

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

2008 SESSIONS

JOURNAL 57

<u>PAGE</u>	<u>ITEM</u>	<u>SUBJECT MATTER</u>
515	1	MAY 8, 2008 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL
515	2	COMMUNICATIONS - READ BY THE CLERK-REGISTER
515	3	MINUTES - ADOPTED AS DISTRIBUTED
516	4	PUBLIC PARTICIPATION - NO COMMENTS
516	5	AGENDA - ADDITIONS
516	6	AGENDA - ADOPTED AS AMENDED
516	7	PRESENTATION - 2008 CRIMINAL JUSTICE PROFESSIONAL SCHOLARSHIP
516-517	8	INFORMATIONAL SESSION - MEDICAL CARE FACILITY
517	9	ADMINISTRATOR'S REPORT
517-518	10	FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS
518-521	11	FRIEND OF THE COURT - MICHIGAN DEPARTMENT OF HUMAN SERVICES IV-D AGREEMENT/AMENDMENT #1
521	12	RECESS - 1:58 P.M.
521	13	PROCLAMATION PRESENTATION - ROAD RAGE
522	14	ROAD RAGE AWARENESS WEEK - JULY 13-19, 2008
523	15	COMMUNITY MENTAL HEALTH - LEVEL OF SERVICE
523	16	BREAK - 3:35 P.M.
523-524	17	JAIL PROFESSIONAL SERVICES - RFP FOR JAIL PLANNER
524	18	PLANNING COMMISSION - BUDGET ADJUSTMENT
524	19	UNFUNDED MANDATES - DEVELOP LISTING
524	20	ADJOURNMENT UNTIL MAY 22, 2008, AT 1:00 P.M.

May 8, 2008 Session

MAY 8, 2008 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

1/ The Board of Commissioners of the County of Allegan, State of Michigan, met in the Commissioners' Room of the County Services Building in the Township of Allegan on May 8, 2008, at 1:00 P.M. in accordance with the motion for adjournment of April 24, 2008, and rules of this Board; Chairman McNeal presiding.

The invocation was offered by District #5 Commissioner Kapenga.

The County Clerk led the Board in the Pledge of Allegiance to the flag.

Upon roll call the following members answered as Commissioners for the respective Districts:

DIST #1	TERRY BURNS	DIST #7	DON BLACK
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	PAUL VANECK	DIST #9	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	- EXCUSED -
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES [left 3:55 pm]
DIST #6	MAX THIELE		

COMMUNICATIONS - READ BY THE CLERK-REGISTER

2/ The following communications were read by the Clerk Register:

1. Two letters from the City of Allegan requesting information regarding building the jail in downtown Allegan.

MINUTES - ADOPTED AS DISTRIBUTED

3/ Moved by Commissioner Kapenga, seconded by Commissioner Black to approve the minutes of the April 10, 2008 and April 24, 2008 sessions as distributed. Motion carried.

PUBLIC PARTICIPATION - NO COMMENTS

4/ Chairman McNeal opened the meeting to public participation and as there were no comments, he closed the meeting to public participation.

AGENDA - ADDITIONS

5/ Chairman McNeal asked if there were any additions or changes to the agenda. Commissioner Kapenga asked to add the recommendation from the SMART Committee regarding un-funded mandates to the discussion portion of the meeting agenda.

Moved by Commissioner Kapenga, seconded by Commissioner Jones to amend the meeting agenda as requested. Motion carried.

AGENDA - ADOPTED AS AMENDED

6/ Moved by Commissioner Jones, seconded by Commissioner Kapenga to adopt the meeting agenda as amended. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 vote. The following resolutions are adopted:

PRESENTATION - 2008 CRIMINAL JUSTICE PROFESSIONAL SCHOLARSHIP

7/ Bart Shaw, member of the SCRAB Scholarship Sub-Committee presented the 2008 scholarship to Ryan Dannenberg of Hamilton.

INFORMATIONAL SESSION - MEDICAL CARE FACILITY

8/ Bill Hekker, Medical Care Facility Director, presented information regarding the changing demographics at the Medical Care Facility which precipitated the need to modify the facility to better serve the needs of the community. September is the targeted finish date for the new portion of the building with conversion of other areas to follow. He introduced Jane Brenner, Board member and announced the donation of \$100,000 from the Perrigo Corporation

and stated the new 10 bed unit will be named the Perrigo Memory Care Center. He hopes to see more private donations.

ADMINISTRATOR'S REPORT

9/ Administrator Sarro reported that the physical changes in the Administrative office area are moving forward. The work is being done in-house at a minimal cost and will improve the operations in that area. He also reminded everyone to provide feedback to him on the listing of goals that need to be prioritized.

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

10/ Moved by Commissioner Thiele, seconded by Commissioner DeYoung to approve the report of claims from April 25, 2008 and May 2, 2008. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 vote.

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for April 25, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber ___, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	99,167.79	99,167.79	0.00
Parks & Recreation Fund	1,890.47	1,890.47	0.00
CENTRAL DISPATCH/E911 FUND	102,425.37	102,425.37	0.00
Health Department Fund	35,892.44	35,892.44	0.00
Public Improvement Fund	2,155.00	2,155.00	0.00
Justice Training Fund—P.A. 302, 1982	996.79	996.79	0.00
Law Library Fund	1,975.80	1,975.80	0.00
Grants	3,426.12	3,426.12	0.00
Social Welfare Fund	14,697.85	14,697.85	0.00
Child Care-Circuit/ Family	33,704.73	33,704.73	0.00
Senior Millage	61,369.23	61,369.23	0.00
Farmland Preservation	342.00	342.00	0.00
Delinquent Tax Revolving Fund	1,710.79	1,710.79	0.00
TOTAL AMOUNT OF CLAIMS	359,754.38	359,754.38	0.00

Respectfully submitted, COMMITTEE OF FINANCE

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for May 2, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber ___, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	70,327.85	70,327.85	0.00
Parks & Recreation Fund	7,750.04	7,750.04	0.00
CENTRAL DISPATCH/E911 FUND	345,272.15	345,272.15	0.00
Health Department Fund	13,968.16	13,968.16	0.00
Transportation Grant	51,765.46	51,765.46	0.00
Public Improvement Fund	21,817.01	21,817.01	0.00
Justice Training Fund—P.A. 302, 1982	450.00	450.00	0.00
Law Library Fund	93.00	93.00	0.00
Grants	74.59	74.59	0.00
Social Welfare Fund	13,493.27	13,493.27	0.00
Child Care-Circuit/ Family	20,572.38	20,572.38	0.00
Building Authority Construct.-Health	6,789.41	6,789.41	0.00
Delinquent Tax Revolving Fund	298,684.55	298,684.55	0.00
Self-Insurance Fund	61.25	61.25	0.00
Drain Funds	9,887.02	9,887.02	0.00
TOTAL AMOUNT OF CLAIMS	861,006.14	861,006.14	0.00

Respectfully submitted, COMMITTEE OF FINANCE

FRIEND OF THE COURT—MICHIGAN DEPARTMENT OF HUMAN SERVICES IV-D AGREEMENT APPROVE AMENDMENT NO.1

11/ **BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves the request from the Allegan County Friend of the Court to approve Amendment NO. 1 to the Title IV-D Cooperative Reimbursement Agreement, as attached; and

BE IT FURTHER RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to reflect these changes.

Moved by Commissioner Jones, seconded by Commissioner VanEck to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 vote.

Contract No: CSCOM 08-03003
County: Allegan

**AGREEMENT
between
STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
and
THE COUNTY OF ALLEGAN**

AMENDMENT # 1

WHEREAS, the Department of Human Services (hereinafter referred to as "DHS"), entered into a contractual Agreement effective October 1, 2007, with the County of Allegan, a public organization (hereinafter referred to as "Contractor"), with a mailing address of 113 Chestnut Street, Allegan, Michigan 49010-1332, and the 48th Circuit Court (hereinafter referred to as "Contractor"), for the provision of certain services as set forth therein; and,

WHEREAS, it is mutually desirable to DHS and Contractor to amend this Agreement.

THEREFORE, in consideration of the promises and mutual covenants hereinabove and hereinafter contained, the parties agree to the following amendment of said Agreement.

ARTICLE I

- A. In addition to the line items currently included in the budget to the aforesaid Agreement, the DHS appropriations act, PA 131 of 2007, included the following three line items for funding that shall be distributed to the Contractor as identified in this Amendment and attached budget: Section 901(7) (hereinafter referred to as the Deficit Reduction Act (DRA) Incentive Match), Section 905 (hereinafter referred to as the Section 905 Supplement) and Section 906 (hereinafter referred to as the Section 906 Supplement).
- DHS shall pay the DRA Incentive Match to the Contractor as follows and in accordance with the attached budget: First and second quarterly amounts shall be combined and disbursed on or before March 31, 2008. The Third quarterly disbursement shall be paid on or before June 30, 2008 and the fourth quarterly disbursement shall be paid, subject to the conditions described in article B, on or before August 31, 2008.
 - The Section 905 Supplement shall be paid in full on or before March 31, 2008.
 - The Section 906 Supplement shall be paid in full on or before June 30, 2008.
 - All payments are conditional upon full execution of this Agreement prior to September 30, 2008. Payments shall be made on the dates specified above or within 45 days after execution of this Agreement, whichever is later.
- B. The total of the three supplement payments for this Agreement shall be \$110,857.00, and are broken out as follows:
- Total DRA Incentive Match shall be \$104,726.00, total
 - Section 905 Supplement shall be \$4,198.00 and
 - Section 906 Supplement shall be \$1,933.00

In accepting these payments the Contractor agrees to use the DRA Incentive Match, the Section 905 Supplement and the Section 906 Supplement to enhance, not replace or supplant, county funding for the IV-D program in the county. The county agrees that it will maintain county spending on the IV-D program at the same percentage as it provided to the IV-D program in FY 2007. This percentage is the required maintenance of effort (MOE) and is calculated as follows: County share of FY 2007 IV-D funding from the DSS-286 billing reports divided by the total IV-D spending from the DSS-286 billing reports.

The Contractor shall submit to the OCS contract manager, by July 31, 2008, a Report of Expenditures. The report shall detail the year to date FY 2008 actual IV-D expenditures for the period October 1, 2007 through June 30, 2008 and provide an estimate of the IV-D expenditures for each month July 1 through September 30, 2008 compared to actual IV-D expenditures for FY 2007 (October 1, 2006 through September 30, 2007). DHS shall not make the 4th quarter payment of the DRA Incentive Match if the required report is not received, is not properly completed, or is not provided on the form as required by DHS. OCS will use the schedule to determine whether the county is expected to meet the MOE requirements for the current year. Based on the information received by DHS in the report submitted by the Contractor, if the MOE will not be met, DHS shall withhold from the fourth quarter installment or any unpaid DSS-286 billing related to the aforesaid Agreement, the amount necessary to return the county funding to the appropriate percentage.

DHS shall make a final calculation related to the MOE requirements when the final billings for all months have been received. If the MOE was not met the county agrees that OCS may withhold from any unpaid CRP billings under the aforesaid Agreement the amount necessary to return the Contractor funding to the appropriate percentage.

- C. § II (G) (I), DHS Duties and Responsibilities, Maximum Amount of Agreement, of said AGREEMENT, is hereby amended, for the period of October 1, 2007 through September 30, 2008, and the cumulative maximum dollar amount, shall be increased by \$110,857.00 to a cumulative total maximum amount of costs to be reimbursed by DHS of ONE MILLION FORTY THREE THOUSAND FIVE HUNDRED THIRTY FIVE DOLLARS AND NO CENTS (\$1,043,535.00).

This Amendment shall be attached to the Agreement, and is effective March 15, 2008, said Agreement being hereby reaffirmed and made a part hereof.

The Undersigned has the lawful authority to bind the Contractor and Court to the terms set forth in this Agreement.

Dated at _____, Michigan 48th CIRCUIT COURT

this ____ day of _____, _____ By: _____
Chief Circuit Court Judge

Witness: _____ Print Name: _____

Dated at _____, Michigan THE COUNTY OF ALLEGAN
Contractor

this ____ day of _____, _____ By: _____
Chair, Board of Commissioners

Witness: _____ Print Name: _____

Dated at _____, Michigan DEPARTMENT OF HUMAN SERVICES

this ____ day of _____, _____ By: _____
Director or Designee

Witness: _____

Contract # CSCOM 08-03003

-3-

CM-F 166A (Rev. 2-07) MS Word

RECESS - 1:58 P.M.

12/ Moved by Commissioner DeYoung, seconded by Commissioner Kapenga to recess until 2:15 P.M. Motion carried and the meeting was recessed at 1:58 p.m.

Upon reconvening at 2:15 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, and Jones. Absent - Commissioner Campbell.

PROCLAMATION PRESENTATION - ROAD RAGE

13/ Chairman McNeal introduced Kay Shabazz who identified her motivation for educating individuals about road rage and the impact it can have on families and individuals. She encouraged the Board to support the proclamation.

ROAD RAGE AWARENESS WEEK - JULY 13-19, 2008

14/ **WHEREAS**, The National Highway Traffic and Safety Administration (NHTSA) defines Road Rage as "an assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of another motor vehicle, or an assault precipitated by an incident that occurred on a roadway"; and

WHEREAS, a study done by the AAA Foundation indicates an average of at least 1,500 men, women, and children are injured or killed each year in the United States from the violent acts of Road Rage; and

WHEREAS, road rage is a growing problem in Michigan as well as in our country; and

WHEREAS, we must work together as a community to reprogram the destructive attitudes and behaviors of road rage to stop the injuries, and deaths; and

WHEREAS, Reaching Out Against Road Rage (R.O.A.R.R.), a non profit (501c3 tax exempt) organization located in Muskegon County, and other individuals and organizations are partnered in a mission to promote awareness and education in the prevention of road rage, to work to reduce the number of incidents, and to advocate for support and assistance to victims and their families in the recovery process.

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners proclaim the week of July 13 to 19, 2008, to be Road Rage Awareness Week; and

BE IT FURTHER RESOLVED, that we do hereby instruct the County Clerk to inscribe a page of the Journal and forward copies of this proclamation to the many local cities and townships of Allegan County to call attention to Road Rage Awareness Week.

Moved by Commissioner Black, seconded by Commissioner Kapenga to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 vote.

DISCUSSION ITEMS:

15/ Paul Brinkley, Community Mental Health Director addressed the conditions which led to the department implementing a waiting list for services. Fund reserves are near depletion to meet the service requirements for non Medicaid clients. Peggy St. John addressed the public service needs, departmental expenditures to meet those needs and the dwindling revenues received from the state. She pointed out that initial assessments of persons needing services show that a smaller percentage of persons are Medicaid eligible. When the State went to capitation funding in 1999, the State used the funding normally sent to counties to maximize the number of Federal dollars they could attract. Because of this, Community Mental Health doesn't have enough general fund dollars and have Medicaid dollars that they can't use to meet the needs of non-Medicaid clients. Patrick Thebert-Wright addressed how the waiting list will be managed and stressed that this will not delay the crisis situations from being dealt with.

BREAK - 3:35 P.M.

16/ Upon reconvening at 3:50 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer. Absent - Commissioners Campbell and Jones.

JAIL PROFESSIONAL SERVICES - RFP FOR JAIL PLANNER

17/ Administrator Rob Sarro walked through the various components of the 34 page RFP for the Jail Planner which was developed by the workgroup. Rob and Mike Day addressed the questions of various board members. The discussion covered a myriad of issues.

Moved by Commissioner Kapenga, seconded by Commissioner Burns to set this item on the May 22, 2008 agenda for consideration.

Motion carried by roll call vote: Yeas - 8 votes. Nays - 1 vote.

Absent - 2 votes.

Y	TERRY BURNS	Y	DON BLACK
Y	STEVE McNEAL	Y	TOM JESSUP
Y	PAUL VanECK	Y	FRITZ SPREITZER
Y	MARK DeYOUNG		JON CAMPBELL
Y	DEAN KAPENGA		LARRY JONES
N	MAX THIELE		

PLANNING COMMISSION - BUDGET ADJUSTMENT

18/ Moved by Commissioner Thiele, seconded by Commissioner Kapenga to set this on the May 22, 2008 agenda for consideration. Motion carried.

UNFUNDED MANDATES - DEVELOP LISTING

19/ There was discussion regarding the information received at the SMART meeting to research the cost the county incurs for providing for the unfunded mandates from the state.

Rob stated that he could develop this listing for consideration at next week's meeting.

ADJOURNMENT UNTIL MAY 22, 2008 AT 1:00 P.M.

20/ Moved by Commissioner VanEck, seconded by Commissioner Thiele to adjourn until May 22, 2008 at 1:00 P.M. The motion carried and the meeting was adjourned at 5:47 P.M.



 Clerk-Register