

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

FEBRUARY 3, 2009

ITEM 1 Call to Order: The regular meeting of the Board of Commissioners was called to order by Board Chairperson Dave Buskirk, at 7:02 p.m. in the Board of Commissioner's Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, on February 3, 2009.

ITEM 2 Invocation: Commissioner John Taylor gave the Invocation.

ITEM 3 Pledge of Allegiance: Commissioner Taylor led the Pledge of Allegiance.

ITEM 4 Roll Call: Commissioners Carolyn Alford, Nasim Ansari, Jeff Balkema, Rob Barnard, Grady Biby, Deb Buchholtz-Hiemstra, Dave Buskirk, Jeff Heppler, Dave Maturen, Ann Nieuwenhuis, John Nieuwenhuis, Michael Quinn, John Taylor, Jack Urban and John Zull.

Members Absent: Commissioners Brian Johnson and Frank Thompson.

Administrators Present: John Faul, Deputy County Administrator; David Rachowicz, Parks Director; Lisa Bradshaw, Deputy Finance Director; Tracie Moored, Finance Director; Linda Buzas, HCS Director; Dave Artley, Resource Development Director; Thom Canny, Corporate Counsel; and Sheri Stiger, Administrative Assistant.

ITEM 5 Approval of Minutes:

Commissioner Urban moved and it was duly seconded that the Minutes of the January 20, 2009, Board Meeting be approved as distributed.

ITEM 6 Communications:

Commissioner Taylor presented the following communications, all of which are on file in the Administrative Services Office unless otherwise noted:

- a. A copy of the 2008 Escheats Fund Report from Treasurer Mary Balkema.
- b. A letter from Mary Arnold concerning the decommissioning of the weather observation station by the FAA at the Kalamazoo/Battle Creek International Airport.
- c. A thank you note from Cheri McCaffery for the flowers sent by the Board.

ITEM 7 Citizens' Time:

Chairperson Buskirk stated that Citizens' Time was when any citizen could address the Board on a non-agenda item. He said anyone wishing to address the Board on a non-agenda item should come to the podium, give their name and address, and limit their remarks to four minutes. He said if anyone would like to speak about an item that was on the consent agenda, they could ask that it be removed from the consent agenda at this time or he would provide an opportunity just prior to that section of the agenda.

Mr. Jonathan Braun, Homeless, representing Michigan People's Action formerly Kalamazoo Housing Action Network, spoke in support of Housing First.

Mr. Joshua Arnold, Homeless, representing MPA, spoke in support of Housing First.

Ms. Monica Westover, 5910 Briarcliff Lane, Apt. B., spoke of her dispute with the legal system in the City of Kalamazoo and also with Kalamazoo County. She expressed her thanks to Dr. Shugars with the Kalamazoo County Dental Clinic for staying late to treat her dental needs.

Mr. Max Conrad, Homeless, representing MPA, spoke in support of Housing First.

Mr. Norman Young, 9933 Woodlawn, representing MPA, spoke in support of Housing First.

Ms. LoriAnne Tennison, Homeless, representing MPA, read several poems and spoke in support of Housing First.

ITEM 8 For Consideration

A. Request for Approval of Walk for Warmth Resolution – *Tim Snow*

Commissioner Buchholtz-Hiemstra moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, the Kalamazoo County Walk for Warmth is a county-wide effort to provide emergency heating assistance to those in need – seniors, the disabled, single parents, and the working poor – who do not qualify for aid from other sources; and

WHEREAS, public funding for home heating assistance has been reduced over the past several years; and

WHEREAS, natural gas heating costs have escalated 182% in the past three years and more increases may be seen in this heating season; and

WHEREAS, heating costs can reach a level of 70% of monthly income for those who are poor, even those with incomes of twice the poverty level; and

WHEREAS, an estimated one-third of the residents of Kalamazoo County live near or below the poverty line; and

WHEREAS, the goal for this year's Walk for Warmth is to raise more than \$50,000 in local funding to provide direct assistance to families in need.

THEREFORE, BE IT RESOLVED that the Kalamazoo County Board of Commissioners does hereby support the 16th Kalamazoo County Walk for Warmth to be held on Saturday, February 28, 2009, departing from First Baptist Church in Downtown Kalamazoo; and

BE IT FURTHER RESOLVED that the Kalamazoo County Board of Commissioners encourages its citizens to participate in this very needed event.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioners Johnson and Thompson.

The motion carried.

B. Request for Approval of Black History Month Resolution – *Commissioner Urban*
Commissioner Taylor moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, each February "National African American History Month" also known as "Black History Month" is observed to celebrate and honor the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, in 1915, Dr. Carter Godwin Woodson founded the Association for the Study of Negro Life and History and through that Association, he began pressing the establishment of Negro History Week as a way to bring national attention to the accomplishments of African Americans; and

WHEREAS, Dr. Woodson's dream became a reality in 1926, he chose the second week of February for the observance because of its proximity to the birthdays of Abraham Lincoln and Frederick Douglas, two individuals whom Dr. Woodson felt had dramatically affected the lives of African Americans; and

WHEREAS, in the early 1970's the event was called Black History Week, and in 1976, the Association succeeded in expanding the observance, which then became Black History Month; and,

WHEREAS, the United States is a diverse nation comprised of citizens from various ethnic groups and cultures; and,

WHEREAS, it is important to promote a greater awareness of the history and culture of all ethnic groups across our country; and,

WHEREAS, February is designated as Black History Month; and,

NOW, THEREFORE BE IT RESOLVED the Kalamazoo County Board of Commissioners, in recognition of the importance of the Black History Month, supports this Resolution.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioners Johnson and Thompson.

The motion carried.

C. Dental Clinic Update – *Linda Buzas, John Faul*

Deputy Administrator John Faul gave an update on the status of this project. He stated the present staff should be commended for the job they are doing in difficult circumstances.

Ms. Linda Buzas, HCS Director, introduced Marc Meulman, the new Deputy HCS Director, and gave further background on the status of the Dental Clinic and how HCS was working to improve services. She stated that the current facility was very space limited.

Mr. Marc Meulman, HCS Deputy Director, updated the Board on what the Dental Clinic personnel had determined to be needs within their department.

Discussion ensued.

Ms. Paula White, representing Michigan Organizing Project, spoke in favor of moving ahead with the dental clinic project, in both preventative and restorative treatment.

Ms. Pam Kingery, Director of Kalamazoo Community in Schools, spoke in favor of moving ahead with this project, and commended the Board for its past efforts in supplying dental services in this community.

Ms. Donna Carl, also with Kalamazoo Community in Schools, spoke in favor of moving ahead with the dental clinic project.

Ms. Mollie Clements, 2229 LaCross Street, representing Michigan Organizational Project, spoke in favor of moving ahead with this project. She noted the immense need for dental services for low income persons in this community.

Mr. Larry Provancher, 7414 Starbrook, representing MOP, noted the need for emergency services, as well as preventative and restorative services.

Mr. John Musick, Executive Director of the MOP, spoke of the need for improved dental services in Kalamazoo County.

Mr. Mike Evans, Leader of MPA, stated there was a need for improved dental services in Kalamazoo County.

D. Parks Master Plan Presentation – *David Rachowicz*

Mr. David Rachowicz presented a brief summary of the Parks Master Plan previously supplied to the Board.

Discussion ensued.

CONSENT AGENDA

Community Corrections (OCC)

E. Request for Approval of the Elimination/Creation of Positions

That the Board of Commissioners approve the Elimination/Creation of the following Positions:

Elimination of the OCC Assistant Director position

P343 Salary Range \$39,228 - \$51,001 position #10367-001 331-283.704

Elimination of the .5 FTE Director position

M432 position #10198-001 Salary Range \$47,840 - \$62,192 331-000.704

Create in Fund 331-000:

.5 FTE M432 Community Corrections Director 10198-001

Create in Fund 331-283

.5 FTE M432 Community Corrections Director 10198-001

Emergency Management

F. Request for Approval of the 2008-2009 Hazardous Material Emergency Planning Grant Agreement

That the appropriate County officials be authorized and directed to execute the 2008-2009 Hazardous Material Emergency Planning Grant Agreement to review current hazardous material sites that meet federal reporting requirements and development of

new plans in the amount of \$3,975 for the period of October 1, 2008 through September 30, 2009; a copy of said Agreement to be attached to the official Minutes of this meeting.

Health and Community Services

G. Request for Approval of a Grant Extension from Bronson Health Foundation

That the appropriate County officials be authorized and directed to Accept a Grant Extension from Bronson Health Foundation through December 31, 2009 to allow HCS to conduct Child Health Assessments for Head Start children; a copy of said Notification to be attached to the official Minutes of this meeting.

H. Request for Approval of Two (2) Lead Paint Service Agreements

That the appropriate County officials be authorized and directed to execute Two Lead Paint Service Agreements with SCAA and KNHS at rate of \$450 for inspections and \$33 per hour for other services through December 31, 2009; a copy of said Agreements to be attached to the official Minutes of this meeting.

I. Request for Approval of a Professional Services Contract with Michigan State University Extension (MSUE) for the Promotion of Healthy Lifestyles

That the appropriate County officials be authorized and directed to execute a Professional Services Contract with MSUE for the promotion of healthy lifestyles in the amount of \$22,742 for the period of October 1, 2008 through September 30, 2009; a copy of said Contract to be attached to the official Minutes of this meeting.

J. Request for Approval of a Professional Services Agreement with Doug Davies for Consultation Services for the Nurse Family Partnership Program (NFP)

That the appropriate County officials be authorized and directed to execute a Professional Services Agreement with Doug Davies for Consultation Services for the Nurse Family Partnership Program (NFP) In an amount not to exceed \$2,813 for the period of February 4, 2009 through September 30, 2009; a copy of said Agreement to be attached to the official Minutes of this meeting.

K. Request for Approval of an Agreement with Tomorrow's Child/Michigan's SIDS for the Fetal Infant Mortality Review Program (FIMR)

That the appropriate County officials be authorized and directed to execute an Agreement with Tomorrow's Child/Michigan's SIDS for the Fetal Infant Mortality Review Program (FIMR) in the amount not to exceed \$3,780 for the period of October 1, 2008 through September 30, 2009; a copy of said Agreement to be attached to the official Minutes of this meeting.

Human Resources

L. Request for Approval of a Run-Out Agreement with NGS American

That the appropriate County officials be authorized and directed to execute a Run-Out Agreement with NGS American through December 31, 2009 for all health, dental, and vision claims for services rendered during the plan year of 2008; a copy of said Agreement to be attached to the official Minutes of this meeting.

Michigan Works!

M. Request for Approval of the Appointment of Jacqueline R.F. Wahl and Brian Johnson to the Workforce Development Board and the Appointment of Ann Nieuwenhuis as an Alternate Member for Brian Johnson

That the Board of Commissioners approve the Appointment of Jacqueline R.F. Wahl and Brian Johnson to the Workforce Development Board and the Appointment of Ann Nieuwenhuis as an Alternate Member for Brian Johnson.

Parks & Fairground

N. Request for Approval of Kalamazoo River Valley (KRV) Easement Acquisition Negotiations for Segments 2 & 3

That the Board of Commissioners authorize the Parks Department to enter into negotiations for the acquisition of 17 easements for the Kalamazoo River Valley Trailway, Segment 2 (Mosel to D Avenue) and Segment 3 (Mayor's Riverfront Park to Sprinkle Road).

Planning & Community Development

O. Request for Acceptance of the GIS Tactical Plan

This Item was removed from Consent Agenda.

P. Request for Approval of a Resolution with Schoolcraft Township to allow Kalamazoo County Access to Existing GIS Data

That the Board of Commissioners approve a Resolution to allow Kalamazoo County access to existing GIS Data from Schoolcraft Township; a copy of said Resolution to be attached to the official Minutes of this meeting.

Board of Commissioners

Q. Request for Approval of Transfers and Disbursements

That the Transfers and Disbursements as defined and set forth in the document entitled, "Recommended Transfers and Disbursements, dated February 3, 2009," noting claims in the total amount of \$2,361,837.15 with the exception of Landfill Management claim in the amount of \$117.00, with the exception of Kalamazoo Electric, Inc. claim in the amount of \$2,288.14 as provided to each Board member, be approved; that the County Clerk be authorized to certify to the County Treasurer that the Board has approved on this date the disbursements in the list dated February 3, 2009, and the County Treasurer is therefore, authorized to make those disbursements, and the Director of Finance be authorized to make budgetary transfers, as listed.

R. Request for Approval of a Resolution to Rescind the Resolution Electing to Have the State of Michigan Foreclosure Property Forfeited to the County Treasurer pursuant to Subsection 78 (3) of Public Act No. 206 of the Michigan Public Acts of 1893, as Amended

That the Board of Commissioners approve the following Resolution:

WHEREAS, on November 16, 1999 the Kalamazoo County Board of Commissioners adopted a "Resolution Electing to have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78 (3) of Public Act No. 206 of the Michigan Public Acts of 1893, as amended" in order to permit the State of Michigan to foreclose property forfeited to the Kalamazoo County Treasurer pursuant to Act 206; and

WHEREAS, the provisions of Subsection 78 (4) of Public Act No. 206 of the Michigan Public Acts of 1893, as amended, permit Kalamazoo County, with the concurrence of the County Treasurer, to rescind its November 16, 1999 "Resolution Electing to have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78 (3) of Public Act No. 206 of the Michigan Public Acts of 1893, as amended" so that the County Treasurer thereafter forecloses property forfeited to the County Treasurer pursuant to Act 206; and

WHEREAS, this Board of Commissioners believes it is in the best interest of the County of Kalamazoo to Rescind its November 16, 1999 Resolution so that the County Treasurer thereafter forecloses property forfeited to the County Treasurer pursuant to Act 206; and

WHEREAS, the Kalamazoo County Treasurer has concurred with the Board of Commissioners' decision to rescind the November 16, 1999 Resolution, a copy of which is attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Kalamazoo County Board of Commissioners does hereby Rescind its November 16, 1999 "Resolution Electing to have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78 (3) of Public Act No. 206 of the Michigan Public Acts of 1893, as amended" pursuant to the provisions of Subsection 78 (4) of Public Act No. 206 of the Michigan Public Acts of 1893, as amended;

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be sent by the County Clerk/Register to Robert J. Kleine, Treasurer of the State of Michigan.

S. Request for Approval of a Contract with Chamber of Commerce for Southwest Michigan Alliance

That the appropriate County officials be authorized and directed to execute a Contract with the Chamber of Commerce for the continued participation in a region wide initiative referred to as the Southwest Michigan Alliance effective immediately for 12 months in the amount of \$15,000; a copy of said Contract to be attached to the official Minutes of this meeting.

T. Request for Approval of Ratification of the Intent Motion for the Addition of Land to a Village and the Adoption of the Intent Motion for the Detachment of Land from a Village

That the Board of Commissioners approve Ratification of the Intent Motion for the Addition of Land to a Village and the Adoption of the Intent Motion for the Detachment

of Land from a Village; a copy of said Motions to be attached to the official Minutes of this meeting.

U. Request for Approval of the Appointment of Matt Van Dyk to the Economic Development Corporation Board of Directors/Brownfield Redevelopment Authority

That the Board of Commissioners approve the Appointment of Matt Van Dyk to the Economic Development Corporation Board of Directors/Brownfield Redevelopment Authority for a term that will expire October 31, 2009.

Commissioner Taylor moved and it was duly seconded that Items E. through U., with the exception of Item O., be voted on at one time by a roll call vote and be considered as a consent agenda by the Board.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioner Johnson and Thompson.

The motion carried.

NON-CONSENT AGENDA ITEMS

V. Request for Approval of Landfill Management Claim

Commissioner Urban moved and it was duly seconded that the Board of Commissioners approve payment of claims from Landfill Management in the total amount of \$117.00 for waste removal provided to Kalamazoo County, and authorize the County Treasurer to make said payments.

Commissioner Balkema made the following disclosure statement:

On the Claims List for February 3, 2009 is a claim from my business enterprise, Landfill Management Company. Since I have a conflict of interest as an owner/employee of Landfill Management Company, I would like to make the following disclosure pursuant to 1968 P.A. 317, as amended:

The parties to this agreement/payment are the County of Kalamazoo and Landfill Management Company

The purpose of the agreement is for Landfill Management Company to provide certain landfill management services as listed below:

Yard Waste Disposal

The amount of the payment to Landfill Management Company totals:

\$117.00

(Invoice is listed on Page 16 of the Claims List for February 3, 2009.)

I will receive an indirect financial benefit from this project.

The term of the agreement is until project completion.

No County employees were assigned to this project.

I would request that this disclosure be made a part of the official minutes of the Board meeting of February 3, 2009. Please keep in mind that it will take a two-thirds' vote of the full Board to approve this payment.

There being no discussion, the motion carried by a voice vote, with one abstention.

W. Request for Approval of Kalamazoo Electric Claims

Commissioner Maturen moved and it was duly seconded that the Board of Commissioners approve payment of claims from Kalamazoo Electric, Inc. in the total amount of \$2,288.14 for work performed due to a Power Outage at Juvenile Home and Radio Room Work provided to Kalamazoo County, and authorize the County Treasurer to make said payments.

Commissioner Buskirk made the following disclosure statement:

On the Claims List for February 3, 2009 is a claim from my employer, Kalamazoo Electric, Inc., a local electrical contractor. Since I have a conflict of interest as an employee of Kalamazoo Electric, Inc., I would like to make the following disclosure pursuant to 1968 P.A. 317, as amended:

The parties to this agreement/payment are the County of Kalamazoo and Kalamazoo Electric, Inc.

The purpose of the agreement is for Kalamazoo Electric, Inc. to provide certain electrical services described as follows:

Power Outage at Juvenile Home and Radio Room Work

The amount of the payment to Kalamazoo Electric, Inc. totals:

\$2,288.14

(Invoice is listed on Pages 15 and 26 of the Claims List for February 3, 2009.)

I will not receive a direct financial benefit from this project.

The term of the agreement is until project completion.

No County employees were assigned to this project.

I would request that this disclosure be made a part of the official minutes of the Board meeting of February 3, 2009. Please keep in mind that it will take a two-thirds' vote of the full Board to approve this payment.

There being no discussion, the motion carried by a voice vote, with one abstention.

ITEM 9 Old Business

There was no old business.

ITEM 10 New Business

Commissioner Ansari moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, on February 12, 2009, the National Association for the Advancement of Colored People (NAACP) will celebrate its 100th Anniversary; and

WHEREAS, the NAACP was founded on beliefs embodied in the Constitution of the United States of America which stands for equality and equal opportunity for all regardless of race; and

WHEREAS, members of the NAACP, in keeping with the charge of our founders, stands for equal justice and against all forms of injustice; and

WHEREAS, the NAACP work promotes equity and justice for all people; and

WHEREAS, the NAACP will continue to fight for justice for all; and

WHEREAS, the work of the NAACP has benefitted all people; and

WHEREAS, the efforts of the NAACP deserve broad recognition;

THEREFORE, BE IT RESOLVED, that the Kalamazoo County Board of Commissioners honors the NAACP for its work on behalf of our citizens throughout its first 100 years; and

BE IT FINALLY RESOLVED, that the Kalamazoo County Board of Commissioners commemorates February 12, 2009 as the Centennial Anniversary of the NAACP.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioner Johnson and Thompson.

The motion carried.

ITEM 11 County Administrator's Report

Deputy County Administrator John Faul spoke in the absence of County Administrator Peter Battani and stated the Disaster Relief Assistance was moving forward to help those who had contacted the County and asked for assistance.

ITEM 12 Chairperson's Report

Chairperson Buskirk stated he had been working with the SW MI Alliance and stressed that the work being done was very beneficial to this community. He said it was a joint effort being supported by both himself, Vice Chairperson and Administrative Staff.

ITEM 13 Vice Chairperson's Report

Vice Chairperson Buchholtz-Hiemstra commented that Commissioner Thompson was dealing with a family situation this evening and was unable to attend. She stated it was exciting to see long-term results with the Parks Department's Strategic Planning. She commended David Rachowicz on his success. She noted that Kalamazoo County was rationing its dental clinic services because the right solution was being sought, but had not been found at this time. She commended the long-term process for seeking the best solution for stewardship of County finances. She noted the Board retreat was in planning stages and encouraged all Board members to participate. She commended Deputy Administrator John Faul for filling in for Administrator Battani who was ill.

ITEM 14 Members' Time

Commissioner Taylor noted his comments were not directed towards the Parks Department or Director David Rachowicz, but that he felt there was not a need for that department to be self-funded. He sent his best wishes to Commissioner Thompson and family.

Commissioner Urban thanked the many persons who spoke in favor of moving ahead with the dental clinic. He noted the County had received the Joan E. Burke award from the Community Access Center for the programs on County community services the BOC produced in the first 4 months of 2008.

Commissioner Zull encouraged Administration to consider discontinuing lump sum payouts for retirees. He noted Mr. Musak had phoned him with information from Cass &

Van Buren counties on the dental clinic facilities there and stressed the need for a manager in the county's dental clinic.

Commissioner Alford thanked the citizens who came forward to share their concerns. She welcomed new Commissioners Ann Nieuwenhuis and Michael Quinn.

Commissioner Barnard noted that if the dental clinic should face the same challenge to become financially self-sufficient as the Parks Department things might progress more quickly.

Commissioner Biby concurred with Commissioner Zull's comments regarding the dental clinic.

Commissioner Maturen read a resolution that was passed by the Board on December 2, 2008 supporting the Public Housing Commission for the benefit of those who are in support of the County endorsing the Housing First program.

Commissioner Ann Nieuwenhuis stated she had attended the 4-H Leaders banquet and commended Thelma Buckham for 56 years as a leader. She stated she & Commissioner Quinn had attended the Council of Governments meeting. She recognized the fire-fighters and first responders who worked diligently with the apartment complex fire yesterday. She thanked the public for their support in the face of so many recent disasters within the community.

Adjournment

There being no further business to come before the Board, Chairperson Buskirk adjourned the meeting at 9:31 p.m.

Timothy A. Snow
Clerk/Register of Deeds

Dave Buskirk
Chairman, Kalamazoo County Board of
Commissioners