Team Leader II position. Mr. Gillum pointed out that the position shall require a masters degree and State of Michigan licensure for a counselor, therapist, and/or MSW and shall increase the efficiency of treatment services, provide training to staff regarding psychological disorders and treatment models, and streamline case management spending.

Res. 117-2007

“Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the amended Juvenile Home Staffing Plan, as recommended by the Juvenile Home Director.”

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

July 2007 Financial Statements

Interim Finance Director Pam Kline reported that revenues are short from the targeted level by \$4.9 Million and that \$1.2 Million was contributed towards that deficit in July. Ms. Kline stated that if the revenue trend flows the same as 2006, it shall be September before the budget is close to the revenue baseline.

Ms. Kline advised that she has requested the Treasurer and the department heads to keep the Finance Department aware of any trends.

Comr. Moore inquired regarding proposed property tax legislation. Mr. Purcell responded that Administration is aware of the legislation and that it shall be discussed at the budget meetings.

FY 2007 Drug Court Discretionary Grant Award

Chief Circuit Court Judge Allen Garbrecht advised that the Court learned a few days ago that the grant for \$200,000 was awarded. Judge Garbrecht stated that the funds shall be used to pay for the salaries and fringe benefits of the three employees within the Drug Court Program.

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Judge Garbrecht advised that the Court has submitted other grant applications; i.e., to the State and the Kellogg Foundation; further, that the Court is working on establishing some type of endowment fund whereby the Program is not in a funding crisis each year. Judge Garbrecht advised that no county match is required for any portion of the grant money received.

Res. 118-2007

“Motion by Comr. Rae, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve and accept the FY 2007 Drug Court Discretionary Grant Award in the amount of \$200,000 from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; further, authorize the County Administrator/Controller to execute the Special Conditions Documents on behalf of Calhoun County and to make the necessary budget adjustments consistent with the Drug Treatment Court Annual Budget upon approval and execution of the Documents by the Department of Justice.”

Comr. Rae questioned the \$66,667 Non-Federal share listed within the Department of Justice’s August 10 memorandum. Judge Garbrecht responded that when the budget was submitted it had been for \$266,000, however, the maximum awarded is \$200,000.

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

COMMISSIONERS’ TIME:

Comr. Arnquist encouraged everyone to attend the Battle Creek Film Festival this Saturday from 12:00 p.m. to 11:00 p.m. at Accessvision in Battle Creek. Comr. Arnquist advised that the films are free and that the schedule can be acquired in today’s Enquirer and News. Comr. Arnquist advised that this is the second annual Film Festival which is funded by the Battle Creek Community Foundation.

Comr. Todd invited everyone to attend the Taste of the Heights on August 18 from 2:00 p.m. to 8:00 p.m. in the Washington Heights area. Comr. Todd advised that the event is hosted by the Emmanuel Covenant Church and Neighborhood Services. Comr. Todd also invited everyone to attend the Youth Rally and Black Arts Festival in District 2.

Comr. Bolger advised that Saturday is the last day of the Calhoun County Fair, and encouraged everyone to attend.

Comr. Bolger addressed the Crime Victims Services Unit and the services provided to the victims of crime, stating that he would be horrified if the state took that funding away. Comr. Bolger stated that he hopes the Unit

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remains a top priority of the county and shall continue to be funded.

Comr. Moore stated that another annual fund raiser is the golf outing to raise money for Sexual Assault Services, and encouraged everyone to come and support the cause next Thursday at Krystalfalls Golfland.

Chairwoman Segal reminded everyone that the Battle Creek Memory Walk is Saturday, September 8 at the Binder Park Zoo. Registration commences at 8:00 a.m. and the Walk begins at 9:00 a.m.

CLAIMS PAYABLE LISTINGS:

Res. 119-2007

“Motion by Comr. Moore, 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 \$311,243.08 for the week of July 31, 2007; further, approve payment of the list of claims against the county in the total amount of \$595,125.71 for the week of August 7, 2007.”

Voice Vote: Motion CARRIED

ANNOUNCEMENTS:

Comr. Todd announced that within the City of Battle Creek community volunteers and organizations have been attempting to deal with the violent crimes; and commended Mr. Carl Word of the Urban League, the Kellogg Foundation, Summit Pointe and the volunteers for their work with the youth at the South Hill Academy.

Prosecutor Hallacy challenged all Board members to come out and play a game of golf next Thursday. Prosecutor Hallacy advised that the funding goal is \$20,000 which shall be used to build a child advocacy center in Battle Creek. Prosecutor Hallacy stated that there shall be live music and food.

Prosecutor Hallacy advised that there is still time to make the Safe Place Celebrity Dinner tomorrow night. Prosecutor Hallacy stated that as President of the Safe Place Board of Directors, he shall be doing some crazy things; further, advised that there will be a silent auction.

ADJOURNMENT:

The meeting adjourned at 8:29 p.m. at the call of the Chair.

mlb