

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

SEPTEMBER 15, 2009

ITEM 1 Call to Order: regular meeting of the Board of Commissioners was called to order by Board Chairperson Dave Buskirk, at 7:00 p.m. in the Board of Commissioner's Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, on September 15, 2009.

ITEM 2 Invocation: Dr. Osama Itiani of the Kalamazoo Islamic Center gave the Invocation.

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

ITEM 4 Roll Call: Commissioners Carolyn Alford, Nasim Ansari, Rob Barnard, Dave Buskirk, Brian Johnson, Dave Maturen, Ann Nieuwenhuis, John Nieuwenhuis, Michael Quinn, John Nieuwenhuis, John Taylor, Frank Thompson and Jack Urban.

Members Absent: Commissioners Jeff Balkema, Grady Biby, Deb Buchholtz, Jeff Heppler and John Zull.

Administrators Present: Peter Battani, County Administrator; John Faul, Deputy County Administrator; Thom Canny, Corporation Counsel; Tracie Moored, Finance Director; Pat Crowley, Drain Commissioner, Marc Meulman, HCS Deputy Director; David Artley, Resource Development; Jo Woods, HR Director; Tim Snow, County Clerk; and Sheri Stiger, Administrative Assistant.

ITEM 5 Approval of Minutes:

Commissioner Urban moved and it was duly seconded that the Minutes of the September 1, 2009, Board Meeting be approved as distributed.

ITEM 6 Communications:

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

- a) A notice of a Public Hearing from the Village of Vicksburg on a request from Bridge Organic Company for an Industrial Facilities Tax Exemption Certificate.
- b) A resolution from Lake County supporting House Bills 4785 and 4786.
- c) A resolution from Oceana County supporting the Michigan Department of Agriculture remain a stand-alone department of the State of Michigan.

- d) A letter from the United Postal Service stating an Area Mail Processing study of the Kalamazoo Processing & Distribution Center will be conducted.

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.

Ms. Kristen Ramer announced a seminar entitled "Avoid Foreclosure" being held on October 1st from 4-7:00 p.m. at Galilee Baptist Church 1216 N. Westnedge Avenue, and invited the public to attend.

Ms. Lucy Bland, announced an Open House for the "CanDo Kitchen", an organization which helps small businesses get their start, on September 30th at 7:30 p.m. at First Baptist Church in downtown Kalamazoo.

Mr. Frank Thompson stated the Olive Tree Restaurant near his home had re-opened for business following renovations.

ITEM 8 For Consideration

A. Public Hearing on Amending the Brownfield Redevelopment Plan
Commissioner Taylor moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on Amending the Brownfield Redevelopment Plan.

Commissioner Ansari moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on Amending the Brownfield Redevelopment Plan.

B. Request for Approval of Amendment to Brownfield Redevelopment Plan
Commissioner Taylor moved and it was duly seconded that the Board of Commissioners Amend the Brownfield Redevelopment Plan as provided.

Discussion ensued.

There being no further discussion, the motion carried by a voice vote.

CONSENT AGENDA

District Court

C. Request for Approval of Extension of Temporary Employee

That the Board of Commissioners approve the extension of temporary employee Nancy Jasiak for a period not to exceed 90 days at a rate of \$13.95/hour.

Health & Community Services

D. Request for Approval of Breast and Cervical Cancer Control Program (BCCCP) Agreement with Diagnostic Services LLC

That the appropriate County officials be authorized and directed to execute an Agreement with Diagnostic Services LLC to provide services to BCCCP effective June 1, 2009 with automatic annual renewals; a copy of said Agreement to be attached to the official Minutes of this meeting.

E. Request for Approval of Multiple Agreements with Providers of Services for the Choices for Independence Program

That the appropriate County officials be authorized and directed to execute multiple Agreements with providers of services for the Choices Independence Program for the period of October 1, 2009 through September 30, 2012; a copy of said Agreements to be attached to the official Minutes of this meeting.

<u>Organization</u>	<u>Services</u>
Absolute Home Care	Homemaking, In-Home Respite, Medication Management, Personal Care & Transportation
Advantage Private	Homemaking, Medication Management, Personal Care & Transportation
EARS, Inc.	Personal Emergency Response Systems
Lifespan, Inc.	Homemaking, In-Home Respite, Personal Care & Personal Emergency Response System
VBEMS, Inc.	Transportation

F. Request for Approval of a Service Agreement with Netwerkes LLC for Electronic Billing Services

That the appropriate County officials be authorized and directed to execute a Service Agreement with Netwerkes LLC for electronic billing services for various programs in the department effective October 1, 2009; a copy of said Agreement to be attached to the official Minutes of this meeting.

G. Request for Approval of a Crisis Assistance Deliverable Fuel Grant Award Amendment #1 with the Michigan Department of Human Services (MDHS)

That the appropriate County officials be authorized and directed to execute Amendment #1 to the MDHS deliverable fuel grant award which provides emergency services to families in need of deliverable fuel services in the increased amount of \$25,423 through September 30, 2010; a copy of said Amendment #1 to be attached to the official Minutes of this meeting.

H. Request for Approval of Amendment #1 with the Michigan State Housing Development Authority (MSHDA) Housing Rehabilitation Grant

That the appropriate County officials be authorized and directed to execute Amendment #1 with MSHDA for the Housing Rehabilitation Grant in the additional amount of

\$325,000; a copy of said Amendment to be attached to the official Minutes of this meeting.

I. Request for Approval of the Michigan Department of Human Services (MDHS) Weatherization Agreement Amendment #2 for 2009-2012

That the appropriate County officials be authorized and directed to execute Amendment #2 with MDHS for language changes for the 2009-2012 Weatherization Agreement for the period of April 1, 2009 through March 31, 2012; a copy of said Agreement to be attached to the official Minutes of this meeting.

J. Request for Approval of a Third 90-Day Extension for Weatherization Subcontractor Agreements

That the appropriate County officials be authorized and directed to execute a third 90-day extension of the following Weatherization Agreements for the period of October 1, 2009 through December 31, 2009; a copy of said Agreements to be attached to the official Minutes of this meeting.

Subcontract Agreements

Bradford Johnson, Inc. (Residential Builder)
Lakeshore Construction (Residential Builder)
Dale Neville (Residential Builder)
Rogers Refrigeration, Inc. (HVAC Contractor)
Todd Bradley (Weatherization Inspector)
Cem Stanloski (Weatherization Inspector)
Monte Stanloski (Weatherization Inspector)

K. Request for Approval of Position Creation in the Region IIIA Area Agency on Aging Program (grant funded)

That the Board of Commissioners the Creation of the following Position:

Create:

<u>Account #</u>	<u>Position/#</u>	<u>Pay</u>	<u>Grade</u>	<u>FTE</u>	<u>Effective</u>
280-093	Administrative Asst. #10373-001	\$27,976-\$33,904	T17	0.125	10/1/09

Human Resources

L. Request for Approval of Amendment to Personnel Policy 7.02

This item was removed from the consent agenda.

M. Request for Approval of Amendment to Personnel Policy 7.11

That the Board of Commissioners Amend Personnel Policy 7.11.

N. Request for Approval of Amendment to Personnel Policy 7.15

This item was removed from the consent agenda.

Michigan Works!

O. Request for Approval of Jobs, Education, and Training (JET) Temporary Assistance for Needy Families (TANF) Plan 10-00

That the appropriate County officials be authorized and directed to execute Jobs, Education, and Training (JET) Temporary Assistance for Needy Families (TANF) Plan 10-00 in the amount of \$2,040,000 for the period of October 1, 2009 through September 30, 2010; a copy of said Plan to be attached to the official Minutes of this meeting.

P. Request for Approval of Incumbent Worker Plan 09-00

That the appropriate County officials be authorized and directed to execute Incumbent Worker Plan 09-00 in the amount of \$127,528 for the period of July 1, 2009 through June 30, 2010; a copy of said Plan to be attached to the official Minutes of this meeting.

Prosecuting Attorney

Q. Request for Approval of FY 2009-2010 "Victims Of Violence – Assistance Program" Victims of Crime Act (VOCA) Grant Agreement

That the appropriate County officials be authorized and directed to execute FY 2009-2010 "Victims Of Violence – Assistance Program" Victims of Crime Act (VOCA) Grant Agreement in the amount of \$86,004 for the period of October 1, 2009 through September 30, 2010; a copy of said Agreement to be attached to the official Minutes of this meeting.

R. Request for Approval of FY 2009-2010 Crime Victim Rights Grant Agreement

That the appropriate County officials be authorized and directed to execute FY 2009-2010 Crime Victim Rights Grant Agreement in the amount of \$161,688 for the period of October 1, 2009 through September 30, 2010; a copy of said Agreement to be attached to the official Minutes of this meeting.

Sheriff

S. Request for Approval to Submit an Application for the 2009-2010 Secondary Road Patrol Grant

That the appropriate County officials be authorized and directed to submit the 2009-2010 Secondary Road Patrol Grant in the amount of \$288,010 with the County's match of \$57,501 for the period of October 1, 2009 through September 30, 2010; a copy of said Agreement to be attached to the official Minutes of this meeting.

T. Request for Approval of Emergency Support Plans with Townships of Kalamazoo and Texas, and the City of Kalamazoo

That the appropriate County officials be authorized and directed to execute Emergency Support Plans with Townships of Kalamazoo and Texas, and City of Kalamazoo as required by P.A. 390 of 1976; a copy of said Plans to be attached to the official Minutes of this meeting.

Board of Commissioners

U. 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 September 15, 2009," noting claims in the total amount of \$1,814,315.35 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 September 15, 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.

V. Request for Approval of Resolution to Set Annual Meeting Date and Public Hearing for the Proposed 2010 Budget

That the Board of Commissioners approve the following Resolution:

WHEREAS, the statutes in such case made and provided require a municipal corporation to hold an Annual Meeting and a Public Hearing on their proposed budget; and

WHEREAS, the statute further provides that the Annual Meeting shall be held after September 14 but before October 16 of each year.

NOW, THEREFORE, BE IT RESOLVED that the Kalamazoo County Board of Commissioners does hereby designate the date of Tuesday, October 6, 2009 as the date of its Annual Meeting, and Tuesday, October 6, 2009 as the date for the Public Hearing on the 2010 Proposed Budget.

BE IT FURTHER RESOLVED that the County Clerk/Register is hereby authorized and directed to publish in the Kalamazoo Gazette, a newspaper of general circulation in Kalamazoo County, at least six days prior to the Public Hearing, a notice of such Public Hearing, which notice shall be substantially in the following form:

NOTICE OF PUBLIC HEARING ON PROPOSED 2010 BUDGET
OF KALAMAZOO COUNTY, MICHIGAN

Notice is hereby given that a Public Hearing will be held on the proposed Budget of Kalamazoo County, Michigan, for the fiscal year commencing January 1, 2010 and ending December 31, 2010, on Tuesday, October 6, 2009 at 7:00 p.m., in the County Administration Building, second floor, Board of Commissioners' Room 204, located at 201 West Kalamazoo Avenue, Kalamazoo, Michigan.

A copy of the proposed Budget is available for public inspection during normal business hours at the Offices of the Board of Commissioners and County Clerk/Register, 201 West Kalamazoo Avenue, Kalamazoo, Michigan.

THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET WILL BE A SUBJECT OF THIS HEARING

W. Request for Approval of Amendment to the Retirement Resolution regarding the Single Sum

That the Board of Commissioners approve the following Resolution:

**RESOLUTION TO AMEND
KALAMAZOO COUNTY EMPLOYEES' RETIREMENT SYSTEM RESOLUTION**

WHEREAS, the Kalamazoo County Board of Commissioners sponsors the Kalamazoo County Employees' Retirement System, a defined benefit retirement plan, which is

qualified under Section 401(a) of the Internal Revenue Code, for a large number of Kalamazoo County Employees; and

WHEREAS, the Kalamazoo County Board of Commissioners has determined that it is in the best interest of the County to eliminate the single sum distribution option for members who commence membership after September 30, 2009; and

WHEREAS, it is necessary to amend the Kalamazoo County Employees' Retirement System Resolution to implement this change.

NOW, THEREFORE, be it resolved that the Kalamazoo County Board of Commissioners does hereby amend the Kalamazoo County Employees' Retirement System Resolution as follows:

1. Part (c) of Section 18 is restated so that it reads as follows:

A deferred Member may elect to receive, at any time prior to electing to receive a Retirement Allowance provided in Section 19 hereof, a distribution equal to the Actuarial Equivalent of a straight-life Retirement Allowance in a single sum paid as soon as administratively possible after making said election, but only if the Member is entitled to this form of benefit under the terms of Section 19.

2. Part 3 of Section 19 is restated so that it reads as follows:

except as described in the second to last paragraph of this Section, a distribution equal to the actuarial equivalent of a straight life Retirement Allowance in a single sum paid as soon as administratively possible after Retirement; or

3. The second to last paragraph of Section 19 is restated so that it reads as follows:

If a Member does not elect Option A or B, a single sum, or rollover distribution, the Retirement Allowance will be payable as a straight life Retirement Allowance. Members commencing membership in this Retirement System after September 30, 2009, who are not employed in the Kalamazoo County Road Commission and Mental Health Employing Units, are not eligible for payment in the form of a single sum.

4. The last sentence of Part (b) at Section 20 is amended to read as follows:

As an alternative to receiving benefits under Option A, the widow or widower may elect to take a distribution under Subsection 19(3) hereof, but only if the Member would have been entitled to this form of benefit under the terms of Section 19.

BE IT FURTHER RESOLVED that this Amendment will take effect October 1, 2009.

Commissioner Quinn moved and it was duly seconded that Items C. through W., with the exception of Items L. and N., 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: Commissioners Balkema, Biby, Buchholtz, Heppler and Zull.

The motion carried.

NON-CONSENT AGENDA ITEMS

ITEM 9 Old Business

There was no old business.

ITEM 10 New Business

Human Resources

L. Request for Approval of Amendment to Personnel Policy 7.02

Commissioner Johnson moved and it was duly seconded that the Board of Commissioners Amend Personnel Policy 7.02, as presented with the exclusion of “or those in a dating relationship” from the first paragraph.

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

N. Request for Approval of Amendment to Personnel Policy 7.15

Commissioner Maturen moved and it was duly seconded that the Board of Commissioners Amend Personnel Policy 7.15.

Discussion ensued.

There being no further discussion, the motion carried by a voice vote.

X. Request for Approval of Acceptance of the 2009/2010 Community Services Block Grant (CSBG) Award from the Michigan Department of Human Services(MDHS)

Commissioner Barnard moved and it was duly seconded that the appropriate County officials be authorized and directed to execute the 2009/2010 Community Services Block Grant Award from the MDHS in the amount of \$546,335 for the period of October 1, 2009 through September 30, 2010; a copy of said Agreement to be attached to the official Minutes of this meeting.

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

ITEM 11 County Administrator's Report

County Administrator Battani reported that Commissioner Ansari's request for a report from the Department of Human Services and Ms. Sherry Thomas Cloud agreed to supply a report to the Board. He stated that Oshtemo Township had denied a request by the County for payment for the fire dispatch services provided by the Sheriff's Department, and Sheriff Fuller had been working diligently to discuss this with the Township and have them reconsider their decision. He mentioned the Arena group would be meeting at Kinko's at 1:00 p.m. on Friday. He announced the Budget Retreat would be taking place on Wednesday & Thursday from 5-9:00 p.m., was open to the public and would be video-taped.

Commissioner Ansari left the meeting at 8:00 p.m.

ITEM 12 Chairperson's Report

Chairperson Buskirk stated the Budget Retreat meetings were open to the public and encouraged citizens to attend. He said bids had been received on the Airport project and interviews with several companies were being held on Thursday. He noted several members of Michigan Aeronautics Pilots organization had flown into Kalamazoo this past week. He stated he was looking forward to the completion of the terminal project and added the financial impact of the Airport was huge in Kalamazoo. He noted the new tower project was on track and would be much higher than the old tower.

ITEM 13 Vice Chairperson's Report

There was no Vice Chairperson's Report.

ITEM 14 Members' Time

Commissioner Thompson stated he had been receiving a lot of calls about Nazareth Road and recommended the Road Commission take a look at road conditions.

Commissioner Barnard thanked Dave Artley for his time and dedication on the Brownfield Redevelopment committee.

Commissioner Johnson echoed Commissioner Barnard's comments.

Commissioner Ann Nieuwenhuis reminded Commissioners of the Agricultural tour. She also announced the Senior Expo and free health screenings on Friday, September 18th at Mt. Zion Baptist Church.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Buskirk

adjourned the meeting at 8:05 p.m.

Timothy A. Snow
Clerk/Register of Deeds

Dave Buskirk
Chairman, Kalamazoo County Board of
Commissioners