

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

AUGUST 6, 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 August 6, 2013.

ITEM 2 Invocation: Commissioner Phil Stinchcomb.

ITEM 3 Pledge of Allegiance: Commissioner Stinchcomb 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; Timothy A. Snow, County Clerk; Linda Vail, HCS Director; Sheriff Richard Fuller; Steve Lawrence, Animal Services & Enforcement Director; Dina Sutton, Office Manager.

ITEM 5 Approval of Minutes:

Commissioner Taylor moved and it was duly seconded that the Minutes of the July 16, 2013, Board meeting be approved as distributed.

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

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 Muskegon County Board of Commissioners in Support of Non-Discrimination for Lesbian, Gay, Bisexual and Transgender Persons.
- b) A Notice of Public Hearing from Ross Township for an Application for Variance of David & Nancy Johnson.

- c) A Resolution from Huron County Board of Commissioners Opposing HB 4785.
- d) A Public Hearing Notice from Village of Vicksburg for Facilities Tax Exempt Certificate for Kalpla Inc., dba Accro-Seal.

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. Karika Phillips, Kalamazoo, thanked the Board for supporting the Health Equity Summit.

Mr. Frank Warren, Kalamazoo, stated he attended the Fair the last two days and stated he was very disappointed.

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.

Mr. Bob Andree, Muskegon, Workers Freedom Coalition, addressed the Board concerning a contractor who would be working on the Gull Road Court Project, stating the company had unsafe work records.

Ms. Kim Taylor, Youth Specialist at the Juvenile Home, addressed the Board concerning the work she and her co-workers provided to the youth at the Home. She stated her and her co-workers were underpaid.

Mr. Bobby Hicks, Kalamazoo, President of AFSCME Union, addressed the Board stating that he and his co-workers worked in high stressful situations on a daily basis and he didn't feel the Board appreciated their work and felt they were underpaid.

ITEM 8 For Consideration

A. Request for Approval of 25 Year Resolution Honoring Amy Christine Price
Commissioner Heppler moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, Amy Christine Price has served the citizens of Kalamazoo County for twenty-five (25) years as of July 25, 2013; and

WHEREAS, Amy Christine Price has faithfully served as a Lieutenant; and

WHEREAS, the County of Kalamazoo wishes to acknowledge and honor employees who have longevity under the umbrella of County Government, since it is through longevity that expertise in the employee's particular field is achieved.

NOW, THEREFORE, BE IT RESOLVED that the Kalamazoo County Board of Commissioners does hereby acknowledge with gratitude the many years of dedication and service Amy Christine Price has imparted to the citizens of the County and offers its best wishes for many more years of mutual association.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: None

The motion carried.

Ms. Price thanked the Board for honoring her for her years of service. She stated she had enjoyed her time and career at the County.

B. Northside Ministerial Alliance Presentation – Pastor Strickland

This Item was removed from the Agenda.

C. Request for Approval of Proclamation in Support of Community Hunger Awareness Month
Commissioner Taylor moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, food insecurity and hunger is a reality for **37,790** residents (or 15.2 percent) of Kalamazoo County and can cause long-term health consequences—including developmental delays, behavior issues, nutrient deficiency and physical impairment—especially in young children;

WHEREAS, the problem of food insecurity is a growing epidemic that can be found in urban, suburban and rural areas of Kalamazoo County, and adversely affects the vitality and sustainability of our neighborhoods; residents of this community cannot actively participate to the best of their ability at work, school or home without having enough to eat;

WHEREAS, progress has been made in promoting food security in Kalamazoo County, certain residents still remain susceptible to hunger and its detrimental effects, including the elderly, working poor, homeless and children;

WHEREAS, awareness is vital in understanding the causes of food insecurity in Kalamazoo County and feasible solutions, such as the public and private partnerships between community-based organizations, charities, and faith institutions;

WHEREAS, the Kalamazoo County community has a long tradition of offering food assistance through public programs and private generosity; Kalamazoo Loaves & Fishes was founded on acts of volunteering in 1982 and has since grown to provide food to an average of 900 households per week; more than 12,000 people received food assistance from Kalamazoo Loaves & Fishes in August 2012, including more than 5,000 children;

NOW THEREFORE, be it resolved, that the Kalamazoo County Board of Commissioners:

(1) designate August 2013, as 'Community Hunger Awareness Month';

(2) call upon all residents, community agencies, faith groups, medical facilities, and businesses of Kalamazoo County to acknowledge Community Hunger Awareness Month with:

(A) increase awareness of local hunger through applicable ceremonies, volunteer activities, gifts of food or funds, and additional support for food security efforts; and

(B) take action in support of programs and public policies aimed at reducing food insecurity in Kalamazoo County, including participation in Community Hunger Awareness activities during the month of August 2013.

The roll call vote was as follows:

Ayes: All members present

Nays: None

Abstains: None

Absent: None

The motion carried.

Ms. Phyllis Hepp, Organizational Development Director thanked the Board for their support.

CONSENT AGENDA

D. Request for Approval of 25 Year Resolution Honoring Denise L. Kellogg

That the Board of Commissioners approve the following Resolution:

WHEREAS, Denise L. Kellogg has served the citizens of Kalamazoo County for twenty-five (25) years as of July 25, 2013; and

WHEREAS, Denise L. Kellogg has faithfully served as a Maintenance Worker I; and

WHEREAS, the County of Kalamazoo wishes to acknowledge and honor employees who have longevity under the umbrella of County Government, since it is through longevity that expertise in the employee's particular field is achieved.

NOW, THEREFORE, BE IT RESOLVED that the Kalamazoo County Board of Commissioners does hereby acknowledge with gratitude the many years of dedication and service Denise L.

Kellogg has imparted to the citizens of the County and offers its best wishes for many more years of mutual association.

Health & Community Services

E. Request for Approval of an Agreement with Caidan Management Company

That the appropriate County officials be authorized and directed to execute an Agreement with Caidan Management Company for the use of Meridian Health Plan's logo for the 2014 Senior Expo; a copy of said Agreement to be attached to the official Minutes of this meeting.

F. Request for Approval to Accept Grant Award from the Michigan Medicare/Medicaid Assistance Program (MMAAP)

That the appropriate County officials be authorized and directed to execute Grant Award with MMAAP for the Senior Medicare Patrol Project in the amount of \$1,933 for the period of June 1, 2013 through May 31, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

G. Request for Approval to Accept Community Services Block Grant (CSBG) Notice of Funds Available (NFA) #4 & #5 from the Michigan Department of Human Services (MDHS)

That the appropriate County officials be authorized and directed to accept CSBG NFA #4 & #5 from MDHS, NFA #4 is a funding increase in the amount of \$259,968, NFA #5 is a decrease in funding in the amount of \$8,831 for an overall increase from \$456,128 to \$707,265; a copy of said NFA's to be attached to the official Minutes of this meeting.

H. Request for Approval to Accept Grant Award from the Federal Department of Health & Human Services, Health Resources & Services Administration (HRSA) for the Healthy Babies Healthy Start (HBHS) Project

That the appropriate County officials be authorized and directed to accept Grant Award from HRSA for the HBHS Project in the amount of \$248,160 for the period of June 1, 2013 through May 31, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

I. Request for Approval to Purchase DEXImage Software for the Dental Intra-Oral Camera

That the appropriate County officials be authorized and directed to execute a Contract to Purchase DEXImage Software for the Dental Intra-Oral Camera; a copy of said Contract to be attached to the official Minutes of this meeting.

Michigan Works!

J. Request for Approval of Workforce Investment Act (WIA), Service Center Operations – Statewide Activities Plan 13-00

That the appropriate County officials be authorized and directed to execute WIA Service Center Operations-Statewide Activities Plan 13-00 in the amount of \$14,332 for the period of July 1, 2013 through June 30, 2014; a copy of said Plan to be attached to the official Minutes of this meeting.

K. Request for Approval of Workforce Investment Act (WIA) Performance Goals for Adults, Dislocated Workers, and Youth 13-00

That the appropriate County officials be authorized and directed to execute WIA Performance Goals for Adults, Dislocated Workers, and Youth 13-00 for the period of July 1, 2013 through June

30, 2014; a copy of said Plan to be attached to the official Minutes of this meeting.

L. Request for Approval of Dislocated Worker Training (DWT) National Emergency Grant (NEG) #2619 Plan 13-00

That the appropriate County officials be authorized and directed to execute DWT NEG #2619 Plan 13-00 in the amount of \$107,827 for the period of July 1, 2013 through June 30, 2015; a copy of said Plan to be attached to the official Minutes of this meeting.

Parks & Expo Center

M. Request for Approval to Accept Easement from STS Hydropower for Construction of the Kalamazoo River Valley Trail

That the appropriate County officials be authorized and directed to accept Easement from STS Hydropower for Construction of the Kalamazoo River Valley Trail; a copy of said Easement to be attached to the official Minutes of this meeting.

Purchasing

N. Request for Approval of Janitorial Supplies Contract Extension

That the appropriate County officials be authorized and directed to execute Janitorial Supplies Contract Extension with One-Way Products and Indusco Supply in the amounts listed in the Packet for the period of August 1, 2013 through July 31, 2014; a copy of said Contract Extensions to be attached to the official Minutes of this meeting.

Sheriff

O. Request for Approval of Contract Extension with McDonalds Towing and Rescue, Inc. for Vehicles Over 20,000 GVW

That the appropriate County officials be authorized and directed to execute Contract Extension with McDonalds Towing and Rescue, Inc. for vehicles over 20,000 GVW for the period of July 15, 2013 through July 14, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

P. Request for Approval of Amendment #1 to Inmate Telecommunication Location Agreement with Telmate, LLC

This Item was removed from the Consent Agenda.

Board of Commissioners

Q. 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 August 6, 2013", noting claims in the total amount of \$3,081,468.30, 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 6, 2013, and the Director of Finance be authorized to make budgetary transfers, as listed.

R. Request for Approval to Allocate Funds for Bronson Park Art

That the Board of Commissioners approve the Allocation of Funds in the amount of \$2,000 for Bronson Park Art.

S. Request for Approval of Memorandum of Understanding with the Humane Society for the Animal Care Resource Center

That the appropriate County officials be authorized and directed to execute a Memorandum of Understanding with the Humane Society for the Animal Care Resource Center in the upfront amount of \$650,000 plus \$200,000/year for lease effective August 6, 2013 for two years; a copy of said Memorandum of Understanding to be attached to the official Minutes of this meeting.

T. Request for Approval of Contract for Healy Street Project

That the appropriate County officials be authorized and directed to execute a Contract with Frederick Construction to serve as the General Contractor for the Healy Street Project and the authorization of an Administration \$30,000 change order authority (\$10,000 any one item); a copy of said Contract to be attached to the official Minutes of this meeting.

U. Request for Approval of Contract Amendment with Tower Pinkster for Gull Road Court Facility Project

That the appropriate County officials be authorized and directed to execute a Contract Amendment with Tower Pinkster for Furniture, Fixtures and Equipment Design Services for the Gull Road Court Facility Project; a copy of said Contract Amendment to be attached to the official Minutes of this meeting.

V. Request for Approval of Resolution Endorsing the Process to Regionalize Public Transit in Kalamazoo County

That the Board of Commissioners approve the following Resolution:

This Resolution, dated this 6th day of August, 2013, is made by the KALAMAZOO COUNTY (hereinafter the "County"), whose address is 201 W. Kalamazoo Avenue, Kalamazoo, Michigan, and is as follows:

WHEREAS, the City of Kalamazoo (hereinafter the "City") since 1967 has operated a public transportation system for the provision of bus service within the Kalamazoo urbanized area which in recent years has been expanded to include Kalamazoo County (hereinafter the "County") and which provides fixed route bus service, complementary ADA paratransit service, and countywide demand/response service; and

WHEREAS, the City and the County in 2005 contractually and by way of Joint Resolution authorized the transfer of the County's Care-A-Van Program to the City and to support the creation of a separate transit authority that would operate all public transportation services in Kalamazoo County; and

WHEREAS, the Kalamazoo County Transportation Authority (hereinafter the "KCTA") was established on November 1, 2005 by the Kalamazoo County Board of Commissioners for the purpose of creating a single operating entity for the provision of all public transportation services countywide. The KCTA was created pursuant to the provisions of Act 196 of the Public Acts of 1986, MCL 124.451 et seq., an Act which authorizes the formation and operation of public transportation authorities; and

WHEREAS, on January 23, 2006, the City and the KCTA entered into an agreement whereby each entity could provide transportation services and public transportation within the territorial boundaries of the other; and

WHEREAS, the City secured voter approval of a sustained local funding source for 2013 through 2015 with a City voter-approved millage of .6 mills in November 2012; and

WHEREAS, the KCTA secured a sustainable local funding source for 2013 through 2016 with a county-wide voter-approved millage of .4 mills in May 2013; and

WHEREAS, the elected/appointed officials and staff of the City, KCTA, County and Kalamazoo Transit Authority Board (hereinafter the "KTAB") began meeting in the summer of 2012 to update/develop shared goals and plans for transitioning the operation and ownership of the public transit from the City to the KCTA; and

WHEREAS, the appointed staff in December 2012 published the "County-Wide Public Transportation System White Paper" to frame the issues for further consolidation of the public transit system; and

WHEREAS, in the spring of 2013, based on comments provided by the Kalamazoo Area Transportation Study (hereinafter the "KATS"), the group of officials and staff updating/developing the shared goals and plans for transitioning the operation and ownership of the public transit was expanded to provide greater regional representation and includes representatives from KATS, the City of Portage, Comstock Township, Kalamazoo Township and Oshtemo Township; and

WHEREAS, the parties previously listed have successfully developed shared goals and plans for transitioning the operation and ownership of the public transit from the City to the KCTA with a target date of transfer on October 1, 2015.

NOW, THEREFORE, THE PARTIES DO HERETO MUTUALLY AGREE THAT:

1. Statement of Intent. The County commits to working collaboratively with the City, KCTA, KTAB, KATS and other regional partners in order to accomplish this unified goal of transitioning the operation and ownership of the public transit from the City to the KCTA with a target date of October 1, 2015. The County further commits towards working to accomplish the activities and achieve the timeline established in the three attached documents that include:
 1. Countywide Public Transit System – Major Milestones
 2. Countywide Public Transit System – Implementation Timeline Gantt Chart
 3. Countywide Public Transit System – Milestones and Key Activity Matrix

Commissioner Stinchcomb moved and it was duly seconded that Items D. through V., with the exception of Item P., 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.

P. Request for Approval of Amendment #1 to Inmate Telecommunication Location Agreement with Telmate, LLC

Commissioner Taylor moved and it was duly seconded that the appropriate County officials be authorized and directed to execute Amendment #1 to Inmate Telecommunication Location Agreement with Telmate, LLC; a copy of said Amendment #1 to be attached to the official Minutes of this meeting.

Commissioner Zull stated one of the concerns he had was he felt that one of the companies had been inferior to the other. Mr. Canny indicated the Sheriff's Office had chosen Telmate, LLC because during a demonstration to the Sheriff's Office, Telmate, LLC had a live system in Michigan and Securus Technologies did not. Ultimately, they did have a connection in VanBuren County; however, VanBuren County had experienced several issues with Securus Technologies.

Mr. John Allen, Attorney for Securus, addressed the Board concerning the Inmate Telecommunication Location Agreement and the position of his client, Securus Technologies.

Commissioner Taylor stated he felt the County should look into doing this in house.

Commissioner Stinchcomb stated that Securus Technologies was in 65 Counties, he wanted to know how many of those Counties were doing video visitation and Mr. Allen stated two were active and five were in progress.

Sheriff Fuller stated him, along with Corporate Counsel reviewed the process and agreed that Telmate, LLC was the best choice for the Sheriff's Office and asked the Board to support this request.

Commissioner Heppler inquired who was part of the review process. Sheriff Fuller indicated there were a number of people from the Sheriff's Office, Administration, along with Information Systems Department.

Commissioner Rogers wanted clarification that during the May 2012 presentation Securus Technologies did not have any live video visitation systems and Sheriff Fuller confirmed at that time Securus Technologies did not have any live video visitation systems.

Commissioner Tuinier stated the Board had already approved a contract with Telmate, LLC and Mr. Canny concurred.

Vice Chairman Buskirk indicated by amending the contract, it changes the effective date was for 2014 vs. current. He stated the Board should trust the Sheriff and his decision to proceed with approving the Amendment.

Commissioner Alford stated she supported the Sheriff's request and urged the Board to approve the Amendment.

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

ITEM 9 Old Business

There was no old business.

ITEM 10 New Business

W. Request for Approval of Labor Council Agreement with District Court, Michigan FOP Labor Council

Commissioner Tuinier 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 8th District Court employees affiliated with the Michigan FOP Labor Council, and that the County Board Chairman and the County Clerk-Register be authorized and directed to sign the aforementioned Agreement.

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

X. Request for Approval of Settlement Agreement with Lockhart

Commissioner Zull moved and it was duly seconded that the Board of Commissioners approve a Settlement Agreement with Thomas Lockhart, and that the County Board Chairman and the County Clerk be authorized and directed to sign the aforementioned Agreement.

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

Commissioner Taylor stated he wanted discussion on the Purchasing Policy concerning purchases under \$100,000.

ITEM 11 County Administrator's Report

County Administrator Peter Battani stated in the Committee of the Whole Packet there was a 2014 Budget Schedule and inquired if the Board would be willing to approve the schedule at this time. He reminded the Board of the upcoming Regional Summit. He thanked the Board for approving the Memorandum of Understanding with the Humane Society.

ITEM 12 Chairperson's Report

There was no Chairperson's Report.

ITEM 13 Vice Chairperson's Report

Vice Chairman Buskirk stated the production of the meetings was still not working properly.

ITEM 14 Members' Time

Commissioner Stinchcomb thanked David Rachowicz, Joanna Johnson, Sheriff Fuller, James Tucker, and Michigan State Police-Paw Paw Post for their assistance with the charity event the Family Valley Church had in July. He stated work was being done on Sprinkle Road and I-94.

Commissioner Taylor stated he was very disappointed in Washington and their leadership.

Commissioner Zull stated he biked on the Kalamazoo River Valley Trail recently.

Commissioner Alford thanked the citizens for speaking during Citizens Time. She thanked Commissioner Stinchcomb for his prayer this evening. She reminded everyone that today/tonight was National Night Out. She expressed her gratitude to Commissioner Seals, Administrator Battani, Deputy Administrator Faul, Treasurer Balkema, Mr. Hardester, and Corporate Counsel Canny regarding concerns with properties around the new Gull Road Court Facility.

Commissioner Heppler stated he was concerned that the Board had not yet heard the Central Dispatch proposal. He was asking for an update and soon.

Commissioner Rogers thanked Mr. Rachowicz for reaching out to her concerning the Kalamazoo River Valley Trail. She congratulated David Artley on his retirement effective August 9. She stated Latitude 42 would be opening next week in Portage. She invited everyone to Oshtemo Days on August 17th.

Commissioner Seals echoed comments made by Commissioner Alford concerning the Gull Road Court Facility.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 8:40 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners