

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

SEPTEMBER 17, 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 September 17, 2013.

ITEM 2 Invocation: Ms. Demeta Wallace gave the Invocation on behalf of Commissioner Carolyn Alford.

ITEM 3 Pledge of Allegiance: Commissioner Alford 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, and John Taylor.

Members Absent: Commissioner Roger Tuinier and John Zull.

Administrators Present: Peter Battani, County Administrator John Faul, Deputy County Administrator; Tracie Moored, Finance Director; Thom Canny, Corporate Counsel; Sheriff Rick Fuller; Lotta Jarnefelt, Director of Planning & Community Development; Drain Commissioner Pat Crowley; David Rachowicz, Parks Director; 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 September 3, 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 Alford presented the following communications which are on file in the Administrative Services Office unless otherwise noted:

a) A Resolution from Alger County opposing HB 4785.

- b) A Resolution from Berrien County supporting Senator Casperson's and Representative Kievela's Bill to amend MCL § 211.27.
- c) A Letter from Kalamazoo County Public Art Commission stating no additions of art or memorials be considered for Bronson Park until such time a comprehensive master plan is completed for the park.
- d) A Notice of Public Hearing from Charter Township of Comstock on Industrial Facilities Tax Exempt Certificate for Getman Corporation.

Commissioner Heppler received communication concerning the Compost Issue in Cooper Township.

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.

ITEM 8 For Consideration

A. Public Hearing on Brownfield Redevelopment Plan, Schoolcraft, MI

Commissioner Heppler moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on the Brownfield Redevelopment Plan.

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

Commissioner Iden moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on the Brownfield Redevelopment Plan.

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

B. Request for Approval of Resolution Recognizing Firefighter Robert C. Dunfield

Commissioner Iden moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, Mr. Robert C. Dunfield has concurrently served the citizens of three Kalamazoo County Communities during his fifty eight years as a firefighter from 1955 to 2013, and

WHEREAS, he served the City of Kalamazoo Fire Department a total of 30 years from 1968 to 1998 rising to the rank of equipment operator before retirement, and

WHEREAS, he served the Township of Kalamazoo at their Eastwood Fire Station for a total of 54 years from 1955 to 2009 rising to the rank of Assistant Fire Chief, and

WHEREAS, he served the Township of Comstock at their North Fire Station for a total of 35 years from 1978 to 2013 rising to the rank of Captain, and

WHEREAS, his entire 58 year career has been dedicated to the citizens he served and to the countless younger firefighters he mentored over those years becoming known as Uncle Bob to many, and

WHEREAS, he tirelessly demonstrated respect of this noble profession through strong self-motivational attributes by accepting extra duties, providing additional training to newer firefighters and continuing to teach fire safety best practices to our citizens, and

WHEREAS, Firefighter Dunfield served as an extraordinary role model for the many children he met in his role of lifesaver and teacher, and

WHEREAS, through this example, we encourage all citizens of Kalamazoo County to seek ways to help their fellow man in making Kalamazoo County a safe and productive community of caring people.

NOW, THEREFORE, LET IT BE RESOLVED THAT, the Kalamazoo County Board of Commissioners, recognizes a lifetime of achievement and service to our citizens through selfless dedication to the fire, rescue and EMS professions, do hereby commend and appreciate the dedicated service that Firefighter Robert C. Dunfield has emulated and provided to our region.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioners Tuinier, Zull

The motion carried.

Mr. Dunfield thanked the Board for this honor and stated it had been a pleasure serving Kalamazoo County.

Mr. Ed Switalski, thanked the Board for their support.

C. Request for Approval of Resolution Celebrating the 30th Anniversary of Kalamazoo Valley Habitat for Humanity

Commissioner Buskirk moved and it was duly seconded that the Board of Commissioners approve the following Resolution:

WHEREAS, thousands of families of Kalamazoo County need a decent, affordable place to call home, a place to grow and live without fear, to rest in peace and celebrate with abundant joy, and to study and prepare for the future;

WHEREAS, quality, stable housing provides more than just a roof over a family's heads but also dignity, pride, health, physical safety and security, and a foundation for increased educational and job opportunities;

WHEREAS, many working families in Kalamazoo County dream of owning their own homes but cannot qualify for traditional mortgages to meet this goal;

WHEREAS, for 30 years, Kalamazoo Valley Habitat for Humanity has passionately pursued its mission: to make homeownership possible for motivated families for whom ownership is not otherwise attainable. Inspired by the values of its Christian founders, Habitat seeks to improve the quality of life of its partners, volunteers, and the entire community and to inspire everyone to live with a spirit of compassion;

WHEREAS, by offering an opportunity to build and buy an affordable home to qualified families, Habitat for Humanity has engaged the Kalamazoo County community in partnership through the contribution of financial resources, volunteer service, and compassionate support to help 189 families make their dreams of homeownership come true;

NOW, THEREFORE, be it resolved that the Kalamazoo County Board of Commissioners commend and congratulate Kalamazoo Valley Habitat for Humanity for an abiding commitment to compassionate service as a champion of affordable housing for the community, and for building lives one home at a time for 30 years.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioners Tuinier, Zull

The motion carried.

Mr. Don Jones, Executive Director, thanked the Board for this Resolution and for honoring Habitat for Humanity.

D. 2013 County Fair Update – David Rachowicz

Mr. David Rachowicz, Parks Director provided a history of how the Fair became to be this year.

Ms. Roxanne Bruce, Fair Coordinator provided the Board with the 2013 Fair Update. She stated a Strategic Plan was the next step to be done with the Fair Council.

Mr. Matt Lechel, Chair, Fair Council thanked the Board for its leadership for making the Fair successful. He stated the Parks Department and Fair Council worked very well together.

Commissioner Iden left the meeting at 7:28 p.m.

Commissioner Rogers encouraged the Fair Council, Parks Department to seek a more formal public input. Mr. Rachowicz stated during the Strategic Planning process this would occur.

Commissioner Alford expressed her appreciation for the work he and his staff did for the Fair.

CONSENT AGENDA

Airport

E. Request for Approval of Extension of Temporary Airport Operations Technician Due to Military Leave

That the Board of Commissioners approve the extension of temporary Airport Operations Technician currently filling in for an employee on military leave.

Animal Services & Enforcement

F. Request for Approval of Elimination/Creation of Positions

This item was removed from the Consent Agenda.

Circuit Court

G. Request for Approval of Elimination/Creation of Positions

That the Board of Commissioners approve the Elimination/Creation of the following Positions:

Create:

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
TBD	Case Manager	K07	34,881.60 - 47,091.20	.5	101-132-704.00
				.5	292-676-704.00

Eliminate:

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10784-001	Adoption & Program Specialist	K06	31,512.00 – 42,556.80	.5	101-132-704.00
10803-001	FDTA Case Manager	K06	31,512.00 – 42,553.80	.5	292-676-704.00

Drain Office

H. Request for Approval of 2013 Drain Assessment Roll Summary

That the Board of Commissioners approve the 2013 Drain Assessment Roll Summary as included in the Packet.

Health & Community Services

I. Request for Approval of a Business Associate Agreement with Region 3B Area Agency on Aging

That the appropriate County officials be authorized and directed to execute a Business Associate Agreement with Region 3B Area Agency on Aging to provide services that are covered by the Health Insurance Portability and Accountability Act of 1996 effective September 17, 2013; a copy of said Agreement to be attached to the official Minutes of this meeting.

J. Request to Accept a Grant Award and Approval of an Agreement from the Fetzer Institute Fund to Support the PhotoVoice Project

That the appropriate County officials be authorized and directed to accept a Grant Award and approve an Agreement from the Fetzer Institute Fund to support the PhotoVoice Project in the amount of \$2,000; a copy of said Agreement to be attached to the official Minutes of this meeting.

K. Request for Approval of Elimination/Creation of Positions

That the Board of Commissioners approve the elimination/creation of the following positions:

Eliminate:

<u>Account #</u>	<u>Position/ #</u>	<u>Band</u>	<u>FTE</u>	<u>Hourly Range</u>	<u>Effective</u>
793-121	Admin. Asst. #10854-001	K04	1.0	12.38-16.71	Immediately

Create:

<u>Account #</u>	<u>Position/ #</u>	<u>Band</u>	<u>FTE</u>	<u>Hourly Range</u>	<u>Effective</u>
793-122	Admin. Asst. #10854-001	K04	1.0	12.38-16.71	Immediately

Information Systems

L. Request for Approval of Discount Agreements for Centrex Telecommunication Services with AT&T

That the appropriate County officials be authorized and directed to execute Discount Agreements for Centrex Telecommunication Services with AT&T for the period of 36 months; a copy of said Agreements to be attached to the official Minutes of this meeting.

Michigan Works – Upjohn Institute

M. Request for Approval of Partnership, Accountability, Training, Hope (PATH) 14-00

This item was removed from the Consent Agenda.

That the appropriate County officials be authorized and directed to execute PATH 14-00 in the amount of \$2,626,646 for the period of October 1, 2013 through September 30, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

Planning & Community Development

N. Request for Approval of Resolution Approving Brownfield Plan for the Site Located at 306 N. Grand, Schoolcraft, MI

That the Board of Commissioners approve the following Resolution:

WHEREAS, the Kalamazoo County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the Act), has formally resolved to participate in the Brownfield Redevelopment Authority of Kalamazoo County (the Authority) and has designated that all related activities shall proceed through the Authority; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the Kalamazoo County Board of Commissioners, the Brownfield plan (the Plan) attached hereto, to be carried out within the Village of Schoolcraft, relating to the redevelopment project on the commercial property located at 306 N. Grand St., Schoolcraft, Michigan, (the Site), as more particularly described and shown in Figures 1 & 2 in Attachment A contained within the attached Plan; and

WHEREAS, the Kalamazoo County Board of Commissioners has reviewed the Plan, and was provided a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, the Kalamazoo County Board of Commissioners has noticed and held a public hearing in accordance with Section 13(10,11,12 and 13) of the Act, and

WHEREAS, the Village of Schoolcraft has passed a resolution supporting adoption of the Plan; and

WHEREAS, the Kalamazoo County Board of Commissioners has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, was feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. School taxes will be captured in accordance with the Plan; and

WHEREAS, as a result of its review of the Plan, the Kalamazoo County Board of Commissioners concurs with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Plan Approved. Pursuant to the authority vested in the Kalamazoo County Board of Commissioners, by the Act, the Plan is hereby approved in the form attached to this Resolution.
- 2. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

O. Request for Approval of Southcentral Michigan Planning Council Staffing Contract

That the appropriate County officials be authorized and directed to execute a Contract with Southcentral Michigan Planning Council (SMPC) for providing staff services to SMPC up to \$10,000 for the period of October 1, 2013 through September 30, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

Sheriff

P. Request for Approval of Extension of Temporary Airport Assignments

That the Board of Commissioners approve the extension of temporary assignments of Deputies at the Airport.

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 September 17, 2013", noting claims in the total amount of \$1,691,137.99, 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 September 17, 2013, and the Director of Finance be authorized to make budgetary transfers, as listed.

R. Request for Approval of Resolution to Set Annual Meeting Date and Public Hearing for Proposed 2014 Budget

That the Board of Commissioners approve the following Resolution and set a Public Hearing for Proposed 2014 Budget:

WHEREAS, the statutes in such case made and provided require a municipal corporation to hold an Annual Meeting and a Public Hearing on its proposed budget; and

WHEREAS, the statute further provides that the Annual Meeting shall be held after September 14 but before October 16 of each year.

NOW, THEREFORE, BE IT RESOLVED that the Kalamazoo County Board of Commissioners does hereby designate the date of Tuesday, October 15, 2013 as the date of its Annual Meeting, and Tuesday, October 15, 2013 as the date for the Public Hearing on the 2014 Proposed Budget.

BE IT FURTHER RESOLVED that the County Clerk/Register is hereby authorized and directed to publish in the Kalamazoo Gazette, a newspaper of general circulation in Kalamazoo County, at least six days prior to the Public Hearing, a notice of such Public Hearing, which notice shall be substantially in the following form:

NOTICE OF PUBLIC HEARING ON PROPOSED 2014 BUDGET
OF KALAMAZOO COUNTY, MICHIGAN

Notice is hereby given that a Public Hearing will be held on the proposed Budget of Kalamazoo County, Michigan, for the fiscal year commencing January 1, 2014 and ending December 31, 2014, on Tuesday, October 15, 2013 at 7:00 p.m., in the County Administration Building, second floor, Board of Commissioners' Room 204, located at 201 West Kalamazoo Avenue, Kalamazoo, Michigan.

A copy of the proposed Budget is available for public inspection during normal business hours at the Offices of the Board of Commissioners and County Clerk/Register, 201 West Kalamazoo Avenue, Kalamazoo, Michigan.

**THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE
PROPOSED BUDGET WILL BE A SUBJECT OF THIS HEARING**

S. Request for Approval of Reappointment of Chuck Vliek to the Land Bank Authority

That the Board of Commissioners approve the Reappointment of Chuck Vliek to the Land Bank Authority for a three year term that will expire on September 30, 2016.

T. Request for Approval of Reappointment of Zadie Jackson to the Fair Council

That the Board of Commissioners approve the Reappointment of Zadie Jackson to the Fair Council for a three year term that will expire on September 30, 2016.

U. Request for Approval of Gull Road Court Facility Project Change Orders 2 and 3 with Soil and Materials Engineers, Inc.

That the appropriate County officials be authorized and directed to execute Change Orders 2 and 3 with Soil and Materials Engineers, Inc. for the Gull Road Court Facility Project in the amount of \$8,050; a copy of said Change Orders to be attached to the official Minutes of this meeting.

Commissioner Alford moved and it was duly seconded that Items E. through U., with the exception of Items F. and M., 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 Tuinier, Zull

The motion carried.

NON-CONSENT AGENDA ITEMS

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

F. Request for Approval of Elimination/Creation of Positions

Commissioner Rogers moved and it was duly seconded that the Board of Commissioners approve the Elimination/Creation of the following Positions:

Eliminate:

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10384	Customer Svcs. Specialist	K04	\$25,750 - \$34,756	1.0	101.421.704.00
10117	Admin. Asst.	K07	\$34,881 - \$47,091	1.0	101.421.704.00

Create:

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
TBD/New	Admin. Asst.	K06	\$31,512- \$42,556	1.0	101.421.704.00
TBD/New	Enforcement Supervisor,	K07	\$34,881 - \$47,091	1.0	101.421.704.00

Ms. Deb Themins, Delton addressed the Board concerning the creation of positions; she stated employees worked well together with little or no supervision.

Ms. Cyndi Marion, Kalamazoo, addressed the Board concerning the creation of the proposed positions. She indicated these positions were not in the best interest of the department. She indicated it was her hope that additional discussions occurred.

Commissioner Seals wanted to know if the Board had discussed this issue prior to tonight.

Mr. Faul stated he had worked with Mr. Lawrence and Human Resources on this issue for the past six months concerning the reorganization of this department. He, along with Mr. Lawrence felt this was in the best interest of the department.

Commissioner Taylor inquired if there was an increase to the general fund and Mr. Faul indicated stated no. Commissioner Taylor inquired if it was necessary to approve this request tonight and Mr. Faul indicated with all due respect he requested the Board approve this request.

Commissioner Seals moved and it was duly seconded to postpone action on this item until a future meeting.

Vice Chairman Buskirk indicated he would like to see a presentation from the Animal Services Director at a Committee of the Whole meeting.

The roll call vote was as follows:

Ayes: All members present except
Nays: Commissioners Maturen, Rogers,
Abstains: None
Absent: Commissioners Iden, Tuinier, Zull

The motion carried.

M. Request for Approval of Partnership, Accountability, Training, Hope (PATH) 14-00

Commissioner Seals moved and it and was duly seconded that the appropriate County officials be authorized and directed to execute PATH 14-00 in the amount of \$2,626,646 for the period of October 1, 2013 through September 30, 2014; a copy of said Contract to be attached to the official

Minutes of this meeting.

Commissioner Rogers stated she requested this item be removed from the agenda because she didn't support the changes, although the County did not have any authority of the changes.

Mr. Ben Damerow, Michigan Works! provided a brief synopsis of the changes.

Commissioner Seals stated he has had many complaints concerning the changes.

Discussion ensued.

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

G. Request for Approval of Labor Council Agreement with Fraternal Order of Police (FOP) Kalamazoo County Sheriff's Deputies' Association

Commissioner Stinchcomb 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 FOP Kalamazoo County Sheriff's Deputies' Association, and that the County Board Chairman and the County Clerk-Register be authorized and directed to sign the aforementioned Agreement.

Commissioner Rogers thanked the Sheriff, Administration and bargaining team for their work on this.

Commissioner Seals concurred.

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

Commissioner Heppler thanked the Deputies for their willingness to agree to this agreement.

H. Request for Approval of Staffing Plan and Positions Related to the Jail

Commissioner Taylor moved and it was duly seconded that the Board of Commissioners approve the Staffing Plan and Positions related to the Jail as discussed at the Committee of the Whole meeting.

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

ITEM 11 County Administrator's Report

County Administrator Mr. Peter Battani stated he wanted to take a moment to recognize the death of County employee Delores Smith and offered his condolences to her family. He also commented on the approval of the Deputies Contract and staffing of the Jail. He stated the Steering Committee had met for the last time and the Business Plan was being finalized and he was working on a Case Statement for the October 17th meeting. He stated he appreciated the hard work of John Faul, Tracie Moored, and Thom Canny.

ITEM 12 Chairperson's Report

Chairperson Maturen stated he received communication from Mr. Battani's attorney concerning renewing his contract.

ITEM 13 Vice Chairperson's Report

Vice Chairman Buskirk stated his neighbor Scott Morehouse lost a grandson due to a drowning. He thanked the Sheriff, Administration, Deputies and bargaining team for reaching an agreement. He stated he attended the Sunrise Rotary Flag Ceremony this weekend.

ITEM 14 Members' Time

Commissioner Alford expressed her appreciation to Mr. Battani and Mr. Canny for their willingness to work together to find solutions. She stated the Northside Ministerial Alliance would be holding its 16th Annual Community Prayer Breakfast on October 15th Prayer, Faith Temple of God. She said on November 2nd the NAACP would host its Freedom Fund Banquet.

Commissioner Heppler thanked the Health & Community Services Department along with the Sheriff and Ross Township for their assistance with a poor housing condition situation.

Commissioner Rogers encouraged everyone to contact their federal legislators concerning the PATH Program. She stated she was very pleased with the Brownfield Redevelopment Plan for Schoolcraft. She attended the luncheon at the Douglass Community Association earlier today. She stated the Kalamazoo Symphony opened this Saturday.

Commissioner Seals passed on his condolences onto the family for Delores Smith. He thanked the Sheriff Deputies and Administration for coming to an agreement. He stated the Navy yard attack that occurred yesterday was tragic.

Commissioner Stinchcomb stated his daughter was turning 21 tonight and was looking forward to celebrating with her.

Commissioner Taylor thanked the Sheriff Deputies and Administration for coming to an agreement.

ITEM 15 Adjournment

Chm Initial _____

Clk Initial _____

29616

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 8:16 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners