

## MINUTES

### KALAMAZOO COUNTY BOARD OF COMMISSIONERS

#### REGULAR MEETING

MARCH 19, 2013

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 March 19, 2013.

ITEM 2      Invocation: Commissioner Phil Stinchcomb.

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

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

Members Absent: Commissioner Carolyn Alford.

Administrators Present: Peter Battani, Administrator; John Faul, Deputy County Administrator; Tracie Moored, Finance Director; Thom Canny, Corporate Counsel; Randy Winterowd, B&G Director; Thomas O'Brien, Purchasing Coordinator; Sheriff Richard Fuller; Jason Gainsley, Human Resources Director; Treasurer Mary Balkema; Timothy A. Snow, County Clerk; Dina Sutton, Office Manager.

ITEM 5      Approval of Minutes:

Commissioner Taylor moved and it was duly seconded that the Minutes of the March 5, 2013, Board meeting be approved as distributed.

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

ITEM 6      Communications:

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

- a) A Resolution from Gratiot County Board of Commissioners appealing to the Legislature to revoke Act 88 of 1913.
- b) A Letter from the City of Portage establishing Man + Hummel, Inc. as an Industrial Development District No. 48.

- c) A Letter from the City of Portage establishing Summit Polymers as an Industrial Development District No. 56.
- d) Letters from Mackenzie Environmental Services, Inc. stating their unhappiness with not being awarded the bid for the demolition of the trucking terminal on Healy Street.

#### 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.

Ms. Cynthia Owens-White, Kalamazoo, addressed the Board concerning a property in the City of Kalamazoo located on 711 N. Church, for being foreclosed upon by Kalamazoo County Treasurer's office.

Ms. Vencil Olvokun, 710 Collins, Kalamazoo, addressed the Board concerning property located at 925 N. Rose.

#### ITEM 8      For Consideration

### **CONSENT AGENDA**

#### Buildings & Grounds

A.      Request for Approval of a Contract with Specialized Demolition Inc. to Abate and Demolish the Trucking Terminal at 1421 Healy Street

This Item was removed from the Consent Agenda.

#### Circuit Court

B.      Request for Approval to Apply for a Grant to the Greater Kalamazoo United Way for the Youthful Offender Transitions Program (YOTP)

That the appropriate County officials be authorized and directed to apply for a Grant to the Greater Kalamazoo United Way for YOTP in the amount of \$3,500 for the period of March 1, 2013 through February 28, 2014; a copy of said Grant to be attached to the official Minutes of this meeting.

C.      Request for Approval to Apply for a Grant to the Harold and Grace Upjohn Foundation for Youthful Offender Transitions Program (YOTP)

That the appropriate County officials be authorized and directed to apply for a Grant to the Harold and Grace Upjohn Foundation for YOTP in the amount of \$82,000 for the period of March 1, 2013 through February 28, 2015; a copy of said Grant to be attached to the official Minutes of this meeting.

D. Request for Approval to Apply for a Grant to the Michigan State Bar Foundation for Youthful Offender Transitions Program (YOTP)

That the appropriate County officials be authorized and directed to apply for a Grant to the Michigan State Bar Foundation for YOTP in the amount of \$14,500 for the period of March 1, 2013 through February 28, 2014; a copy of said Grant to be attached to the official Minutes of this meeting.

Clerk/Register of Deeds

E. Request for Approval to Extend Temporary Employee in the Register of Deeds Division

That the Board of Commissioners extend a temporary employee in the Register of Deeds Division.

District Court

F. Request for Approval of Contract with Speak It Forward for the Young Adult Diversion Court (YADC)

That the appropriate County officials be authorized and directed to execute a Contract with Speak it Forward for the YADC in the amount of \$72,060 for salaries, supplies and marketing through March 1, 2015; a copy of said Contract to be attached to the official Minutes of this meeting.

G. Request for Approval of Contract with Seeding Change/Peace Jam for the Young Adult Diversion Court (YADC)

That the appropriate County officials be authorized and directed to execute a Contract with Seeding Change/Peace Jam for the YADC in the amount of \$79,960 for salaries, programming services, supplies and grant writing salaries through March 1, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

Health & Community Services

H. Request for Approval of Amendment #3 to the 2012/2013 Comprehensive Planning, Budgeting and Contracting (CPBC) Agreement with Michigan Department of Community Health (MDCH)

That the appropriate County officials be authorized and directed to execute Amendment #3 to the 2012/2013 CPBC with MDCH to increase funding level of \$35,900 for a total of \$3,531,333; a copy of said Amendment #3 to be attached to the official Minutes of this meeting.

I. Request for Approval to Accept Notice of Funds Available (NFA) #3 for the Community Service Block Grant (CSBG) from the MDHS

That the appropriate County officials be authorized and directed to accept NFA #3 for the CSBG from MDHS to increase funding level of \$229,079 for a total of \$456,128; a copy of said NFA #3 to be attached to the official Minutes of this meeting.

J. Request for Approval of the 2013 Low Income Home Energy Assistance Program (LIHEAP) Agreement from MDHS

That the appropriate County officials be authorized and directed to execute the 2013 LIHEAP Agreement from MDHS in the amount of \$190,835 for the period of April 1, 2013 through June 30, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Human ResourcesK. Request for Approval of Amendment to Employer Participation Agreement for Nationwide PEHP

That the appropriate County officials be authorized and directed to execute Amendment to Employer Participation Agreement for Nationwide PEHP that acknowledges a change in the trustee and the trustee's operations only; a copy of said Amendment to be attached to the official Minutes of this meeting.

Probate CourtL. Request for Approval to Extend Temporary Employee for an Additional 90-Day Period

That the Board of Commissioners extend a temporary employee for an additional 90-Day period.

SheriffM. Request for Approval of 2013 Hazardous Materials Emergency Planning Grant Agreement

That the appropriate County officials be authorized and directed to execute 2013 Hazardous Materials Emergency Planning Grant Agreement with the Michigan State Police in the amount of \$7,300 with an in-kind match of \$1,825 for the period of October 1, 2012 through September 30, 2013; a copy of said Agreement to be attached to the official Minutes of this meeting.

N. Request for Approval of Temporary Acting Sergeant Position for Marine/ORV and Snowmobile Patrols (general fund)

That the Board of Commissioners approve a temporary acting Sergeant position for the Marine/ORV and Snowmobile patrols for the period of April 6, 2013 through November 15, 2013.

O. Request for Approval of Inmate Video Visitation and Phone Contract with Telmate

That the appropriate County officials be authorized and directed to execute Inmate Video Visitation and Phone Contract with Telmate; a copy of said Contract to be attached to the official Minutes of this meeting.

P. Request for Approval of Regional Planner Employment Agreement

That the appropriate County officials be authorized and directed to execute Regional Planner Employment Agreement with Patrick Wright at the rate of \$35.48/hour for the period of May 1, 2013 through April 30, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Q. Request for Approval of Employment Agreement with David Schneider as Temporary Emergency Management Director (revised)

That the appropriate County officials be authorized and directed to execute a Revised Employment Agreement with David Schneider as Temporary Emergency Management Director effective January 12, 2013 through April 30, 2013 or until a permanent Emergency Management Director is placed; a copy of said Agreement to be attached to the official Minutes of this meeting.

R. Request for Approval of Intergovernmental Agreement with County of Van Buren

That the appropriate County officials be authorized and directed to execute an Intergovernmental Agreement with County of Van Buren for the Kalamazoo County Office of Emergency Management to complete planning, training and exercise projects under the 2011 and 2012

Homeland Security Grants for the period of March 1 ,2013 through May 30, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

### Board of Commissioners

#### S. 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 March 19, 2013", noting claims in the total amount of \$2,258,684.42, 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 March 19, 2013, and the Director of Finance be authorized to make budgetary transfers, as listed.

#### T. Request for Approval of Settlement Agreement

That the Board of Commissioners approve a Settlement Agreement with a County Employee; a copy of said Agreement to be attached to the official Minutes of this meeting.

#### U. Request for Approval of an Agreement with Tower Pinkster

That the Board of Commissioners approve an Agreement with Tower Pinkster for all architectural, engineering, and environmental services related to the construction of the Gull Road Court Facility Project; a copy of said Agreement to be attached to the official Minutes of this meeting.

Commissioner Stinchcomb moved and it was duly seconded that Items B. through U., 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 Alford

The motion carried.

### **NON-CONSENT AGENDA ITEMS**

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

#### V. Request for Approval of a Bid Award with Hi-Tech Electric for Nazareth Fire Alarm Repairs

Commissioner Taylor moved and it was duly seconded that the appropriate County officials be authorized and directed to execute a bid award to Hi-Tech Electric in the amount of \$70,933 for fire alarm repairs at the Nazareth complex; a copy of said Contract to be attached to the official Minutes of this meeting.

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

#### A. Request for Approval of a Contract with Specialized Demolition Inc. to Abate and Demolish the Trucking Terminal at 1421 Healy Street

Commissioner Tuinier moved and it was duly seconded that the appropriate County officials be authorized and directed to execute a Contract with Specialized Demolition Inc. to abate and demolish the trucking terminal at 1421 Healy Street in the amount of \$36,000 with the work to be completed by April 2013; a copy of said Contract to be attached to the official Minutes of this meeting.

Commissioner Stinchcomb stated he asked for clarification on this item, he indicated this company was not the lowest bidder and wanted to know why the Board needed to approve this item vs. just issuing a purchasing order. Ms. Moored indicated the County Policy does not require the County to award a bid to the lowest bidder. Commissioner Stinchcomb stated vendors were under the impression that low bid would be awarded the contract. Ms. Moored indicated the bid document does not state the low bidder would be awarded the contract and that the County had worked with this company before and felt comfortable working with this vendor.

Commissioner Seals inquired if it was past practice to not award a bid to a vendor based on issues with a vendor due to work on a prior project and Ms. Moored indicated if there were issues with a vendor their services may not be used.

Commissioner Zull stated if a vendor is qualified and is the lowest bidder they should be awarded the contract.

Mr. Canny indicated since the dollar amount difference was insignificant, Administration did not feel it was an issue. He also indicated all contracts and purchase orders had to be approved by the Board.

Commissioner Zull stated he felt Mackenzie should have been awarded the contract.

Commissioner Taylor stated he was not a fan of always using the lowest bidder and due to the insignificant dollar amount he would support Administration's recommendation.

Commissioner Heppler stated he also had concerns but felt his questions were answered by Administration.

Chairman Maturen stated he felt the Board should let Administration do their job and allow some latitude.

The roll call vote was as follows:

Ayes:	All members present, except
Nays:	Commissioners Stinchcomb, Zull
Abstains:	None
Absent:	Commissioner Alford

The motion carried.

ITEM 9 Old Business

There was no old business.

ITEM 10 New Business

W. Request for Approval of Five (5) F09 Control Operators

Commissioner Zull moved and it was duly seconded that the Board of Commissioners approve the creation of Five (5) F09 Control Operator Positions.

Create:

<u>Position #</u>	<u>Title</u>	<u>Grade</u>	<u>FTE</u>	<u>Salary/Fringe</u>	<u>Account #</u>
10417	Control Operator	F09	5.0	\$40,166.88-\$48,886.03	101-302-704.29

Commissioner Iden indicated he would not support this motion because he felt that items should be discussed at one meeting and voted on at the next.

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

ITEM 11 County Administrator's Report

County Administrator Battani provided a written report to the Board. He stated a replacement for Marc Meulman had been made, Josh Jacobs. He also stated James Tucker was hired as the new Veterans Affairs Director. He also stated at the next meeting the Airport and Southwest Michigan Partnership would be at the meeting to request allocated funds. He also stated at upcoming Committee of the Whole meetings Administration would be presenting information on benefits, OPEB, wages, etc. He also wanted to ensure the Board that there are no improprieties in the Treasurer's Office.

ITEM 12 Chairperson's Report

Chairman Maturen welcomed Jason Gainsley and James Tucker to the County.

ITEM 13 Vice Chairperson's Report

Vice Chairman Buskirk thanked the Board for allowing him to attend the NACo Legislative Conference and he stated he had provided a written report to the Board.

ITEM 14 Members' Time

Commissioner Stinchcomb stated Head Start did not receive a reduction due to the sequester. He visited the Gospel Mission and was very impressed with the work they do. He also stated he was looking forward to the Board Retreat coming up.

Commissioner Taylor stated he attended a power summit yesterday.

Commissioner Tuinier thanked Vice Chairman Buskirk for his NACo report.

Commissioner Zull thanked Commissioner Stinchcomb for his shout out for the Gospel Mission. He also attended the NACo conference and provided a written report to the Board.

Commissioner Heppler stated he toured the new jail and felt the County needed to set the record straight on the video visitation project; he stated a budget had not been set for that project. He stated he attended the Substance Abuse meeting yesterday and stated funding cuts may occur.

Commissioner Iden stated one of the County's Labor Counsel, Barry Smith, recently passed away. He asked everyone to keep Labor Counsel Kevin McCarthy and his family in their thoughts. He said earlier today he attendedn a economic summit.

Commissioner Rogers stated she attended the MAC Conference earlier today in Lansing. She reminded everyone that the ISAAC Banquet was being held this Saturday.

Commissioner Seals stated he would provide a report on his attendance at the MAC Conference. He mentioned some on goings with KCTA. He also attended the last Disaster Committee meeting. He stated at the last CATAB meeting Head Start results were distributed.

ITEM 15     Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 8:04 p.m.

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Timothy A. Snow  
Clerk/Register of Deeds

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David C. Maturen, Chairperson  
Kalamazoo County Board of  
Commissioners