

## MINUTES

### KALAMAZOO COUNTY BOARD OF COMMISSIONERS

#### REGULAR MEETING

MAY 3, 2016

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 May 3, 2016.

ITEM 2      Invocation: Commissioner Scott McGraw.

ITEM 3      Pledge of Allegiance: Commissioner McGraw 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; David Rachowicz, Parks Director; Rachel Grover, Resources Coordinator; Dina Sutton, Office Manager.

ITEM 5      Approval of Minutes:

Commissioner Seals moved and it was duly seconded that the Minutes of the April 19, 2016, Board meeting be approved as distributed.

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

ITEM 6      Communications:

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

- a) A copy of a Letter from Representative Jon Hoadley encouraging the State of Michigan to move the Kalamazoo Department of Health & Human Services to Alcott Street.
- b) Resolutions from Bay County and Iron County urging State lawmakers to stop the hypocrisy of exempting themselves from the laws they enact.

- c) A Resolution from Bay County urging the Michigan Tax Tribune to make changes concerning Big Box retailers.
- d) A Resolution from Wexford County urging the EPA and Army Corps of Engineers to support in efforts to protect Michigan's Waterways.

Commissioner Rogers received a letter from Mr. Jerry Stertain concerning the increased costs to citizens for the GRUZ Oshtemo Township.

Commissioner Provancher received a letter from Mr. Larry Bolhuis regarding an issue with Road Commission.

Commissioner McGraw stated he too received that communication from Mr. Bolhuis and had forwarded onto the Road Commission.

#### 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.

Ms. Wendy Fields, Kalamazoo, addressed the Board concerning the racist, hostile behavior of Mr. John Faul and Mr. Thom Canny. She also stated Human Resources had always reported to a white person, mainly white men. She stated the Board should ask questions when passing policies. She expressed her displeasure with the Board.

Ms. Jo Brown, Kalamazoo, expressed her displeasure with the Board; particularly when they voted to promote Mr. Faul as Interim County Administrator.

Ms. Zadie Jackson, Kalamazoo, stated the Fair Council would be hosting contests for children between the ages of 6 and 13. She asked the Board of Commissioners to consider being judges for the contests.

Mr. Jerry VanderRoest, Kalamazoo, addressed the Board concerning public safety & road patrol within the County. He distributed information concerning road patrol.

Mr. Jeff VanderRoest, Kalamazoo, addressed the Board concerning public safety & road patrol within the County, specifically, if a township was paying for additional road patrol.

Mr. Frank Warren, Kalamazoo, addressed the Board regarding the Memorial Day event at Ft. Custer. He stated Veterans Day at the County Fair would be August 6<sup>th</sup>. He stated he'd be on the honor flight on June 4<sup>th</sup> to Washington, D.C.

Chm Initial \_\_\_\_\_

Clk Initial \_\_\_\_\_

29886

Ms. Katie Zamora, Kalamazoo, Moms Demand Action, urged the Board to support a Resolution Declaring June 2, 2016 National Gun Violence Awareness Day in Kalamazoo County.

ITEM 8      For Consideration

A.      Request for Approval of 25 Year Resolution Honoring Lynn Hoyt

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

WHEREAS, Lynn Hoyt has served the citizens of Kalamazoo County for twenty-five (25) years as of May 1, 2016; and

WHEREAS, Lynn Hoyt has faithfully served as a Lead Court Specialist; 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 Lynn Hoyt 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. Hoyt thanked the Board for honoring her.

B.      Public Hearing on Brownfield Plan for 5825 and 5901 Willoughby Drive, Portage, Michigan

Commissioner Rogers moved and it was duly seconded that the Board of Commissioners moved into a Public Hearing on Brownfield Plan for 5825 and 5901 Willoughby Drive, Portage, Michigan.

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

Mr. David Riley stated he was involved in this project and stated the Brownfield Authority was making the project viable.

Mr. Ken Paragon, Kalamazoo County Brownfield Redevelopment Authority Board Member expressed his appreciation of the Board in supporting this project.

Commissioner Wordelman moved and it was duly seconded that the Board of Commissioners moved out of a Public Hearing on Brownfield Plan for 5825 and 5901 Willoughby Drive, Portage, Michigan.

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

Commissioner Shugars inquired of Mr. Riley how many employees would be employed and he indicated 10 - 15.

Commissioner Shugars inquired what type of operations would occur at this facility and Mr. Riley indicated non-scheduled air carrier services would be provided as well and maintaining aircraft.

Commissioner Rogers stated she was very proud of this project. She stated this was a win-win for everyone involved and encouraged everyone to support this request.

Commissioner McGraw stated he too urged it was a win-win situation.

## **CONSENT AGENDA**

### Circuit Court

#### C. Request for Approval of Agreements with Western Michigan University (WMU) for the Evaluation of Juvenile, Women's, and Men's Drug Treatment Court Programs and Family Dependency Treatment Court Program

That the appropriate County officials be authorized and directed to execute Agreements with WMU for the Evaluation of Juvenile (\$11,378) , Women's (\$11,378), and Men's (\$11,378) Drug Treatment Court Programs and Family Dependency Treatment Court Program (\$9,920) for the period of January 1, 2016 through April 1, 2017; a copy of said Agreements to be attached to the official Minutes of this meeting.

### Health & Community Services

#### D. Request for Approval of the Community Healthcare Access Program & Associated Agreements with Kalamazoo Community Mental Health (KCMH) & United Way of Battle Creek & Kalamazoo Region(UW)

That the appropriate County officials be authorized and directed to execute Community Healthcare Access Program & Associated Agreements with KCMH and UW in the amount not to exceed \$40,000 for the period of May 4, 2016 through September 30, 2016; a copy of said Agreements to be attached to the official Minutes of this meeting.

#### E. Request for Approval of CSBG14-39015 Community Service Block Grant (CSBG) Notice of Funds Available (NFA) #7 from the Michigan Department of Health & Human Services (MDHHS)

That the appropriate County officials be authorized and directed to execute CSBG14-39015 CSBG NFA #7 with MDHHS in the increased amount of \$214,595 for the period of October 1, 2015 through September 30, 2016; a copy of said NFA #7 to be attached to the official Minutes of this meeting.

F. Request for Approval of a Contract with Community Homeworks

This Item was removed from the Consent Agenda.

G. Request for Approval of a Contract with Ecumenical Senior Center

That the appropriate County officials be authorized and directed to execute a Contract with Ecumenical Senior Center for the delivery of onsite congregate meals to senior citizens in need of nutritional meals in the amount of \$3,000 for the period of April 1, 2016 through September 30, 2016; a copy of said Contract to be attached to the official Minutes of this meeting.

H. Request for Approval of a Contract with Kalamazoo Literacy Council

That the appropriate County officials be authorized and directed to execute a Contract with Kalamazoo Literacy Council for financial assistance to make the final payment of a licensure courseware program in the amount of \$5,900 for the period of May 3, 2016 through September 30, 2016; a copy of said Contract to be attached to the official Minutes of this meeting.

I. Request for Approval of an Amendment to Service Agreement with Peak Performers

That the appropriate County officials be authorized and directed to execute an Amendment to Service Agreement with Peak Performers for the provision of paying lodging costs for the assigned temporary dentists for temporary Dental Professionals to the Dental Program; a copy of said Amendment to be attached to the official Minutes of this meeting.

J. Request for Approval of Environmental Health Water Sampling Fee Schedule

That the Board of Commissioners approve Environmental Health Water Sampling Fee Schedule as included in the Packet.

K. Request for Approval of the Environmental Health Advisory Council (EHAC) Bylaw Revisions

That the Board of Commissioners approve Environmental Health Advisory Council (EHAC) Bylaw Revisions as included in the Packet.

L. 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 the HRSA for the HBHS Project in the amount of \$680,250 for the period of April 1, 2016 through March 31, 2017; a copy of said Grant Award to be attached to the official Minutes of this meeting.

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

That the Board of Commissioners approve the following Resolution:

WHEREAS, Section 52.201 of the Michigan Compiled Laws authorizes the Kalamazoo County Board of Commissioners to appoint a County Medical Examiner to hold office for a period of four years; and

WHEREAS, Dr. Joyce L. deJong, D.O., through Western Michigan University Homer Stryker M.D. School of Medicine has been awarded a contract with Kalamazoo County for Medical Examiner Services and previously being appointed the Medical Examiner on April 1, 2014; and

BE IT FURTHER RESOLVED that the Board of Commissioners confirms the following additional appointment of Medical Examiner staff as appointment to the Kalamazoo County Medical Examiner's Office for the term of July 1, 2016 through April 30, 2018:

Amanda O. Fisher-Hubbard, M.D. as Deputy Medical Examiner

Michigan Works!

N. Request for Approval of Statewide Rapid Response Allocations for Customer Relationship Management (CRM) for Program Year (PY) 2015

That the appropriate County officials be authorized and directed to execute Statewide Rapid Response Allocations for CRM for PY 2015 in the amount of \$4,173 for the period of July 1, 2015 through June 30, 2016; a copy of said Contract to be attached to the official Minutes of this meeting.

Parks & Expo Center

O. Request for Approval of a Contract with the Thunderbirds R/C Club for 2016

That the appropriate County officials be authorized and directed to execute a Contract with the Thunderbirds R/C Club to operate remote controlled airplanes, helicopters, and control-line airplanes at River Oaks County Park in the amount of \$160/month for the period of January 1, 2016 through December 31, 2016; a copy of said Contract to be attached to the official Minutes of this meeting.

P. Request for Approval of Insurance Release for Property Damage – Expo Center

That the Board of Commissioners approve Insurance Release for Property Damage at the Kalamazoo County Expo Center.

Q. Request for Approval of a Contract with the National Street Rod Show for 2018

That the appropriate County officials be authorized and directed to execute a Contract with the National Street Rod Show in the amount of \$17,324 for the 2018 Event; a copy of said Contract to be attached to the official Minutes of this meeting.

Planning & Community Development

R. Request for Approval of Resolution Approving Brownfield Plan for 5825 and 5901 Willoughby Drive, Portage, Michigan

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"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of Kalamazoo County (the "Authority") and have designated that all related activities shall proceed through the BRA; 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 City of Portage, relating to the redevelopment project on the commercial property located at 5825 and 5901 Willoughby Drive, City of Portage, Michigan, (the "Site"), as more particularly described and shown in Figures 1 and 2 and Attachments contained within the attached Plan; and

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

WHEREAS, the City of Portage has passed a resolution supporting adoption of the Plan; and

WHEREAS, the Kalamazoo County Board of Commissioners have 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; and

WHEREAS, as a result of its review of the Plan, the Kalamazoo County Board of Commissioners concur 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.

Treasurer

S. Request for Approval of Elimination/Creation of Positions (General Funds)

This Item was removed from the Consent Agenda.

Board of Commissioners

T. Request for Approval of Transfers and Disbursements

That the Board of Commissioners approve Transfers and Disbursements as defined and set forth in the document entitled, "Recommended Transfers and Disbursements, dated May 3, 2016", noting claims in the total amount of \$1,630,278.31 be approved and 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 May 3, 2016, and the Director of Finance be authorized to make budgetary transfers, as listed.

U. Request for Approval Authorizing Clerk Snow to Sign a Letter to the State 9-1-1 Commission Confirming Collection of 9-1-1 Surcharge

That the Board of Commissioners authorize Clerk Snow to Sign a Letter to the State 9-1-1 Commission Confirming Collection of 9-1-1 Surcharge.

V. Request for Approval of a Contract Extension with Cohl, Stoker & Toskey, P.C.

That the appropriate County officials be authorized and directed to execute a Contract Extension with Cohl, Stoker & Toskey, P.C. to provide ongoing labor counsel services at the rate of \$120/hour plus expenses for the period of July 1, 2016 through June 30, 2017; a copy of said Contract to be attached to the official Minutes of this meeting.

Commissioner McGraw moved and it was duly seconded that Items C. through V., with the exception of Items F. and S., 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.**

F. Request for Approval of a Contract with Community Homeworks

Commissioner Moored moved and it was duly seconded that the appropriate County officials be authorized and directed to execute a Contract with Community Homeworks for the provision of furnace and water heater installation to eligible residents in the amount of \$30,000 for the period of May 4, 2016 through September 30, 2016; a copy of said Contract to be attached to the official Minutes of this meeting.

Commissioner Provancher stated he asked to have this item pulled from the agenda because he wanted to point out that geothermal was something the County should look into.

Commissioner Wordelman stated he concurred with comments made by Commissioner Provancher.

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

S. Request for Approval of Elimination/Creation of Positions (General Funds)

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

Eliminate:

Fund & Activity	Position #	Position Title	Band	FTE	Salary Range	Eff Date
101-253	10846-001	Accountant	K07	1.0	\$36,753.60 - \$49,608.00	5/4/2016

Create:

Fund & Activity	Position #	Position Title	Band	FTE	Salary Range	Eff Date
101-253	TBD	Deputy Treasurer	K10	1.0	\$50,876.80 - \$68,660.80	5/4/2016

Commissioner Rogers stated she asked to have this item pulled from the agenda because she felt this request should have been made through the normal budget process.

Ms. Moored indicated Treasurer Balkema met the guidelines as required by County policy and Administration supported this request.

Commissioner Moore inquired who hired this position and Ms. Moored indicated it was the Treasurer. She stated her concern was there was no diversity within the Treasurer's office.

Commissioner McGraw stated he would support this request, particularly, since the Chief Deputy Treasurer was leaving.

Commissioner Tuinier inquired if the plan was to promote within and Ms. Moored indicated that was correct.

Commissioner Rogers stated the Accommodation Tax was renegotiated in 2014 and was still puzzled as to why this request was not made during the budget cycle.

Discussion ensued.

The roll call vote was as follows:

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

The motion carried.

ITEM 9 Old Business

W. Request for Approval of Police Protection Agreement with Oshtemo Township

Commissioner Rogers moved and it was duly seconded that the appropriate County officials be authorized and directed to execute Police Protection Agreement with Oshtemo Township in the amount of \$1,147,185 for the period of January 1, 2016 through December 31, 2016; a copy of said Agreement to be attached to the official Minutes of this meeting.

Chairman Taylor stated he was happy there was a resolution to this issue.

Commissioner Rogers thanked everyone involved in getting a resolution.

Commissioner Shugars stated he felt the County should create an ad hoc committee concerning road patrol in outlining areas.

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

ITEM 10 New Business

There was no new business.

ITEM 11 County Administrator's Report

Interim County Administrator Mr. John Faul stated Ms. Moored put a memo in the Board's mailbox concerning the Jail Inmate Trust Fund account. Mr. Faul indicated he prepared a written report and distributed it the Board, which he reviewed.

ITEM 12 Chairperson's Report

Chairperson Taylor stated he was supportive of a city income tax. He stated he was excited about the 2017 budget process.

ITEM 13 Vice Chairperson's Report

Vice Chairman Heppler echoed the Chairman's comments concerning the budget process. He stated the most valuable asset was its employees and felt succession plans were a great start. He thanked the law enforcement officials, firefighters and emergency personnel. He invited everyone to attend the Memorial Day event at Ft. Custer.

ITEM 14 Members' Time

Commissioner McGraw echoed comments made concerning the budget process.

Commissioner Moore stated she would like to know more about the Fatherhood Initiative. She stated she had concerns with the lack of county funding available to the Community Action Agency. She also inquired about the Employee Opinion survey that had been done last year and what the outcome of that survey was. Commissioner Moore would like information on the issues and situations the two former employees stated who had addressed the Board during citizen's time.

Commissioner Rogers thanked the Board for supporting the Brownfield Plan. She mentioned some upcoming events.

Commissioner Seals stated he did not support the policy that employees could not speak to Commissioners and he stated he also did not support the Human Resources Department to report to the Finance Director.

Commissioner Shugars stated he felt it would be beneficial to have a public forum concerning public safety. He suggested reaching out to the medical schools concerning nursing rotation possibilities at the Jail. He stated there was a long way to go on the Jail Inmate Trust fund. He stated the Board should be careful when asking for personnel files of employees and former employees and needed input from labor counsel and corporate counsel.

Commissioner Wordelman stated looking at past matters was not beneficial and the Board should look forward and he supported 360 degree evaluations. He stated he too supported making Human Resources a standalone department.

Commissioner Gisler stated he concurred with comments made concerning the budget process. He mentioned upcoming events.

ITEM 15     Adjournment

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

---

Timothy A. Snow  
Clerk/Register of Deeds

---

John Taylor, Chairperson  
Kalamazoo County Board of  
Commissioners