

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

JUNE 2, 2015

ITEM 1 Call to Order: The Regular Meeting of the Board of Commissioners was called to order by Chairperson Taylor, at 7:00 pm in the Board of Commissioner's Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, on June 2, 2015.

ITEM 2 Invocation: Pastor Barrett Lee gave the Invocation on behalf of Commissioner Wordelman.

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

ITEM 4 Roll Call: Commissioners John Gisler, Jeff Heppler, Scott McGraw, Stephanie Moore, Larry Provancher, Julie Rogers, Michael Seals, Dale Shugars, John Taylor, Roger Tuinier and Kevin Wordelman.

Members Absent: None.

Administrators Present: John Faul, Interim County Administrator; Tracie Moored, Finance Director; Thom Canny, Corporate Counsel; Dr. Gillian Stoltman, HCS Director; Lynne Norman, Deputy HCS Director; Lucinda Stinson, Deputy HCS Director; Vern Johnson, Environmental Health Director4; David Rachowicz, Parks Director; Sheriff Rick Fuller; Undersheriff Paul Matyas; Timothy A. Snow, County Clerk; Dina Sutton, Office Manager.

ITEM 5 Approval of Minutes:

Commissioner Seals moved and it was duly seconded that the Minutes of the May 19, 2015 Board meeting be approved as distributed.

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

ITEM 6 Communications:

There were no communications.

ITEM 7 Citizens' Time

Chairperson Taylor 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. Frank Warren, Kalamazoo stated he was pleased with the new Korean Memorial at Bronson Park.

ITEM 8 For Consideration

A. Public Hearing on Resolution to Levy

Commissioner Gisler moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on Resolution to Levy.

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

Commissioner Gisler moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on Resolution to Levy.

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

B. Public Hearing on KL Avenue Groundwater Restricted Use Zone

Commissioner Moore moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on KL Avenue Groundwater Restricted Use Zone.

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

Mr. Thom Canny stated Mr. Steve Finn, Golder Association, Inc. presented a Power Point presentation to the Board on behalf of the KL Avenue Landfill.

Commissioner Gisler wanted to know how often the wells were tested and Mr. Finn stated they were tested every 6 – 12 months depending on where they were located.

Commissioner Rogers inquired about the three remaining compounds and inquired about the THF level on slide 13 and Mr. Finn indicated that was the well located right at the KL Landfill Site.

Commissioner Rogers wanted to know how often reports/updates would be given and Mr. Finn indicated bi-annually.

Commissioner Rogers inquired about the waiver process and Mr. Canny indicated there wasn't a time limit to apply for a waiver and that could be acquired by the KL Landfill Group.

Mr. Finn indicated applicants could contact the KL Landfill Group for assistance.

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Commissioner Rogers wanted to know about the process. Mr. Canny indicated after the public hearing the County would review the comments and discuss the next steps with MDEQ/EPA and then bring back to the Board for approval, possibly at a meeting in July.

Commissioner Shugars inquired if property was sold and bought after the restricted zone was approved, would the new homeowners be notified.

Mr. Canny indicated the boundaries of the zone would be published but there wouldn't be anything recorded on the deed that would notify a potential homebuyer. Mr. Canny stated if the zone was not approved, a restricted covenant would be required and would show up on a title search.

Mr. DeWick, KL Avenue Landfill stated the Michigan Law did require disclosure of environmental risk, by creating the zone it would take this requirement away.

Commissioner Gisler inquired how long the waiver process would take and Mr. Finn indicated he couldn't give a specific length of time but the KL Avenue Landfill Group would work expediently.

Ms. Hazard, Kalamazoo, stated she lived on the south side of the zone and stated she did not want to hook up to City water.

Mr. Carlson, 1st Street, Kalamazoo, wanted to know if the irrigation wells were going to be tested and what levels would be acceptable.

Ms. Nancy Miller, 9316 Almena Drive, stated she had three different wells on her property that tested clean. She wanted to know what would happen if she refused to hook up to City water.

Mr. Jerry Sterten, 1080 Wickford Drive, stated he switched to City water. He wanted to know how his property was located within 1,000 feet buffer of the well. He wanted to know if he would be allowed to switch back to well water if the contaminates were cleaned up on their own.

Mr. Fred Graham, 10047 Almena Drive, wanted to know how many people who lived in the zone had been diagnosed with cancer.

Mr. Ray Pogliano, 1144 Wickford Drive, stated some property owners abandoned their wells already and he wanted to know if he hadn't done so would the KL Avenue Landfill group be willing to assist paying to do so.

Commissioner Provancher moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on KL Avenue Groundwater Restricted Use Zone.

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

C. Public Hearing on Responsible Bidders Policy

Commissioner Rogers moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on Responsible Bidders Policy.

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

Mr. Larry Tolbert, Kalamazoo, stated he believed in apprenticeship programs; he stated the skills learned were lifelong.

Mr. Hugh Coward, West Michigan Construction Alliance, stated there were 14 trades that had apprenticeship programs. He distributed some information to the Board.

Mr. Scott Price, 10627 Sedan, Portage stated a Responsible Bidder Policy was beneficial.

Mr. Norm Brady, Associate Builders & Contractors, addressed the Board concerning HB4052. He stated the bill limited local units of Governments. He stated it would prohibit local entities to get between the employee and employer relationship.

Mr. Ken Dumas, Portage, Roberts Steel, stated local dollars were leaving the community and he was in favor of the proposed Policy. Local hire, local jobs.

Mr. John Huizinga, Allied Mechanical Services, stated the current Policy worked and recommended basing the Policy on a non-biased approach.

Mr. Don Cooney, 1221 Vasser, Kalamazoo, stated as a City Commissioner it was the responsibility of government to best utilize its tax dollars; he stated he supported the proposed Policy.

Mr. Jim Cripps, Kalamazoo, stated the current Policy worked. He stated the questions were arbitrary and would reduce the number of bidders. He also stated some of the information exceeds the State and Federal requirements. He stated the proposed Policy was a big deal for small contractors.

Mr. Curtis Weekly, Westnedge, stated he started as an electrical apprentice and now an electrician which had helped him become successful. He stated he was supportive of the Policy.

Mr. Joel Shaarda, Byce Electric, stated the current Policy worked. He encouraged the Board to stay with the current Policy.

Mr. John Wright, Kalamazoo, stated prevailing wage worked. He stated he was supportive of the proposed Policy.

Commissioner Seals moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on Responsible Bidders Policy.

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

CONSENT AGENDA

D. Request for Approval of Resolution for Dump the Pump

That the Board of Commissioners approve the following Resolution:

WHEREAS, June 18, 2015 marks the Tenth Annual National Dump the Pump Day as a day that encourages people to ride public transportation to save money, conserve gasoline, and help reduce greenhouse gases and reduce our nation's overall dependence on oil. This action can make a difference and help improve the environment; and,

WHEREAS, public transportation plays an important role in protecting air quality by reducing smog-producing pollutants and greenhouse gases; and reduces the country's carbon footprint by 37 million metric tons, the equivalent of 4.9 million households using electricity in a year. U.S. public transportation use saves 4.2 billion gallons of gasoline per year – the equivalent of 108 million cars filling up in a year; and,

WHEREAS, an individual switching to public transportation can reduce his or her daily carbon emissions by 20 lbs; more than 4,800 lbs a year; and Metro Transit provided more than 3.2 million passenger trips in 2014.

NOW, THEREFORE, BE IT RESOLVED, that the Kalamazoo County Board of Commissioners does hereby declare Thursday, June 18, 2015 as "National Dump the Pump Day" in Kalamazoo County and encourage transit ridership on that day.

Building & Grounds

E. Request for Approval of an Agreement with Ampco System Parking

That the appropriate County Officials be authorized and directed to enter a month-to-month Agreement with Ampco System Parking for employee parking (Park St and Kalamazoo Ave) in the amount of \$6,272 per month and \$73 for VIP passes (Rose Street Ramp) starting July 1, 2015; a copy of said Agreement to be attached to the official Minutes of this meeting.

Circuit Court

F. Request for Approval to Accept Grant from Grace Upjohn Foundation for Youthful Offender Transitions Program (Y.O.T.P.)

That the appropriate County Officials be authorized and directed to accept a Grant Award of \$15,000 from the Harold and Grace Upjohn Foundation for the YOTP for the period of May 1, 2015 through May 1, 2016; a copy of said Grant Award to be attached to the official Minutes of this meeting.

G. Request for Approval to Accept Grant from Fetzer Institute Committee of the Local Kalamazoo Community Foundation for Youthful Offender Transitions Program (Y.O.T.P.)

That the appropriate County Officials be authorized and directed to accept a Grant from the Fetzer Institute Committee of the Local Kalamazoo Community Foundation for the YOTP in the amount of \$5,000 for the period of January 15, 2015 through December 30, 2015; a copy of said Grant to be attached to the official Minutes of this meeting.

H. Request for Approval to Accept Grant from WalMart Foundation for Youthful Offender Transitions Program (Y.O.T.P.)

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That the appropriate County Officials be authorized and directed to accept a Grant from the WalMart Foundation for the YOTP in the amount of \$500 for the period of January 1, 2015 through December 30, 2015; a copy of said Grant to be attached to the official Minutes of this meeting.

Health & Community Services

I. Request for Approval of Household Hazardous Waste Contract Amendment with Berrien County

That the appropriate County officials be authorized and directed to execute Household Hazardous Waste Contract Amendment with Berrien County for the period of January 1, 2015 through December 31, 2015; a copy of said Contract Amendment to be attached to the official Minutes of this meeting.

GOVERNMENTAL UNIT AND FUNDING

1. Berrien County \$1,500

J. Request for Approval of Partnership Agreement between Kalamazoo County Community Action Agency (KCCAA) and Kalamazoo Valley Community College (KVCC)

That the appropriate County officials be authorized and directed to execute a Partnership Agreement with KVCC at the cost of \$838-\$1,125 per student for identifying low-income individuals to participate in the Skills to Build Program to increase self-sufficiency for the period of July 1, 2015 through September 30, 2015; a copy of said Agreement to be attached to the official Minutes of this meeting.

K. Request for Approval of Statement of Grant Award #2015-3 from the MI Office of Services to the Aging (OSA) for Region IIIA Area Agency on Aging (AAIIIA)

That the appropriate County officials be authorized and directed to accept Statement of Grant Award #2015-3 from the MI OSA for services provided by the AAIIIA in the amount of \$53,420 for the period of October 1, 2014 through September 3, 2015; a copy of said Grant Award to be attached to the official Minutes of this meeting.

L. Request for Approval of Memorandum of Agreement with Community Aids Resource and Education Services (CARES)

That the appropriate County officials be authorized and directed to execute an ongoing Memorandum of Agreement with CARES to refer HIV positive clients for medical case management; a copy of said Agreement to be attached to the official Minutes of this meeting.

M. Request for Approval of a Contract Amendment with Western Michigan University Homer Stryker M.D. School of Medicine for Professional Consulting Services for the Healthy Babies Healthy Start (HBHS) Program

That the appropriate County officials be authorized and directed to execute a Contract Amendment with Western Michigan University Homer Stryker M.D. School of Medicine for Consulting Services for Healthy Babies Healthy Start Program; a copy of said Amendment to be attached to the official Minutes of this meeting.

N. Request for Approval of Resolution Confirming the Appointment of Medical Examiner's Staff for the Kalamazoo County Medical Examiner

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That the appropriate County officials be authorized and directed to approve a Resolution confirming the appointment of an additional Deputy Medical Examiner for a period of May 1, 2014 through April 30, 2018; a copy of said Resolution to be attached to the official Minutes of this meeting.

Parks

O. Request for Approval of a Contract with A&B Sewer for the Demolition of Two Barns at the Expo Center

That the appropriate County officials be authorized and directed to execute a contract with A&B Sewer to demolish two barns at the Expo Center in the amount of \$16,400; a copy of said Contract to be attached to the official Minutes of this meeting.

P. Request for Approval of a Contract with Mallory Pole Barns for the Construction of Two Pole Barns at the Expo Center

That the appropriate County officials be authorized and directed to execute a contract with Mallory Pole Barns for construction of two pole barns in the amount of \$176,504; a copy of said Contract to be attached to the official Minutes of this meeting.

Planning

Q. Request for Approval a Contract Renewal with Pictometry International Corporation

That the appropriate County officials be authorized and directed to execute a contract renewal with Pictometry International Corporation in the amount of \$156,904.50; a copy of said Contract to be attached to the official Minutes of this meeting.

Sheriff

R. Request for Approval to Allocate 9-1-1 Wireless Funds (Fund #218) for the Fire Radio Tower in Schoolcraft

That the Board of Commissioners be authorized and directed to approve an allocation of an additional \$11,300 from the 9-1-1 wireless fund (Fund #218) for the Fire Radio Tower in Schoolcraft.

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 June 2, 2015", noting claims in the total amount of \$1,406,035.01 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 June 2, 2015, and the Director of Finance be authorized to make budgetary transfers, as listed.

T. Request for Approval of Resolution to Authorize the Collection of the Levy

That the Board of Commissioners approve the following Resolution:

WHEREAS, the County Administrator of Kalamazoo County has submitted to the Board of Commissioners of Kalamazoo County estimates of the anticipated expenditures for the various

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departments and functions of Kalamazoo County for the year 2015; together with the estimated revenues from said departments and from taxation for the year 2015; and

WHEREAS, it is the duty of the Kalamazoo County Board of Commissioners to discuss, consider and authorize an annual appropriation to cover such expenditures as determined by the Board of Commissioners to be necessary; and

WHEREAS, it is estimated that a 4.6871 mill tax to cover such estimated expenditures would be necessary; and

NOW, THEREFORE, BE IT RESOLVED that a 4.6871 mill operating tax be spread on the taxable value of the property of the County of Kalamazoo in 2015 to cover the estimated expenditures for the various departments and functions of Kalamazoo County for the year 2015. Such tax spread being subject to Public Act 357 of 2004, requiring the total operating rate of 4.6871 mills to be levied in July 2015; and

BE IT FURTHER RESOLVED that the County Administrator, as the duly appointed Budget Director, is hereby empowered to administer such duties as may be from time to time delegated to that office by the Kalamazoo County Board of Commissioners; and

BE IT FURTHER RESOLVED that the Budget Guidelines as adopted by the Kalamazoo County Board of Commissioners at the October 7, 2014 meeting and such amendments as from time to time may be adopted, shall be incorporated by reference into this Resolution and the County Administrator is hereby authorized to implement those guidelines for fiscal control of the County revenues and expenditures; a copy of said Resolution to be attached to the official Minutes of this meeting.

Commissioner Wordelman moved and it was duly seconded that Items D. through T. 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 9 Old Business

Commissioner Wordelman moved and it was duly seconded to approve the Responsible Bidder Policy as included in the Packet.

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Commissioner Shugars moved and it was duly seconded to postpone discussion on the Policy.

Commissioner Wordelman stated there had been a lot of discussion and feedback on this Policy. He stated the proposed Policy was a result of those. He stated he would vote against postponing.

Commissioner Gisler stated he was not prepared to make a decision tonight.

Commissioner Rogers stated she was conflicted with this issue. She wanted to know what version the Board would be voting on.

Commissioner McGraw stated he too would like to postpone voting on this item due to feedback from citizens tonight.

Commissioner Tuinier stated he too was unsure what the Board would be voting on and after citizen comments he need additional time.

Commissioner Wordelman stated his motion was to approve the Policy as included in the Board packet.

The roll call vote on the motion to postpone was as follows:

Ayes: All members present except

Nays: Commissioners Provancher, Rogers, Seals, Taylor, Wordelman,

Abstains: None

Absent: None

The motion carried.

ITEM 10 New Business

U. Request for Approval of Appointment to the Land Bank Authority

Commissioner Shugars moved and it was duly seconded that the Board of Commissioners approve the appointment of Becky Fulgoni to the Land Bank Authority for a term ending September 30, 2017.

The roll call vote was as follows:

Ayes: All members present

Nays: Commissioners Rogers, Seals, Wordelman

Abstains: None

Absent: None

The motion carried.

ITEM 11 County Administrator's Report

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Interim County Administrator Mr. John Faul distributed a written memo in mailboxes.

ITEM 12 Chairperson's Report

Chairperson Taylor stated he's attended some of the other Commissioner's coffee events and was very pleased on how they went.

ITEM 13 Vice Chairperson's Report

There was no Vice Chairperson's Report.

ITEM 14 Members' Time

Commissioner McGraw expressed his displeasure with Commissioner Wordelman's calling for a vote on the Responsible Bidders Policy; he felt it went against the interest of working together bi-partisan.

Commissioner Provancher stated he attended the last Community Health Board and stated there was a great speaker.

Commissioner Rogers thanked the citizen's who attended the meeting tonight. She stated the Brownfield Redevelopment Authority approved an application, from Paper City Development, LLC for the old mill in Vicksburg. She stated it was a collaborative project with the Land Bank Authority. She thanked everyone who responded to the accident on I-94.

Commissioner Shugars stated the Sheriff and Oshtemo Township had been working on the Police Protection Services. He stated a group of former public safety officers and administrators put a list together of some concerns for both Oshtemo Township and the County to take a look at.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Taylor adjourned the meeting at 9:08 p.m.

Timothy A. Snow
Clerk/Register of Deeds

John Taylor, Chairperson
Kalamazoo County Board of
Commissioners