

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

MAY 7, 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 May 7, 2013.

ITEM 2 Invocation: Commissioner John Zull.

ITEM 3 Pledge of Allegiance: Commissioner Zull 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, Roger Tuinier and John Zull.

Members Absent: Commissioner John Taylor.

Administrators Present: Peter Battani, Administrator; John Faul, Deputy County Administrator; Tracie Moored, Finance Director; Thom Canny, Corporate Counsel; Linda Vail, HCS Director, Lotta Jarnefelt, Planning & Community Development Director; Dina Sutton, Office Manager.

ITEM 5 Approval of Minutes:

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

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

ITEM 6 Communications:

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

- (a) A Letter from the Michigan Department of Treasury stating it was revoking the Industrial Facilities Exemption Certificate Issued to International Paper Company.
- (b) A Letter from Sheriff Fuller declaring a Jail Overcrowding State of Emergency.
- (c) A Letter from Michigan Department of Corrections stating the new rated design capacity of the Kalamazoo County Jail is 454 beds.

- (d) An email from Mr. David Wilkin expressing his displeasure in the way his mother was cared for.

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.

Mr. Lenzy Bell, Pastor at First United Baptist Church of Kalamazoo was disturbed by the comments from individuals losing their property and read a letter from the Northside Ministerial Alliance concerning individuals losing property to foreclosure.

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. Frank Warren, Kalamazoo, reminded the Board of upcoming events at Ft. Custer National Cemetery.

Mr. Bill Wells, Edison Neighborhood Board President, addressed the Board concerning the Allied Mill Site. He stated the EPA wanted to cap the site making the site unusable and unbuildable and he felt the best solution was to clean the PCB's from the soil making it usable land.

Mr. Greg Ayers, President/CEO of Discover Kalamazoo, highlighted a few upcoming events.

ITEM 8 For Consideration

A. Request for Approval of Resolution for National Safe Boating Week

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

Whereas, Michigan boasts more than 11,000 lakes and almost 3,300 miles of Great Lakes shoreline where citizens can participate in recreational boating activities; and

Whereas, numerous lakes are within the Kalamazoo County; and

Whereas, while being a marvelous source of recreation, boating, to the unprepared, can be a risky sport by not knowing or obeying nautical rules of the road; drinking alcohol or taking drugs while operating a boat; or choosing not to wear a life jacket; and

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Whereas, on average, 700 people die each year in boating related accidents in the U.S.; approximately 70 percent of those accidents are caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

Whereas, today's life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by the boating public.

Now therefore be it resolved, that the Kalamazoo County Board of Commissioners do hereby support the United States Coast Guard Auxiliary in its goal of recreational boating safety and proclaim May 18-24, 2013, as National Safe Boating Week in Kalamazoo County and call on our citizens to give renewed attention to safe boating practices and urge all those who boat to wear life jackets and boat responsibly.

The roll call vote was as follows:

Ayes: All members present
Nays: None
Abstains: None
Absent: Commissioner John Taylor

The motion carried.

Mr. Bob Kent thanked the Board for their continued support.

R. Request for Approval of National Train Day Resolution

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

WHEREAS, Kalamazoo has enjoyed uninterrupted passenger train service for more than a century and a half, and

WHEREAS, passenger trains provide a safe, efficient, and cost-effective travel option that reduces congestion on roads and in the skies, thus saving fuel and improving air quality; and

WHEREAS, passenger trains bring people from throughout the Midwest to enjoy Michigan's scenic attractions, festivals, and sporting events; and

WHEREAS, many in our student community depend on trains for travel between their homes and WMU or Kalamazoo College; and

WHEREAS, Kalamazoo has eight daily trains which last year saw over 260 travelers each day

get on and off trains for travel to any of forty-nine Michigan communities or five-hundred locations across the country; and

WHEREAS, trains are now traveling up to 110-mph between Kalamazoo and the Indiana state line, making this the first route outside of the eastern seaboard to achieve these speeds; and WHEREAS, the recent acquisition by the State of Michigan of the track between Dearborn and Kalamazoo, combined with extensive upgrades over the next 2 years, will decrease travel times and increase reliability; and

WHEREAS, Kalamazoo's historic train station is a source of civic pride, a gateway to our area, and a tool for economic growth; and

WHEREAS, on May 10, 1869 the "golden spike" was driven into the final tie at Promontory Summit, Utah, to join the Central Pacific and the Union Pacific Railroads, ceremonially completing the first transcontinental railroad;

NOW, THEREFORE, be it proclaimed that I, David Maturen, Chair, Kalamazoo County Board of Commissioners, do hereby declare Saturday, May 11, 2013, as National Train Day and that Kalamazoo County will join cities and towns across the country in encouraging train travel as a smart travel choice and a vital part of our state's and nation's transportation system.

The roll call vote was as follows:

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| Ayes: | All members present |
| Nays: | None |
| Abstains: | None |
| Absent: | Commissioner John Taylor |

The motion carried.

Ms. Kay Chase, thanked the Board for supporting this resolution.

B. Drain Commissioner Annual Report

Ms. Patricia Crowley, Drain Commissioner, showed a video and presented a power point presentation for the 2012 Drain Report.

Several Commissioners thanked Drain Commissioner Crowley for all of her hard work.

CONSENT AGENDA

Circuit Court

C. Request for Approval to Purchase Video Conference Devices for Circuit Court and the Sheriff's Office

That the appropriate County officials be authorized and directed to purchase video conference devices for Circuit Court and the Sheriff's Office, the total cost for the project is \$52,510.70. The cost per department is shown below:

Circuit Court: \$33,297.36 - CIP Funds
Sheriff's Dept: \$19,213.34 - Jail Improvement Project Funds

Community Corrections

D. Request for Approval of Contract Amendment with BI, Inc.

That the appropriate County officials be authorized and directed to execute a Contract Amendment with BI, Inc. for a GPS tracking mechanism to be paid for by a Grant from the Michigan Department of Corrections and client-paid fees; a copy of said Contract Amendment to be attached to the official Minutes of this meeting.

Health & Community Services

E. Request for Approval of Grant Agreement with Michigan Medicare/Medicaid Assistance Program (MMAP) for the State Health Insurance Assistance Program (SHIP)

That the appropriate County officials be authorized and directed to execute a Grant Agreement with MMAP for SHIP in the amount of \$15,023 for the period of April 1, 2013 through March 31, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

F. Request for Approval of Amendment #2 to Grant No. LCA-11-39015 with Michigan Department of Human Services (MDHS)

That the appropriate County officials be authorized and directed to execute Amendment #2 to Grant No. LCA-11-39015 with MDHS for an increase of funds in the amount of \$14,790 for deliverable fuel assistance for the period of August 31, 2012 through August 31, 2013; a copy of said Amendment #2 to be attached to the official Minutes of this meeting.

G. Request for Approval of an Agreement with Eventbrite for the 2013 Health Equity Summit

That the appropriate County officials be authorized and directed to execute an Agreement with Eventbrite to accept online forms of payment, streamlining the registrations process for the 2013 Health Equity Summit; a copy of said Agreement to be attached to the official Minutes of this meeting.

Human Resources

H. Request for Approval of Health Benefits Consultant Agreement with Nulty Insurance

That the appropriate County officials be authorized and directed to execute a Health Benefits Consultant Agreement with Nulty Insurance in the amount of \$150,000/annually for the period of May 1, 2013 through December 31, 2016; a copy of said Agreement to be attached to the official Minutes of this meeting.

Parks & Expo Center

I. Request for Approval of 2013 Contract with the Thunderbirds R/C Club

That the appropriate County officials be authorized and directed to execute 2013 Contract with the Thunderbirds R/C Club for use of River Oaks County Park; a copy of said Contract to be attached to the official Minutes of this meeting.

J. Request for Approval of 2013 Contract with Charter Township of Comstock for the River Oaks Wenke Softball Complex

That the appropriate County officials be authorized and directed to execute 2013 Contract with

Charter Township of Comstock for the River Oaks Wenke Softball Complex in the amount of \$1,214 plus mowing costs; a copy of said Contract to be attached to the official Minutes of this meeting.

Planning & Community Development

K. Request for Approval of In-Kind Contribution to Kalamazoo Area Transportation Study (KATS)

That the appropriate County officials be authorized and directed to execute a Contract with KATS for an in-kind contribution from the Planning Department as a match for legislated funding for the period of October, 2013 through September, 2014; a copy of said Contract to be attached to the official Minutes of this meeting.

L. Request for Approval of an Agreement for Licensed Pictometry Products with Township of Pavilion

That the appropriate County officials be authorized and directed to execute an Agreement with Township of Pavilion for Pictometry services in the amount of \$3,600; a copy of said Agreement to be attached to the official Minutes of this meeting.

Sheriff

M. Request for Approval of Secondary Road Patrol Grant

That the appropriate County officials be authorized and directed to execute Secondary Road Patrol Grant with the State of Michigan in the amount of \$12,060; a copy of said Grant to be attached to the official Minutes of this meeting.

Board of Commissioners

N. 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 May 7, 2013", noting claims in the total amount of \$2,879,531.60, 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 May 7, 2013, and the Director of Finance be authorized to make budgetary transfers, as listed.

O. Request for Approval of District Court Consolidation Agreement

This Item was removed from the Consent Agenda.

P. Request to Schedule a Public Hearing on the Establishment of a Groundwater Restricted Zone for Parker Hannifin

That the Board of Commissioners authorize a Public Hearing for Tuesday, June 18, 2013 on the Establishment of a Groundwater Restricted Zone for Parker Hannifin.

Commissioner Zull moved and it was duly seconded that Items C. through P, with the exception of Item O., 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: Commissioner John Taylor

The motion carried.

NON-CONSENT AGENDA ITEMS

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

O. Request for Approval of District Court Consolidation Agreement

Commissioner Alford moved and it was duly seconded that the Board of Commissioners approve the District Court Consolidation Agreement as included in the Packet; a copy of said Contract to be attached to the official Minutes of this meeting.

Commissioner Stinchcomb stated he felt this was a unique agreement and didn't feel the County should pay the City of Portage over \$700,000 for services that were not being received and to pay over \$250,000 for attorney fees for the attorney to travel from the City of Portage to one of the County courts.

Commissioner Rogers stated she also had concerns with the costs and the length of the agreement.

Commissioner Seals stated he would support the agreement.

Vice Chairman Buskirk stated he supported Administration on their effort to bring closure to this issue.

Commissioner Tuinier stated he felt the County did need to resolve the issue but did not agree with the dollar amount.

Commissioner Iden stated he concurred with Vice Chairman's comments. He stated it was a difficult situation for all involved. He stated the costs would come from fines/fees collected from the City of Portage and no general funds or taxpayer funds would be used.

Chairman Maturen stated the Board needed to approve this agreement.

Commissioner Zull stated there were several reasons why he would support this agreement.

The roll call vote was as follows:

Ayes: Commissioners Iden, Maturen, Seals, Zull, Alford, Heppler, Buskirk
 Nays: Commissioners Rogers, Stinchcomb, Tuinier
 Abstains: None
 Absent: Commissioner John Taylor

The motion carried.

ITEM 9 Old Business

Q. Request for Approval of Agreement with Charter Township of Kalamazoo for Improvements to Lamont Street

Commissioner Heppler moved and it was duly seconded that the Board of Commissioners approve an Agreement with Charter Township of Kalamazoo for improvements to Lamont Street in the estimated amount of \$48,254.50; a copy of said Contract to be attached to the official Minutes of this meeting.

Mr. Ron Reid, Kalamazoo Township Supervisor, thanked the Board for addressing this issue and for its willingness to fund this project.

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

ITEM 10 New Business

ITEM 11 County Administrator's Report

County Administrator Battani thanked the Board for the debate and discussion on the District Court Consolidation Agreement.

Commissioner Tuinier left the meeting at 8:20 p.m.

ITEM 12 Chairperson's Report

There was no Chairperson's Report.

ITEM 13 Vice Chairperson's Report

Vice Chairman Buskirk thanked Mr. Kent from the Coast Guard for speaking this evening. He stated he would like to reaffirm the Allied Site Resolution. He stated he asked Mr. Moshoginis to arrange a tour of the new tower.

ITEM 14 Members' Time

Commissioner Zull provided an update on an issue KATS was dealing with.

Commissioner Alford thanked the citizens who addressed the Board and those who were honored by Resolutions.

Commissioner Heppler reminded everyone to attend the Memorial Day Ceremony at Ft. Custer and to support all the service men and women.

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Commissioner Iden thanked Administration for their work on the Facilities Master Plan. He stated he was in Kent County earlier today, which was declared a state of emergency by the Governor.

Commissioner Rogers stated she had an issue with using Emergency Management funds being used for billboards.

funds on billboards. She invited everyone to attend the Alamo Farmers Market this Saturday. She stated on May 18th she would be hosting a coffee event with Westwood citizens.

Commissioner Seals stated the City of Kalamazoo Commission allocated funds to hire a lobbyist to fight to remove the contaminants from the Allied Site.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 8:39 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners