

## MINUTES

### KALAMAZOO COUNTY BOARD OF COMMISSIONERS

#### REGULAR MEETING

AUGUST 5, 2009

ITEM 1     Call to Order: The regular meeting of the Board of Commissioners was called to order by Board Chairperson Dave Buskirk, at 7:00 p.m. in the Board of Commissioner's Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, on August 5, 2009.

ITEM 2     Invocation: Commissioner John Zull gave the Invocation.

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

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

Members Absent: Commissioners Jeff Balkema and Grady Biby.

Administrators Present: Peter Battani, County Administrator; John Faul, Deputy County Administrator; Thom Canny, Corporation Counsel; Tracie Moored, Finance Director; Linda Buzas, HCS Director; Dave Rachowicz, Parks Director; Lotta Jarnefelt, Planning Director; David Artley, Resource Development; Jo Woods, HR Director; Jeff Fink, Prosecuting Attorney; Mary Balkema, County Treasurer; Pat Crowley, Drain Commissioner; Nigel Crum, FOC Director; Tim Snow, County Clerk; and Sheri Stiger, Administrative Assistant.

ITEM 5     Approval of Minutes:

Commissioner Buchholtz moved and it was duly seconded that the Minutes of the July 21, 2009, Board Meeting be approved as distributed.

Commissioner Ann Nieuwenhuis introduced John Verhans, the 4-H educator for Kalamazoo County. Shane Adams of Galesburg brought in a goat; Paul Bartholomew, with the Scotts group raised several varieties and was this year's 4-H King; Katie Garrett is part of the Lucky Clovers, participating in photography, and was this years 4-H Queen; Sarah Vander Roost was in the Alamo Achievers Club and brought a duck; Sarah Balkema of the Alamo Achievers came with her rabbit. They invited the Commissioners to the Kalamazoo County Fair, which begins next week.

ITEM 6     Communications:

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

- a) Emails from retirees expressing their displeasure in the premium cost to retirees.
- b) A resolution from Lake County Opposing House Bill Numbers 4028, 4747, and 4907.
- c) A resolution from Antrim County Supporting House Bill 5019.
- d) A resolution from Antrim County Opposing any changes to Baseline Environmental Assessment.
- e) A resolution from the Kalamazoo County Road Commission requesting the Governor and Legislature to implement a plan to improve Michigan roads and highways.
- f) A notice of a Public Hearing from the City of Portage on an Industrial Facilities Exemption Certificate application from Stryker Corporation.

Commissioner Johnson had some correspondence from Douglas McGinnis of Augusta.

Commissioner Barnard had some correspondence regarding the Kalamazoo County Retiree Benefits issue.

Commissioner Zull had a letter from Mr. Chris Mummaw regarding a safety issue with a tree on Kalamazoo Road Commission property.

Commissioner Ansari had a letter from Ms. Nancy Skocelas regarding the change in Retiree Benefits.

#### 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. Monica Westover, 5910 Briarcliff Lane, Apt. B., spoke expressing her dissatisfaction with the Prosecuting Attorney and several Sheriff's Deputies in Kalamazoo County.

Ms. Maeve Quinn, daughter of Commissioner Michael Quinn, thanked the Board members for all the difficult decisions they must make. She noted her father had just completed a Vipassana Meditation course and she was very excited about the possibility of introducing the program to jail inmates.

Ms. Nancy Skocelas, 340 Shangri-la Circle, a Kalamazoo County retiree, spoke regarding the County Retiree Benefits changes.

Ms. Mary Breier, 3511 Iroquois, a Kalamazoo County employee, spoke regarding the County Retiree Benefits changes.

Mr. Chuck Culver, 8105 West AB Avenue, a concerned citizen, spoke regarding the County Retiree Benefits changes.

Ms. Bonnie Cochran, 1343 Calhoun, a Kalamazoo County retiree, spoke regarding the County Retiree Benefits changes.

Ms. Gloria Swinsick, 75821 Burgundy Place, a Kalamazoo County retiree, spoke regarding the County Retiree Benefits changes.

Ms. Patty Maxwell, 211 E. Westwood Drive, a Kalamazoo County employee, spoke regarding the County Retiree Benefits changes.

#### ITEM 8      For Consideration

#### CONSENT AGENDA

##### Circuit Court

##### A.      Request to Accept a Byrne Justice Assistance Grant Award from the American Recovery & Reinvestment Act of 2009 for the Women's and Family Dependency Drug Treatment Court Program

That the appropriate County officials be authorized and directed to Accept a Byrne Justice Assistance Grant Award from the American Recovery & Reinvestment Act of 2009 for the Women's and Family Dependency Drug Treatment Court Program in the amount of \$592,503 for the period of July 1, 2009 through September 30, 2012; a copy of said Grant to be attached to the official Minutes of this meeting.

##### District Court

##### B.      Request to Accept from the Office of Drug Control Policy Byrne Justice Assistance Grant Award from the American Recovery & Reinvestment Act of 2009 for the Sobriety Court Program

That the appropriate County officials be authorized and directed to Accept from the Office of Drug Control Policy Byrne Justice Assistance Grant Award from the American Recovery & Reinvestment Act of 2009 for the Sobriety Court Program in the amount of \$410,306 for the period of July 1, 2009 through September 30, 2012; a copy of said Grant to be attached to the official Minutes of this meeting.

##### Health & Community Services

##### C.      Request for Approval of a Contract with Medicare/Medicaid Assistance Program (MMAAP) and HCS/Area Agency on Aging IIIA

That the appropriate County officials be authorized and directed to execute a contract with Medicare/Medicaid Assistance Program (MMAAP) and HCS/Area Agency on Aging IIIA in the amount of \$8,056 for the period of June 1, 2009 through May 31, 2010; a

copy of said Contract to be attached to the official Minutes of this meeting.

D. Request for Approval of Two (2) Contracts for the Medicare Improvements for Patients and Providers Act (MIPPA) Beneficiary Outreach and Assistance Project

That the appropriate County officials be authorized and directed to execute Two (2) Contracts for the Medicare Improvements for Patients and Providers Act (MIPPA) Beneficiary Outreach and Assistance Project for the period of June 1, 2009 through May 31, 2010; a copy of said Contracts to be attached to the official Minutes of this meeting.

E. Request for Approval of Healthy Babies/Healthy Start Partner Agreement with Family Health Center

That the appropriate County officials be authorized and directed to execute a Healthy Babies/Healthy Start Partner Agreement with Family Health Center in the amount of \$232,542 for the period of June 1, 2009 through May 31, 2010; a copy of said Agreement to be attached to the official Minutes of this meeting.

F. Request for Approval of Ikon Product Lease Agreement through Team Financial Group

That the appropriate County officials be authorized and directed to execute an Ikon Product Lease Agreement through Team Financial Group; a copy of said Agreement to be attached to the official Minutes of this meeting.

G. Request for Approval to Submit a Grant Application to the Internal Revenue Service for the 2010 Volunteers in Tax Assistance (VITA) Grant

That the appropriate County officials be authorized and directed to Submit a Grant Application to the Internal Revenue Service for the 2010 Volunteers in Tax Assistance (VITA) Grant; a copy of said Application to be attached to the official Minutes of this meeting.

H. Request for Approval of Three (3) Amendments for Head Start Classroom Space

That the appropriate County officials be authorized and directed to execute Three (3) Amendments for Head Start Classroom Space; a copy of said Agreements to be attached to the official Minutes of this meeting.

I. Request for Approval to Purchase a Mobile Dental Clinic Vehicle and Equipment

This item was removed from the Agenda.

Human Resources

J. Request for Approval of Amendment to Personnel Policy Sections 7.02, 7.11, 7.15

This Item was removed from the Agenda.

Purchasing

K. Request for Acceptance of the Capital Expenditure Report for the first half of 2009

That Board of Commissioner Accept the Capital Expenditure Report for the first half of 2009 as presented

## Board of Commissioners

### L. 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 August 5, 2009," noting claims in the total amount of \$3,141,287.82 with the exception of Balkema Excavating Inc. claim in the amount of \$85.00, Best Way Disposal claim in the amount of \$1,040.00, with the exception of Kalamazoo Electric, Inc. claim in the amount of \$2,114.95 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 August 5, 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.

### M. Request for Approval of Reappointments to the Aeronautics Board

That the Board of Commissioners approve the Reappointment of Bill Duggan and John Jones to the Aeronautics Board.

Commissioner Zull moved and it was duly seconded that Items A. through M., with the exception of Items I. and J., 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 and Biby.

The motion carried.

## **NON-CONSENT AGENDA ITEMS**

### N. Request for Approval of Balkema Excavating Inc. Claim

Commissioner Barnard moved and it was duly seconded that the Board of Commissioners approve payment of claims from Balkema Excavating Inc. in the total amount of \$85.00 for work provided to Kalamazoo County, and authorize the County Treasurer to make said payments.

Commissioner Heppler made the following Disclosure Statement for Items N. and O. on behalf of Commissioner Balkema:

On the Claims List for August 5, 2009 are claims from my business enterprise, Balkema Excavating, Inc. and Best Way Disposal. Since I have a conflict of interest as an owner/employee of Balkema Excavating, Inc. and Best Way Disposal, I would like to make the following disclosure pursuant to 1968 P.A. 3116, as amended:

The parties to this agreement/payment are the County of Kalamazoo, Balkema Excavating, Inc. and Best Way Disposal

The purpose of the agreement is for Balkema Excavating, Inc. and Best Way Disposal to provide certain services as noted below:

Gravel and Waste Removal

The amount of the payment to Balkema Excavating, Inc. and Best Way Disposal totals:

\$1,125.00

(Invoice is listed on Pages 37 and 38 of the Claims List for August 5, 2009.)

I will receive an indirect financial benefit from this project.

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 August 5, 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.

O. Request for Approval of Best Way Disposal Claim

Commissioner Heppler moved and it was duly seconded that the Board of Commissioners approve payment of claims from Best Way Disposal in the total amount of \$1,040.00 for work provided to Kalamazoo County, and authorize the County Treasurer to make said payments.

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

P. Request for Approval of Kalamazoo Electric, Inc. Claim

Commissioner Johnson moved and it was duly seconded that the Board of Commissioners approve payment of claims from Kalamazoo Electric, Inc. in the total amount of \$2,114.95 for 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 August 5, 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.

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

\$2,114.95

(Invoice is listed on Pages 19 and 35 of the Claims List for August 5, 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 August 5, 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

Q. Request for Approval of a Bargaining Agreement with AFSCME Local No. 1677.02

Commissioner Alford moved and it was duly seconded that the Board of Commissioners approve a bargaining Agreement as secured by the County's bargaining team between the County of Kalamazoo and the AFSCME Local No.1677.02 and that the County Board Chair and the County Clerk-Register be authorized and directed to sign the aforementioned Agreement, for the period of January 15, 2009-January 14, 2012 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.

R. Request for Approval of Reclassification of three Park Manager positions

Commissioner Ansari moved and it was duly seconded that the Board of Commissioners approve the reclassification of three Park Manager positions:

**RECLASSIFICATION FROM S14b to S14a**

1 FTE, Park Manager, S14a	\$29,384.16 - \$34,454.78	Acct.#208-003-704.00	#10559-001
1 FTE, Park Manager, S14a	\$29,384.16 - \$34,454.78	Acct.#208-004-704.00	#10719-002
1 FTE, Park Manager, S14a	\$29,384.16 - \$34,454.78	Acct.#208-005-704.00	#10719-001

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

There was no new business.

ITEM 11      County Administrator's Report

County Administrator Battani reported the letter of resignation from Steve Yanni of MSU Extension. He noted the Opening of the Jail Garden announcement had been placed in Commissioner mailboxes. He stated there would be a presentation and discussion regarding the Nurse Family Partnership program. He stated the Events Center Vetting Committee was looking at dollar estimates for income and costs; and focusing on the Excise Tax Issue. He noted meetings are open to the public.

ITEM 12      Chairperson's Report

Chairperson Buskirk commented that last night was National Night Out, and stated the mounted division had their horses out to visit with the community. He stated that several people had commented on proper notification of retirees with changes in benefits and requested Administration look into this issue.

ITEM 13      Vice Chairperson's Report

Vic Chairperson Buchholtz noted the USTA National Championships and Big League Softball World Series were both taking place this week in Kalamazoo County. She wished all participants well. She noted she had attended recent Convention and Visitor's Bureau meetings and there had been excellent reports. She stated there had been meetings regarding the proposed Events Center and action was taken on developing an operational list of characteristics on those Events Centers that had done well and were self-sustaining.

ITEM 14      Members' Time

Commissioner Zull spoke regarding Retiree Benefits changes. Administrator Battani stated no promise had been made at any time that there would be no premium coverage changes to retiree health. He stated current employees had been notified of meetings being held to address possible changes in health premium coverage. He stated existing retirees had not been notified of the potential changes prior to the initial vote on this issue; and noted that during the last several meetings this issue had been addressed and meetings had been scheduled to inform retirees of the action and reasons for these changes in premium coverage. Commissioner Zull thanked Administrator Battani for clearly statements on this issue.

Commissioner Alford echoed the concerns Commissioner Zull had expressed. She expressed concerns about Indigent Defense and the delay in addressing this issue. She attended the National Night Out and noted there had been record attendance in the 5 neighborhoods she had visited.

Commissioner Ansari spoke regarding the County Retiree issue.

Commissioner Barnard stated he had attended two neighborhoods during the National Night Out. He stated he was very encouraged by the participation of people and agencies. He echoed the concerns of other Commissioners regarding the County Retiree Benefits issue.

Commissioner Johnson stated he was anticipating the Nurse/Family Partnership presentation. He echoed the comments of Commissioners regarding the County Retiree Benefits issue.

Commissioner Maturen stated he had attended the NACo Conference in Nashville, Tennessee.

Commissioner Ann Nieuwenhuis thanked the 4-H members who attended tonight with their animals. She encouraged the public to attend the Kalamazoo County Fair next week. She echoed the comments of Commissioners regarding the County Retiree Benefits issue. She asked that Administration communicate quarterly with retirees on issues which reflect changes in health care benefits.

Commissioner John Nieuwenhuis echoed Commissioner comments regarding the County Retiree Benefits issue.

Commissioner Quinn stated he would support a motion to revisit the Retiree issue.

Commissioner Taylor stated he was pleased with the City of Kalamazoo's decision to let the people vote on the gender identity/sexual orientation discrimination in housing, employment and access to public accommodations issue on November 3<sup>rd</sup> 2009. He stated he would appreciate more emphasis on discussing ways to save money during the budget retreat. He stated he was interested in taking another look at the Kalamazoo County Retiree Benefits issue.

Commissioner Thompson thanked the dedicated policemen working for the City of Kalamazoo who had been promoted recently. He noted the Eastside Neighborhood Association was hosting a carnival on Saturday, August 8<sup>th</sup> and invited the public to attend.

Commissioner Urban echoed Commissioner Ann Nieuwenhuis' comments on the Retiree Benefits issue.

Commissioner Ansari asked Administration to recheck numbers on the Retiree savings issue.

ITEM 15     Adjournment

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

adjourned the meeting at 8:31 p.m.

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Timothy A. Snow  
Clerk/Register of Deeds

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Dave Buskirk  
Chairman, Kalamazoo County Board of  
Commissioners