

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

FEBRUARY 4, 2014

ITEM 1 Call to Order: The Regular Meeting of the Board of Commissioners was called to order by Chairperson Maturen, at 7:00 pm in the Board of Commissioner's Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, on February 4, 2014.

ITEM 2 Invocation: Commissioner John Zull.

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

ITEM 4 Roll Call: Commissioners Carolyn Alford, Dave Buskirk, Jeff Heppler, Brandt Iden, David Maturen, Julie Rogers, Michael Seals, Phil Stinchcomb, John Taylor, Roger Tuinier and John Zull.

Members Absent: None.

Administrators Present: Peter Battani, Administrator; John Faul, Deputy County Administrator; Tracie Moored, Finance Director; Thom Canny, Corporate Counsel; Linda Vail, HCS Director; Timothy A. Snow, County Clerk; Dina Sutton, Office Manager.

ITEM 5 Approval of Minutes:

Commissioner Alford moved and it was duly seconded that the Minutes of the January 21, 2014, Board meeting be approved as distributed.

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

ITEM 6 Communications:

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

- a) Resolutions from the Huron County Board of Commissioners supporting House Bills 5215 and 5253.
- b) A Notice of Public Hearing from City of Galesburg on Industrial Facilities Exemption Certificate for Smith's Machine & Grinding, Inc.

- c) Two Notices of Public Hearing from Charter Township of Comstock on Industrial Facilities Exemption Certificate for Benteler Automotive Corporation.
- d) An Email from a County retiree expressing her concern with increased costs to retiree health care.
- e) A Meeting Notice from Kalamazoo Area Transportation Study for the Regional 3-Rural Task Force.
- f) An Email from a retiree concerning the proposed costs to health care for retirees.
- g) An Email from a citizen concerning an issue with the Kalamazoo County Road Commission.

ITEM 7 Citizens' Time

Chairperson Maturen 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.

Pastor Strickland, Kalamazoo, stated he would like Item H. pulled off the Consent Agenda Item.

Mr. Frank Warren, Kalamazoo, stated 33 participants graduated from Drug Court.

Ms. Callie Melton, Casnovia, from Priorities Michigan stated she was in the area networking with local governments and universities to advocate for state level funding.

ITEM 8 For Consideration

CONSENT AGENDA

Airport

A. Request for Approval of Temporary Operations Technician Position

That the Board of Commissioners approve a Temporary Operations Technician position (10449-002) due to military leave.

Circuit Court

B. Request for Approval of Four (4) Agreements with Western Michigan University (WMU) for Process and Outcome Evaluation Components for the Men's, Women's, Juvenile, and Family Dependency Treatment Court Programs

That the appropriate County officials be authorized and directed to execute four Agreements with WMU for process and outcome evaluation components for the Men's Women's, Juvenile, and Family Dependency Treatment Court Programs for the period of October 1, 2013 through March

31, 2015; a copy of said Agreements to be attached to the official Minutes of this meeting.

Men's: 11,378
Women's: 11,378
Juvenile: 12,258
Family: 9,978

C. Request for Approval to Submit a Grant Application to United Way for the Youthful Offender Transitions Program

That the appropriate County officials be authorized and directed to submit a Grant Application to United Way for the Youthful Offender Transitions Program in the amount of \$3,500.

D. Request for Approval to Submit a Grant Application to the Kalamazoo Bar Association Endowment Fund for the Youthful Offender Transitions Program

That the appropriate County officials be authorized and directed to submit a Grant Application to the Kalamazoo Bar Association Endowment Fund for the Youthful Offender Transitions Program in the amount of \$5,000.

District Court

E. Request for Approval of an Agreement with Southwest Michigan Behavioral Healthcare (SMBH) and Acceptance of PA2 Funds for the Sobriety Court Program and the Young Adult Diversion Program

That the appropriate County officials be authorized and directed to execute an Agreement with SMBH and Accept PA2 Funds for the Sobriety Court Program and the Young Adult Diversion Program in the amount of \$26,666.66 for the period of February 1, 2014 through September 30, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Health & Community Services

F. Request for Approval of Amendment #1 to the 2013/2014 Comprehensive Planning, Budgeting and Contracting (CPBC) Agreement with the Michigan Department of Community Health (MDCH)

That the appropriate County officials be authorized and directed to execute Amendment #1 to the 2013/2014 CPBC Agreement with MDCH in the amount of \$3,482,552 for the period of October 1, 2013 through September 30, 2014; a copy of said Amendment #1 to be attached to the official Minutes of this meeting.

G. Request for Approval of Amendment #2 to Sublease Agreement with Auxilio Services

That the appropriate County officials be authorized and directed to execute Amendment #2 to Sublease Agreement with Auxilio Services effective October 1, 2013 and shall be for 180 days; a copy of said Amendment #2 to be attached to the official Minutes of this meeting.

H. Request for Approval to Terminate Contract for Professional Services with Strick Strickland
This Item was removed from the Consent Agenda.

I. Request for Approval of Two Amendments for Providers of Services to Older Adults in Kalamazoo County

Chm Initial _____

Clk Initial _____

29370

That the appropriate County officials be authorized and directed to execute Two Amendments for Providers of Services to Older Adults in Kalamazoo County for the funding period of October 1, 2012 to September 30, 2013; a copy of said Amendments to be attached to the official Minutes of this meeting.

<u>Providers</u>	<u>Services</u>	<u>Amount</u>
Advocacy Services for Kids (ASK) & Training	Caregiver Education Support	\$ 4,081
Legal Aid of Western Michigan	Legal Assistance	\$ 12,456
GRAND TOTAL		\$ 16,537

J. Request for Approval of Medicare Improvement for Patients and Providers Act (MIPPA) Beneficiary Outreach and Assistance Purchase of Service Agreement with MMAP, Inc.

That the appropriate County officials be authorized and directed to execute an Agreement with MMAP, Inc. for the purpose of enrolling low income beneficiaries in Medicare Savings Program effective October 1, 2013 and continuing through September 29, 2014 in the amount of \$100 per successfully completed enrollment; a copy of said Agreement to be attached to the official Minutes of this meeting.

K. Request for Approval of an Agreement with Southwest Michigan Behavioral Health (SMBH)

That the appropriate County officials be authorized and directed to execute an Agreement with SMBH for case management services to Kalamazoo County pregnant residents who may already be receiving mental health and/or substance abuse services in the amount of \$51,581.34 for the period of February 1, 2014 through September 30, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

L. Request for Approval of School Affiliation Agreement and Business Associate Agreement with Kalamazoo Valley Community College (KVCC) School of Dental Hygiene

This Item was removed from the Agenda.

M. Request for Approval of Household Hazardous Waste (HHW) Amendments with Multiple Townships and Municipalities

That the appropriate County officials be authorized and directed to execute HHW Amendments for the period of January 1, 2014 to December 31, 2014 and will establish each unit's funding for fiscal year 2014; a copy of said Amendments to be attached to the official Minutes of this meeting.

GOVERNMENTAL UNITS AND FUNDING

1. Calhoun County \$ 5,000
2. Wakeshma Township \$ 400

N. Request for Approval of Paid Internship Position in the Center for Health Equity Department

That the Board of Commissioners approve a paid internship position in the Center for Health Equity Department at a cost not to exceed \$10,780.

Planning & Community Development

O. Request for Approval to Submit a Grant Application to the US Environmental Protection

Agency (EPA) for the Kalamazoo County Brownfield Redevelopment Authority

That the appropriate County officials be authorized and directed to submit a Grant Application to the US EPA for the Kalamazoo County Brownfield Redevelopment Authority to assess environmental conditions of potential brownfield sites in the amount of \$400,000.

Purchasing

P. Request for Approval of Equipment Maintenance Insurance Policy for Various County Departments

That the appropriate County officials be authorized and directed to execute Equipment Maintenance Insurance Policy with Specialty Underwriters LLC for Various County Departments in the amount of \$17,971 for the period of February 1, 2014 through February 1, 2015; a copy of said Contract to be attached to the official Minutes of this meeting.

Sheriff

Q. Request for Approval Addendum to Co-Located Dispatch Agreement with the City of Kalamazoo

That the appropriate County officials be authorized and directed to execute Addendum to Co-Located Dispatch Agreement with the City of Kalamazoo for upgrades to the dispatch console hardware and software in the amount of \$191,662.28; a copy of said Addendum to be attached to the official Minutes of this meeting.

Board of Commissioners

R. Request for Approval of Transfers and Disbursements

That the Board of Commissioners approve the Transfers and Disbursements as defined and set forth in the document entitled, "Recommended Transfers and Disbursements, dated February 4, 2014", noting claims in the total amount of \$3,303,085.26, 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 4, 2014, and the Director of Finance be authorized to make budgetary transfers, as listed.

S. Request for Approval of Board Bylaws

That the Board of Commissioners approve Board Bylaws as presented.

T. Request for Approval of Appointment to the Veteran's Affairs Committee

That the Board of Commissioners approve the Appointment of Audree Morrison to the Veteran's Affairs Committee to assume a term ending December 31, 2015.

U. Request for Approval of Appointment to Public Arts Commission

That the Board of Commissioners approve the Appointment of Lotta Jarnefelt to the Public Arts Commission.

V. Request for Approval of Police Protection Agreement with Township of Ross

That the appropriate County officials be authorized and directed to execute a Police Protection Agreement with Township of Ross in the amount of \$117,117 per deputy for the period of January 1, 2014 through December 31, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

W. Request for Approval of Letter of Intent – Real Estate Exchange with West Michigan Cancer Center (WMCC)

That the appropriate County officials be authorized and directed to execute a Letter of Intent – Real Estate Exchange with WMCC; a copy of said Contract to be attached to the official Minutes of this meeting.

X. Request for Approval of Amendment to Retirement Resolution

That the Board of Commissioners approve the following 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 eligible Kalamazoo County employees; and

WHEREAS, certain provisions must be changed to address the issues involved with eligible employees who move from one employing unit to another; and

WHEREAS, it is necessary to amend the Kalamazoo County Employees' Retirement System to implement these changes to fulfill commitments made to these employees; and

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

1. Section 12 of the plan is amended with respect to service calculations made on or after January 1, 2012 so that it reads as follows:

Except as otherwise provided in this resolution, if any Member ceases to be an Employee of all Employing Units, for any reason except Retirement or death, the Member will thereupon cease to be a Member and the Member's Credited Service at the time will be forfeited. In the event a former Member again becomes an Employee, as defined in Section 2(d) hereof, the returning Member will again become a Member of the Retirement System. In the event re-employment occurs, the former Member's Credited Service last forfeited will be restored to the returning Member's credit; provided that the returning Member returns to the Employees' savings fund the amount, if any, the returning Member withdrew there from and an amount equal to the aggregate amount of contributions the Employing Units made at the time of the previous service, together with Regular Interest from the date of withdrawal to the date of repayment. Upon a Member's death or Retirement, the Member will thereupon cease to be a Member. If a former Member commences employment with one of the Employing Units after the former Member's last employment with another Employing Unit, the returning Member will not be considered to have had a cessation of employment if the period of absence from all Employing Units is 30 days or less unless the former Member entered into a severance agreement and the severance agreement does not affirmatively adopt this provision.

Chm Initial _____

Clk Initial _____

29373

BE IT FURTHER RESOLVED that this Amendment will take effect on the dates recited above.

Commissioner Zull moved and it was duly seconded that Items A. through X., with the exception of Items H. and L., 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:	None

The motion carried.

NON-CONSENT AGENDA ITEMS

The following Items are Non-Consent Agenda Items and will be voted on individually.

H. Request for Approval to Terminate Contract for Professional Services with Strick Strickland
Commissioner Heppler moved and it was duly seconded that the appropriate County officials be authorized and directed to terminate a Contract for Professional Services with Strick Strickland.

Mr. Strickland addressed the Board concerning the procedure in which this matter was handled. He stated he was not aware his contract was being terminated. He stated he had no knowledge of his services being inadequate.

Mr. Peter Battani, County Administrator stated he became aware of the issue less than 24 hours ago; he stated the item was on the consent agenda. He stated he had conversations with Ms. Linda Vail and Judge Blatchford and the detail of information he received was shared with the Board and was the appropriate recommendation by the HCS Department. He stated from his understanding there is more than enough evidence for cause to terminate this contract.

Ms. Linda Vail, HCS Director stated the information she had was shared with the Board. She stated there had been conversations concerning the performance of Mr. Strickland.

Commissioner Zull inquired if Mr. Strickland was aware of the issues at hand and Ms. Vail indicated yes.

Commissioner Stinchcomb stated he would not micromanage a department as he trusted their decisions.

Mr. Thom Canny, Corporate Counsel stated the Board needed to terminate the contract as the Board was the one who originally approved and signed the contract. He indicated this contract did not have a for cause reason it could be terminated at any time.

Judge Blatchford addressed the Board concerning the Young Adult Diversion Program, what it

did, how it started, etc. She stated the program normally dealt with young individuals as first time offenders who didn't have the tools to succeed with probation. She stated there were many agencies that worked together for this program. She indicated there were many meetings and conversations that occurred with Mr. Strickland. She also indicated he had missed several scheduled meetings.

Mr. Strickland stated he was not made aware of all the meetings. He stated he had met with the probation officer as required by the contract.

Commissioner Alford thanked Ms. Vail and Judge Blatchford for their insight. She stated she had concerns with receiving Mr. Strickland's side of the story.

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

ITEM 9

RETIREE HEALTH CARE AND RETIREMENT SYSTEM CONSENT AGENDA

A. Request for Approval to Amend Section 5.16 "Benefits for retirees" of Kalamazoo County Non-Union Personnel Policies

That the Board of Commissioners amend Section 5.16 "Benefits for Retirees" of the Kalamazoo County Non-Union Personnel Policies so that all non-union Retirees will have the same annual contribution for their Health Insurance Premium as non-union County Employees beginning on January 1, 2016. All non-union retirees will have at least an 18% Retiree Health Insurance Premium beginning on January 1, 2015-December 31, 2015. These amendments do not affect the Poverty Exemption extended to Retirees eligible for Retiree Health Care and whose gross annual income is at or below 200% of the Federal Poverty Guideline.

B. Request to Authorize Administration to Seek to Align and Standardize Non-Union and Union Retiree Health Care Benefits, and Retirement Benefits

That the board of Commissioners authorize and direct Administration to take appropriate and necessary actions, subject to the Board of Commissioner's review and approval, to align and standardize (e.g. mirror images) Retiree Health Care Benefits and Retirement benefits for union and non-union Retirees.

C. Request to Appeal Section 5.13 "Longevity Compensation Plan" of the Kalamazoo County Non-Union Personnel Policies

That the Board of Commissioners repeal Section 5.13 "Longevity Compensation Plan" of the Kalamazoo County Non-Union Personnel Policies, effective April 1, 2014 and eliminate Longevity payments to all non-union employees.

D. Request to Amend Section 16 (a)(5) "Retirement Allowance" of the Kalamazoo County Employees Retirement System Resolution

That the Board of Commissioners amend Section 16(a)(5) "Retirement Allowance" of the Kalamazoo County Employees Retirement System Resolution to provide that the multiplier be reduced by .50% for members of the Retirement System, hired on or after April 1, 2014.

E. Request to Amend the 2014 Budget Policy "Retirement System"

That the Board of Commissioners repeal the section of the 2014 Kalamazoo County Annual Budget entitled "Retirement System" and replace it with a new section entitled "Retirement System" included in the Board of Commissioners' February 4, 2014 Committee of the Whole meeting packet.

F. Request to Amend the 2014 Budget Policy "Other Post Employment Benefits (OPEB)"

That the Board of Commissioners repeal the section of the 2014 Kalamazoo County Annual Budget entitled "Other Post Employment Benefits (OPEB)" and replace it with a new section entitled "Other Post Employment Benefits (OPEB)" included in the Board of Commissioners' February 4, 2014 Committee of the Whole meeting packet.

BE IT FURTHER RESOLVED that this Amendment will take effect on the dates recited above.

Commissioner Iden moved and it was duly seconded that Items A. through F. of the Retiree Health Care and Retirement System Consent Agenda 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: None

The motion carried.

NON-CONSENT AGENDA ITEMS

The following Items are Non-Consent Agenda Items and will be voted on individually.

ITEM 10 Old Business

There was no old business.

ITEM 11 New Business

There was no new business.

ITEM 12 County Administrator's Report

County Administrator Mr. Peter Battani thanked the Board for supporting the retiree health care and retirement system recommendations.

ITEM 13 Chairperson's Report

Chairperson Maturen thanked Mr. Battani for his written report. He thanked Administration, Vice Chair Buskirk and the Board's assistance on this issue.

ITEM 14 Vice Chairperson's Report

Vice Chairman Buskirk echoed Chairman's comments. He stated it was a lot of work to get to this point. Stated he attended the Catalyst Event and listened to a lot of good speakers.

ITEM 15 Members' Time

Commissioner Alford echoed comments made by the Chair and Vice Chairman. She stated she appreciated Administration's work on this. She announced she would not run for re-election.

Commissioner Heppler reminded everyone to use caution while driving in the hazardous conditions.

Commissioner Rogers thanked Commissioner Alford for her time on the Board. She stated she attended the Catalyst Event and was very pleased with the diversity of the event. She read a quote.

Commissioner Seals stated he too attended the Catalyst Event and was very pleased by the event. He also thanked the Board and Administration for their work on the retiree health care and retirement system.

Commissioner Stinchcomb stated the Road Commission was working very hard to clear the roads. He stated there were many changes coming.

Commissioner Taylor stated he too was pleased the Board passed the retirement information.

Commissioner Tuinier echoed previous comments.

ITEM 16 Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 8:01 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners