

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

FEBRUARY 5, 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 February 5, 2013.

ITEM 2 Invocation: Commissioner Brandt Iden.

ITEM 3 Pledge of Allegiance: Commissioner Iden 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; Treasurer Mary Balkema; Linda Vail, HCS Director; Lotta Jarnefelt, Planning & Community 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 January 15, 2013, Board meeting be approved as distributed.

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

ITEM 6 Communications:

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

- a) A Letter from City of Portage on an Industrial Facilities Exemption Certificate Application from Stryker Corporation.
- b) A Resolution from the City of Kalamazoo setting a Public Hearing on an Industrial Facilities Tax Exemption Certificate for Graphic Packaging.

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. Jo Woods, Kalamazoo, read a prepared statement concerning her views of the County, particularly issues with management.

Ms. Cynthia White-Owens, 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**CONSENT AGENDA**A. Request for Approval of Black History Month Resolution

That the Board of Commissioners approve the following Resolution:

WHEREAS, each February "National African American History Month" also known as "Black History Month" is observed to celebrate and honor the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, in 1915, Dr. Carter Godwin Woodson founded the Association for the Study of Negro Life and History and through that Association, he began pressing the establishment of Negro History Week as a way to bring national attention to the accomplishments of African Americans; and

WHEREAS, Dr. Woodson's dream became a reality in 1926, he chose the second week of February for the observance because of its proximity to the birthdays of Abraham Lincoln and Frederick Douglass, two individuals whom Dr. Woodson felt had dramatically affected the lives of African Americans; and

WHEREAS, in the early 1970's the event was called Black History Week, and in 1976, the Association succeeded in expanding the observance, which then became Black History Month; and,

WHEREAS, the United States is a diverse nation comprised of citizens from various ethnic groups and cultures; and,

WHEREAS, it is important to promote a greater awareness of the history and culture of all ethnic groups across our country; and,

WHEREAS, February is designated as Black History Month; and,

NOW, THEREFORE BE IT RESOLVED the Kalamazoo County Board of Commissioners, in recognition of the importance of the Black History Month, supports this Resolution.

Circuit Court

B. Request for Approval to Accept Swift and Sure Sanctions Program Grant Funds from State Court Administrative Office

That the appropriate County officials be authorized and directed to execute Swift and Sure Sanctions Grant Contract from the Michigan Supreme Court State Court Administrative Office in the amount of \$151,845 for the period of January 1, 2013 through September 30, 2013; a copy of said Contract to be attached to the official Minutes of this meeting.

C. Request for Approval of Creation of Positions

That the Board of Commissioners approve the 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>
10145-xxx	Shift Supervisor	k08	40,310.40-54,412.80	2.0	292-662-704.00

District Court

D. Request for Approval of Michigan Drug Court Program Grant (MDCPG) Contracts with the Office of Community Corrections

That the appropriate County officials be authorized and directed to execute MDCPG Contracts with the Office of Community Corrections for drug testing of Sobriety Court participants up to \$36,175 for the period of October 1, 2012 through September 30, 2013; a copy of said Contract to be attached to the official Minutes of this meeting.

E. Request for Approval of Elimination/Creation of Positions (house keeping)

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

Eliminate:

<u>Account #</u>	<u>Title/Position #</u>	<u>Band</u>	<u>FTE</u>	<u>Pay Range</u>	<u>Effective</u>
245-120-704.00	Probation Officer #10068-17	K08	1.0	\$19.38--\$26.16/hr	01/01/2013
245-120-704.00	Probation Officer #10068-18	K08	1.0	\$19.38--\$26.16/hr	01/01/2013

Create:

<u>Account #</u>	<u>Title/Position #</u>	<u>Band</u>	<u>FTE</u>	<u>Pay Range</u>	<u>Effective</u>
101-136-704.00	Probation Officer #10068-17	K08	1.0	\$19.38--\$26.16/hr	01/01/2013
101-136-704.00	Probation Officer #10068-18	K08	1.0	\$19.38--\$26.16/hr	01/01/2013

Finance

F. Request for Approval of Elimination/Creation of Positions (house keeping)

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

Eliminate:

10843-001	Purchasing Coordinator	1.0	K10	\$48,297.60 - \$65,4187.20	101-233
10780-001	Administrative Asst.	.5	K05	\$13.90 - \$18.76	101-233
10437-022	Deputy/CO II	1.0	F19	\$21.42 - \$30.43	101-267
10765-004	Sr Financial Analyst	1.0	P8	\$36,712.00 - \$52,124.80	101-613

Create:

10843-001	Purchasing Coordinator	1.0	K10	\$48,297.60 - \$65,4187.20	101-223
10780-001	Administrative Asst.	.5	K05	\$13.90 - \$18.76	101-223
10437-022	Deputy/CO II	1.0	F19	\$21.42 - \$30.43	101-302

G. Request for Approval of Lease Agreement with Legal Aid of Western Michigan

That the appropriate County officials be authorized and directed to execute a Lease Agreement with Legal Aid of Western Michigan to occupy office space in the Administration Building in the amount of \$29,767.20 – 2013, \$30,362.54 – 2014 for the period of January 1, 2013 through December 31, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Health & Community Services

H. Request for Approval to Create Area Agency on Aging IIIA Custom Care Program

That the Board of Commissioners Create Area Agency on Aging IIIA Custom Care Program.

I. Request for Approval of Amendment with Portage Community Center for Head Start Classroom Site

That the appropriate County officials be authorized and directed to execute an Amendment with Portage Community Center for Head Start Classroom space and to change the current rent rate from \$1,304.63 to \$1,783.80 to include repairs and alteration for State of Michigan child day care licensing standards; a copy of said Amendment to be attached to the official Minutes of this meeting.

J. Request for Approval of Multiple Dispensing Site Agreements

That the appropriate County officials be authorized and directed to execute multiple Dispensing Site Agreements for the Emergency Preparedness Program; a copy of said Agreements to be attached to the official Minutes of this meeting.

K. Request for Approval to Accept Grant Award from Kalamazoo County Community Mental Health (CMH) and Approval of Creation of Position in the Maternal & Child Health Division

That the appropriate County officials be authorized and directed to accept a Grant Award from CMH and creation of a new position in the Maternal & Child Health Division through the Healthy Babies Healthy Start project in the amount of \$44,200 for the period of February 1, 2013 through September 30, 2013; a copy of said Grant to be attached to the official Minutes of this meeting.

Create:

<u>Account #</u>	<u>Position/#</u>	<u>Band</u>	<u>FTE</u>	<u>Pay Range</u>	<u>Effective</u>
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Chm Initial _____

Clk Initial _____

29474

297-134 Care Coordinator K6 1.0 \$31,512-\$42,556.80
#10202

2/6/2013

L. Request for Approval of Household Hazardous Waste Amendments with Multiple Townships and Municipalities

That the appropriate County officials be authorized and directed to execute Household Hazardous Waste Amendments with Multiple Townships and Municipalities for the period of January 1, 2013 through December 31, 2013.

GOVERNMENTAL UNITS AND FUNDING

1. Alamo Township	\$ 2,600
2. Brady Township	\$ 2,500
3. Calhoun County	\$ 6,000
4. Village of Climax	\$ 400
5. City of Kalamazoo	\$40,000
6. City of Parchment	\$ 1,500
7. Prairie Ronde Township	\$ 800
8. Ross Township	\$ 3,500
9. Texas Township	\$10,000

Planning & Community Development

M. Request for Approval of Renewal of an Agreement with Pictometry International Corporation for On-line Pictometry

That the appropriate County officials be authorized and directed to execute renewal of an Agreement with Pictometry International Corporation for on-line Pictometry in the amount of \$1,500; a copy of said Agreement to be attached to the official Minutes of this meeting.

Purchasing

N. Request for Approval of Equipment Maintenance Insurance with Specialty Underwriters LLC

That the appropriate County officials be authorized and directed to execute equipment maintenance insurance with Specialty Underwriters LLC in the amount of \$21,656 for the period of January 1, 2013 through January 31, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

Sheriff

O. Request for Approval to Accept the FEMA Fire Grant from Oshtemo Township

That the appropriate County officials be authorized and directed to accept the FEMA Fire Grant from Oshtemo Township in the amount of \$4,108.80 with a match of \$1,027.20 for a total of \$5,136 to purchase VHF radios.

P. Request for Approval of Temporary Appointment of David Schneider to the Position of Interim Emergency Management Director

That the Board of Commissioners approve Temporary Appointment of David Schneider to the Position of Interim Emergency Management Director.

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

That the appropriate County officials be authorized and directed to execute an Employment Agreement with David Schneider as Temporary Emergency Management Director at the rate of \$40.16/hour through April 1, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Treasurer

R. Request for Approval to allocate Funds from the Allocated Fund Balance to the Kalamazoo Land Bank Authority

That the Board of Commissioners approve allocation of funds from the Allocated Fund Balance in the amount of \$100,000 for the Kalamazoo County Land Bank Authority.

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 February 5, 2013", noting claims in the total amount of \$4,965,438.21, 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 5, 2013, and the Director of Finance be authorized to make budgetary transfers, as listed.

T. Request for Approval of a Professional Services Agreement with Lew Bender, PhD to Conduct a Board of Commissioners Retreat

That the appropriate County officials be authorized and directed to execute Professional Services Agreement with Lew Bender, PhD to conduct a Board of Commissioners retreat in the amount \$2,000 plus travel; a copy of said Agreement to be attached to the official Minutes of this meeting.

U. Request for Approval of an Agreement with Prein & Newhof to Perform a Geotechnical Investigation for Healy Street Property

That the appropriate County officials be authorized and directed to execute an Agreement with Prein and Newhof to perform a Geotechnical Investigation for Healy Street Property; a copy of said Agreement to be attached to the official Minutes of this meeting.

V. Request for Approval of Amendments to Retirement Resolution

That the Board of Commissioners approve Amendments to the Retirement Resolution.

Commissioner Iden moved and it was duly seconded that Items A. through V., 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

There was no old business.

ITEM 10 New Business

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

1. Repeal Section 1.1 “Board Membership” of the Board’s Bylaws and adopt a new Section 1.1 as follows:

“1.1 Board Membership. The Board of Commissioners shall consist of members elected from single-member districts apportioned on the basis of population as provided by law. (MCLA 46.409)”

2. Repeal Section 2.6.C “Appointments to Boards, Councils, Commissions, etc.; Appointment Committee” of the Board’s Bylaws and adopt a new Section 2.6.C as follows:

“2.6.C. The Board of Commissioners shall, as a committee of the Whole, interview applicants for positions on the following boards/commissions/etc:
 - i. Initial Appointments, to Position(s) on the Kalamazoo County Board of Road Commissioners, the Kalamazoo County Transportation Authority, the Kalamazoo County Community Mental Health and Substance Abuse Services; the Kalamazoo County Aeronautics Board of Trustees, the Kalamazoo County Land Bank Authority, the Kalamazoo County Housing Authority, their successor agencies; and,
 - ii. Initial Appointments to Position(s) upon Authorities, Boards and Committees, created after May 1, 2006.
 - iii. Reappointments, and Replacement appointments to Positions identified in subsections i. and ii., above, do not require a full Board interview unless the Board of Commissioners, by a majority vote, decides to interview an individual as a Committee of the Whole.

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

Commissioner Seals moved and it was duly second that the Board of Commissioners approve the following:

1. Amend section 4.1 "General Conduct" of the Board's Bylaws by adding the language shown below in italics and bold:

"4.1 General Conduct. The Kalamazoo County Board of Commissioners places great emphasis and importance upon the proper discharge of their duties and responsibilities. In order to encourage collegiality and respect between Commissioners, and to earn the respect of the residents of Kalamazoo County, the Board adopts the following Code of Ethics. This Code of Ethics is intended to serve as the minimum standards of conduct Commissioners should follow in all of their actions as elected officials:

A County Commissioner should:

Properly administer the affairs of the county.

Promote decisions which only benefit the public interest.

Actively promote public confidence in county government.

Keep safe all funds and other properties of the county.

Conduct and perform the duties of the office diligently and promptly dispose of the business of the county.

Maintain a positive image to pass constant public scrutiny.

Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.

Inject the prestige of the office into everyday dealings with the public employees and associates.

Maintain a respectful attitude toward employees, other public officials, colleagues and associates.

Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the county.

Faithfully comply with all laws and regulations applicable to the county and impartially apply them to everyone.

Whenever possible, include the County Administrator and county administration when communicating with county employees about county issues of substance. This principle is not intended to discourage communication between Commissioners and employees, but, is intended to secure the most relevant and accurate information about important county issues.

Commissioner Stinchcomb stated he would not support this motion.

Commissioner Rogers stated she would not support this motion.

Commissioner Taylor stated he would support this motion; however, it was not an easy vote for him.

Commissioner Zull stated he would also support this motion.

The roll call vote was as follows:

Ayes:	All members present, except
Nays:	Commissioners Rogers, Seals, Stinchcomb
Abstains:	None
Absent:	None

The motion carried.

ITEM 11 County Administrator's Report

County Administrator stated he provided a written report as well as some additional information on personal property tax.

ITEM 12 Chairperson's Report

There was no Chairperson's Report.

ITEM 13 Vice Chairperson's Report

There was no Vice Chairperson's Report.

ITEM 14 Members' Time

Commissioner Iden congratulated David Rachowicz for getting the Woods-N-Water Outdoor Weekend West to the Expo Center. Stated his thoughts went out to Emily Stillman's family.

Commissioner Rogers highlighted the work done on the Custom Care Program created by Area Agency on Aging IIIA. She also commented on the Kids Count numbers report and was unhappy with the numbers.

Commissioner Seals reminded everyone to keep the 507th National Guard in their thoughts.

Commissioner Stinchcomb stated this month local assessor would be sending out tax information and encouraged the citizens to watch out for this information and this may assist them.

Commissioner Tuinier stated the meeting on the personal property tax was very informative.

Chm Initial _____

Clk Initial _____

29479

Commissioner Zull read an article concerning Harry Reed.

Commissioner Alford thanked the citizens who addressed the Board. She thanked the Board for recognizing Black History month; she provided some dates on upcoming events.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 7:36 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners