

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

JUNE 16, 2015

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 June 16, 2015.

ITEM 2 Invocation: Commissioner Michael Seals.

ITEM 3 Pledge of Allegiance: Commissioner Seals 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; Sheriff Rick Fuller, Treasurer Mary Balkema; Prosecuting Attorney Jeff Getting; Timothy A. Snow, County Clerk; Dina Sutton, Office Manager.

ITEM 5 Approval of Minutes:

Commissioner Seals moved and it was duly seconded that the Minutes of the June 2, 2015, Board meeting be approved as distributed.

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

ITEM 6 Communications:

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

- a) A copy of the 2013 and 2014 Land Bank Authority Audit.
- b) Email communications from Jim Ferner and Shawn Newcomb concerning standing water on Commonwealth Place.

Commissioner Shugars stated he received an email from Scott Fitzpatrick concerning the accident on Q Avenue and 10th Street; he was concerned about the speed limit and flashing light.

Commissioner Gisler stated he received a phone call concerning spending money on re-lining roads vs. repairing them. He also received an email concerning non-medical marijuana use.

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.

Mr. Tim Graham, Kalamazoo, addressed the Board concerning the sale of Eastern Hill Golf Course and an editorial made by County Commissioners. He stated he liked the thought of out of the box thinking and intergovernmental cooperation, however he suggested those Commissioners should have contacted the City prior to publishing an article in the newspaper.

ITEM 8 For Consideration

Circuit Court

A. Request for Approval to Submit a Mental Health Court Grant Application to State Court Administrative Office

That the appropriate County officials be authorized and directed to submit a Grant Application to State Court Administrative Office for the implementation of a Juvenile Mental Health Court in the amount of \$109,848.37 for the period of October 1, 2015 through September 30, 2016.

B. Request for Approval of a Contract with Western Michigan University for the Men's, Women's, Juvenile and Family Dependency Treatment Court Programs

That the appropriate County officials be authorized and directed to execute Contracts with Western Michigan University for process and outcome evaluation of components of the Men's (\$11,378), Women's (\$11,378), Juvenile (\$12,258) and Family (\$9,978) Dependency Treatment Court Programs for the period of January 1, 2015 through April 1, 2016; (CONTRACT SAYS 2016) a copy of said Contracts to be attached to the official Minutes of this meeting.

C. Request for Approval to Accept Grant from the Kalamazoo Community Foundation for the Men's, Women's, Juvenile and Family Dependency Treatment Court Programs

That the appropriate County officials be authorized and directed to accept Grant from the Kalamazoo Community Foundation for the Men's, Women's, Juvenile and Family Dependency Treatment Court Programs in the amount of \$280,000 for the period of January 1, 2015 through December 31, 2015; a copy of said Grant to be attached to the official Minutes of this meeting.

Health & Community ServicesD. Request for Approval of Household Hazardous Waste Agreement with Charleston Township

That the appropriate County officials be authorized and directed to execute a Household Hazardous Waste Amendment with Charleston Township in the amount of \$1,500 for the period of January 1, 2015 through December 31, 2015; a copy of said Agreement to be attached to the official Minutes of this meeting.

E. Request for Approval of Water Quality Protection Grant Contract with the Michigan Department of Environmental Quality (MDEQ)

That the appropriate County officials be authorized and directed to execute Water Quality Protection Grant Contract with the MDEQ for the purchase of reagents associated with the development of protocols and procedures for rapid beach water testing in the amount of \$4,600 for the period of May 1, 2015 through September 30, 2016; a copy of said Grant Contract to be attached to the official Minutes of this meeting.

F. Request for Approval to Accept Grant Award from the Federal Department of Health and Human Services, Health Resources and 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 Federal Department of Health and Human Services HRSA for the HBHS Project in the amount of \$625,000 for the period of June 1, 2015 through March 31, 2016; a copy of said Award to be attached to the official Minutes of this meeting.

G. Request for Approval of a Business Agreement with the Family Health Center

That the appropriate County officials be authorized and directed to execute a Business Associate Agreement with the Family Health Center for the provisions of office space to conduct pre-natal and perinatal services for the Maternal and Child Health programs effective June 1, 2015 with automatic renewals; a copy of said Agreement to be attached to the official Minutes of this meeting.

H. Request for Approval of Amendment #5 to the DOE13-39015 Weatherization Assistance Program Agreement with Michigan Department of Health and Human Services (MDHHS)

That the appropriate County officials be authorized and directed to execute Amendment #5 to the DOE 13-39015 Weatherization Assistance Program Agreement with MDHHS for the period of July 1, 2013 through June 30, 2016; a copy of said Amendment #5 to be attached to the official Minutes of this meeting.

I. Request for the Approval of Area Agency on Aging IIIA FY 2016 Annual Implementation Plan

That the appropriate County officials be authorized and directed to execute Area Agency on Aging IIIA FY 2016 Annual Implementation Plan for the period of October 1, 2015 through September 30, 2016; a copy of said Plan to be attached to the official Minutes of this meeting.

J. Request for Approval to Submit a Grant Application to the Thome Foundation

That the appropriate County officials be authorized and directed to submit a Grant Application to the Thome Foundation in the amount of \$163,900 to assist vulnerable adults residing in licensed long-term care facilities.

K. Request for Approval to Purchase a Nitrous Flowmeter for the Dental Clinic

That the appropriate County officials be authorized and directed to purchase a Nitrous Flowmeter for the Dental Clinic in the amount of \$2,000.

Human Resources

L. Request for Approval of Amendment to Non-Union Personnel Policy, Sections 4.06 and 5.04 (Housekeeping)

That the Board of Commissioners approve amendment to non-union Personnel Policy, Sections 4.06 and 5.04.

M. Request for Approval of a Contract with Cohl, Stoker & Toskey, P.C. for Workers' Compensation Legal Services

That the appropriate County officials be authorized and directed to execute a Contract with Cohl, Stoker & Toskey, P.C. for Workers' Compensation Legal Services at the rate of \$120/hour plus expenses for the period of July 1, 2015 through June 30, 2018; a copy of said Contract to be attached to the official Minutes of this meeting.

Michigan Works!

N. Request for Approval of Workforce Development Agency (WDA) Policy 15-XX

That the Board of Commissioners approve Workforce Development Agency (WDA) Policy 15-XX; a copy of said Policy to be attached to the official Minutes of this meeting.

O. Request for Approval of Contract 2014-01 Modification 02 with W.E. Upjohn Institute

That the appropriate County officials be authorized and directed to execute Contract 2014-01 Modification 02 with W.E. Upjohn Institute for the period of July 1, 2014 through June 30, 2015; a copy of said Contract to be attached to the official Minutes of this meeting.

P. Request for Approval of Contract 2015-01 with W.E. Upjohn Institute

That the appropriate County officials be authorized and directed to execute Contract 2015-01 with W.E. Upjohn Institute for the period of July 1, 2015 through June 30, 2017; a copy of said Contract to be attached to the official Minutes of this meeting.

Prosecuting Attorney

Q. Request for Approval of Title IV-D Cooperative Reimbursement Contract Amendment FY 2016

That the appropriate County officials be authorized and directed to execute Title IV-D Cooperative Reimbursement Contract Amendment FY 2016 in the amount of \$878,295.50 to fund the establishment of paternity and child support orders for the period of October 1, 2015 through September 30, 2016; a copy of said Amendment to be attached to the official Minutes of this meeting.

SheriffR. Request for Approval of Amendment to Telmate, LLC Agreement for Inmate Telecommunication

That the appropriate County officials be authorized and directed to execute an Amendment to Telmate, LLC Agreement for Inmate telecommunication in the amount of \$1.75 connect charge and \$.30 per minute up to 20 minutes; a copy of said Amendment to be attached to the official Minutes of this meeting.

S. Request for Approval of Interlocal Agreement with Kalamazoo Public Safety for the 2015-2016 Byrne JAG Grant

That the appropriate County officials be authorized and directed to execute Interlocal Agreement with Kalamazoo Public Safety for the 2015-2016 Byrne JAG Grant in the amount of \$11,666 through September 30, 2018; a copy of said Agreement to be attached to the official Minutes of this meeting.

T. Request for Approval of Temporary Acting Sergeant Position for Marine/ORV and Snowmobile Patrols (general fund)

That the Board of Commissioners approve Temporary Acting Sergeant Position for Marine/ORV and Snowmobile Patrols.

U. Request for Approval of a Contract with McDonalds Towing and Rescue

This Item was removed from the Consent Agenda.

Board of CommissionersV. 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 June 16, 2015", noting claims in the total amount of \$3,678,622.89 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 June 16, 2015, and the Director of Finance be authorized to make budgetary transfers, as listed.

W. Request for Approval of Appointments to Various Advisory Boards

That the Board of Commissioners approve the following appointments:

- ✓ Bruce Meyers to be appointed to the Jury Board to assume a six year term that will expire 04/30/2017
- ✓ Colin Andrews to be appointed to the Community Action Tripartite Advisory Board representing the Private Sector to assume a term that will expire 03/31/17

Commissioner Seals moved and it was duly seconded that Items A. through W., with the exception of Item U., 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.

U. Request for Approval of a Contract with McDonalds Towing and Rescue

Commissioner Shugars moved and it was duly seconded that the appropriate County officials be authorized and directed to execute a Contract with McDonalds Towing and Rescue for towing services for vehicles for the period of July 15, 2015 through July 14, 2018; a copy of said Contract to be attached to the official Minutes of this meeting.

Commissioner Rogers stated she requested to have this item removed from the agenda due to the various complaints over the last several years with McDonald's Towing.

Commissioner Rogers moved and it was duly seconded to postpone the vote on this contract.

Commissioner Tuinier inquired if there were other bidders and Mr. Canny indicated in the past there had been.

Sheriff Fuller indicated in the past there had been other bidders for this service; however, he indicated that no other company had bid on the current RFP.

Commissioner Shugars inquired what additional information Commissioner Rogers was seeking.

Commissioner Wordelman inquired of the Sheriff concerning the fees; the fees were paid by individuals and not the Sheriff.

Commissioner McGraw inquired if any of the parameters of the RFP had changed and Sheriff Fuller indicated they had not.

Commissioner Wordelman stated if McDonald's Towing was the only RFP received he felt the RFP needed to be looked at more closely to ensure it was not omitting anyone from bidding.

Commissioner Rogers stated she would be interested in looking at the previous RFP. Sheriff Fuller stated he would provide the fee structure.

Commissioner Provancher stated he had heard the contract had been changed which made it more restrictive and Sheriff Fuller stated nothing had changed from the previous RFP.

Commissioner Wordelman stated the important issue for him was that with only having one bidder and to ensure the fee structure was not changing and to make sure the bid was competitive.

Commissioner Seals wanted to know if there were no changes in the two RFP's why wouldn't anyone else bid on the contract wouldn't. Sheriff Fuller stated he was not sure why no other companies bid on the RFP.

Commissioner Moore indicated she would like to reissue the RFP's.

Commissioner Shugars wanted to know whose responsibility it was to put the RFP together and if policies and procedures were followed.

Mr. Canny stated he had not seen the contract prior to tonight's meeting and it was Administration's recommendation to postpone the contract to ensure that everything was in order.

Mr. Faul indicated the contract went through the normal bid process and the process and policies were followed.

Commissioner Gisler stated four years ago there had been a few other bidders and wondered if the Responsible Bidders Policy had anything to do with it.

Commissioner Shugars stated it was his concern that all policies and procedures were followed and as Mr. Faul had indicated they had been. He stated he would support Commission Rogers motion but for the future the County needed to make sure all policies and procedures were followed and was vetted before arriving to the Board for a vote.

Commissioner Wordelman stated he fully supported the Sheriff and Administration; however, he would support the motion.

Commissioner Moore stated she stood by her previous comments. She stated she had concerns that people did not have access to the County's RFP process.

Mr. Faul stated he had complete faith in the Purchasing Manager and that policies and procedures were followed.

The roll call vote was as follows:

Ayes:	All Commissioner present, except
Nays:	Commissioner Taylor
Abstains:	None
Absent:	None

The motion to postpone carried.

ITEM 9 Old Business

X. Request for Approval of Responsible Bidders Policy

Commissioner Tuinier moved and it was duly seconded that the Board of Commissioners approve the responsible Bidders Policy.

Mr. Don Cooney, Kalamazoo, stated it was the responsibility of government to best utilize its tax dollars; he stated he supported the proposed Policy.

Mr. Hugh Coward, West Michigan Construction Alliance, stated he supported this policy.

Mr. Kevin Willcutt, Kalamazoo, stated on average 50% of citizens were living in poverty, he stated this policy would benefit some of those citizens.

Commissioner Wordelman asked for clarification on the vote on the policy.

Commissioner Wordelman moved to amend the Motion to replace the "Kalamazoo County Responsible Bidder Policy," which is the subject of the Motion, with the version of the "Kalamazoo County Responsible Bidder Policy" distributed and discussed during the Board of Commissioners' June 16, 2015 meeting of the Committee of the Whole.

Commissioner Gisler stated local business owners wanted to hire local people. He stated the current policy worked and he would not support this motion.

Commissioner Shugars wanted clarification on the motion.

Commissioner McGraw stated there had been additional discussions and meetings concerning the proposed policy and the policy was a bipartism collaboration.

Commissioner Rogers echoed Commissioner McGraw's comments and thanked everyone who worked on the policy.

The roll call vote to replace the amended the policy was as follows:

Ayes:	All members present, except
Nays:	Commissioner Gisler
Abstains:	None
Absent:	None

The motion carried.

Commissioner Wordelman thanked everyone for supporting this proposal.

Commissioner McGraw stated the primary discussion point for this process was to make sure bids were being awarded to local companies.

Commissioner Moore thanked those who worked on this proposal. She stated she appreciated

the process and was pleased with the outcome.

The roll call vote on the amended policy was as follows:

Ayes:	All members present, except
Nays:	Commissioner Gisler
Abstains:	None
Absent:	None

The motion carried.

ITEM 10 New Business

Prosecuting Attorney

Y. Request for Approval of Copier Lease with Ricoh-USA, Inc.

Commissioner Wordelman moved and it was duly seconded that the appropriate County officials be authorized and directed to execute a purchase order for lease and maintenance costs with Ricoh-USA, Inc. for replacement copier in the amount of \$166.86 per month plus \$.0035 per image effective June 25, 2015.

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

ITEM 11 County Administrator's Report

Interim County Administrator Mr. John Faul reminded everyone tomorrow was Free Day at all the Kalamazoo County Parks and there was a Ribbon Cutting Ceremony at 11 a.m. at River Oaks Park tomorrow.

ITEM 12 Chairperson's Report

Chairperson Taylor stated he was proud of Commissioner McGraw's leadership.

ITEM 13 Vice Chairperson's Report

Vice Chairman Heppler stated he was very pleased with the entire Board for their hard work on various issues. He thanked those citizens for bringing information forward to the Board.

ITEM 14 Members' Time

Commissioner Seals thanked Commissioners McGraw and Wordelman for their work on the Responsible Bidders Policy.

Commissioner Shugars referenced the editorial on Eastern Hills Golf Course included in the Kalamazoo Gazette.

Commissioner Wordelman stated the splash pad at River Oaks Park is excellent and encouraged everyone to go. He also referenced the editorial on Eastern Hills Golf Course included in the Kalamazoo Gazette.

Commissioner Gisler thanked Commissioners Heppler, Shugars and Wordelman for their article on PA 425. He thanked the Board for their work on the Responsible Bidder Policy.

Commissioner McGraw stated he attended the Road Commission meeting earlier but had to leave early to make it to the Board meeting. He stated he did speak with Ms. Johnson concerning the speed issue on Q Avenue. He stated he too was proud of the work on the Responsible Bidder Policy.

Commissioner Moore stated the neighborhood Building Blocks were underway. She invited everyone to attend an event being hosted by the Douglas Youth on Thursday at 6 p.m. at Dalton Theatre, K College.

Commissioner Provancher stated the Habitat for Humanity store was relocated to Portage and he attended the grand re-opening. He stated the Metro Transit had their 10 year plan and have been going door-to-door to citizens and sharing the information.

Commissioner Rogers stated she attended the MAC Regional Conference yesterday and felt it was very beneficial. She stated there was a Westwood Neighborhood Association meeting Wednesday at 7 p.m. She stated there was going to be a KRVT pop up trail on Saturday. She attended the Kalamazoo County Health Care Plan meeting last week and there were some upcoming items that will be brought to the Board.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Taylor adjourned the meeting at 8:24 p.m.

Timothy A. Snow
Clerk/Register of Deeds

John Taylor, Chairperson
Kalamazoo County Board of
Commissioners