



**Board of
Commissioners'
Meeting**

September 17, 2014

**NOTICE AND AGENDA FOR
SEPTEMBER 17, 2014 MEETING
OF THE
KALAMAZOO COUNTY BOARD OF COMMISSIONERS**

PLEASE TAKE NOTICE that a regular meeting of the Kalamazoo County Board of Commissioners is scheduled for **Wednesday, September 17, 2014, at 7:00 p.m.** in the Board of Commissioners Room, second floor, County Administration Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, for the purpose of considering the following items:

- ITEM 1 Call to Order
- ITEM 2 Invocation
- ITEM 3 Pledge of Allegiance
- ITEM 4 Roll Call
- ITEM 5 Approval of Minutes
- ITEM 6 Communications
- ITEM 7 Citizens' Time
- ITEM 8 For Consideration

CONSENT AGENDA

Airport

- A. Request for Approval of an Amendment with Pharmacia & Upjohn Company, LLC to Real Estate Purchase and Sale Agreement

Circuit Court

- B. Request for Approval of Elimination/Creation of Positions (Grant Funded)
- C. Request for Approval of Child Care Grant

Drain Commissioner

- D. Request for Approval to Submit a Grant Application to the Michigan Department of Environmental Quality (MDEQ) for Morrow Lake Water Quality Monitoring

Health & Community Services

- E. Request for Approval of Amendment #1 to LIHEAP/DOE 13-39015 Weatherization Subcontractor Agreements
- F. Request for Approval to Accept Terms of Use for Purchase and Use Fair Health "FH Fee Estimator" for Dental Clinic
- G. Request for Approval of Service Agreement & Business Associate Agreement with Area Agency on Aging 3A & the Center for Information Management, Inc.
- H. Request for Approval to Accept Notice of Award from the Federal Department of Health & Human Services, Health Resources & Services Administration (HRSA)
- I. Request for Approval of Agreement for Services for the Healthy Start Initiative – Healthy Babies Healthy Start (HHS) Program with Multiple Entities

Planning & Community Development

- J. Request for Approval of a Resolution to Approve Service Agreement between SMPC and the W.E. Upjohn Unemployment Trustee Corporation

Treasurer

K. Request for Approval to Accept Parcel 06-14-306-007 and Parcel 06-14-310-00 from the United States Marshals

Board of Commissioners

- L. Request for Approval of Transfers and Disbursements
- M. Request for Approval of Reappointments to the Land Bank
- N. Request for Approval of Lease Agreement with the Michigan Department of Corrections
- O. Request for Reaffirmation of the Public Art Commission
- P. Request for Approval of Wellness Recommendations
- Q. Request for Approval Central County Transportation Authority Appointments

NON-CONSENT AGENDA ITEMS

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

- ITEM 9 Old Business
- ITEM 10 New Business
- ITEM 11 County Administrator's Report
- ITEM 12 Chairperson's Report
- ITEM 13 Vice Chairperson's Report
- ITEM 14 Members' Time
- ITEM 15 Adjournment

Dina Sutton

Dina Sutton
Office Manager for Administrative Services

SEPTEMBER 10, 2014

MEETINGS OF THE KALAMAZOO COUNTY BOARD OF COMMISSIONERS ARE OPEN TO ALL WITHOUT REGARD TO RACE, SEX, COLOR, AGE, NATIONAL ORIGIN, RELIGION, HEIGHT, WEIGHT, MARITAL STATUS, POLITICAL AFFILIATION, SEXUAL ORIENTATION, GENDER IDENTITY OR DISABILITY. KALAMAZOO COUNTY WILL PROVIDE NECESSARY REASONABLE AUXILIARY AIDS AND SERVICES, SUCH AS SIGNERS FOR THE HEARING IMPAIRED AND AUDIO TAPES OF PRINTED MATERIALS BEING CONSIDERED AT THE MEETING/HEARING, TO INDIVIDUALS WITH DISABILITIES AT THE MEETING/HEARING UPON FOUR (4) BUSINESS DAYS' NOTICE TO THE COUNTY. INDIVIDUALS WITH DISABILITIES REQUIRING AUXILIARY AIDS OR SERVICES SHOULD CONTACT THE COUNTY BY WRITING OR CALLING:

Dina Sutton
Office Manager for Administrative Services
KALAMAZOO COUNTY GOVERNMENT
201 West Kalamazoo Avenue
Kalamazoo, Michigan 49007
TELEPHONE: (269)384-8111
TDD PHONE: (269)383-6464

BOARD AGENDA REQUEST FORM**PROPOSED FOR BOARD MEETING OF: September 17, 2014****DEPARTMENT: Airport****PREPARED BY: David Reid****SUBJECT: APPROVAL OF REAL ESTATE PURCHASE AND SALE AGREEMENT****ACTION REQUESTED**

Approval to execute the Amendment To Real Estate Purchase and Sale Agreement with the Pharmacia & Upjohn Company LLC.

DESCRIPTION OF SUBJECT

At the December 3, 2013 Board of Commissioners Meeting, approval was given to execute the Real Estate Purchase and Sale Agreement with Pharmacia & Upjohn Company, LLC to purchase 68.71 acres in the amount of \$1,290,000.

Under the terms of the Purchase and Sale Agreement (PSA), the Closing paragraph states that the Closing shall take place on or before September 1, 2014. Due to delays in the Federal and State of Michigan funding process, the Closing will need to be rescheduled for September 16, 2014 to ensure funds are properly transferred to the County.

Board approval is being sought for this Amendment in order to update the PSA.

The Aeronautics Board of Trustees recommended Board of Commissioner Approval for these funds at its September 11, 2014 meeting.

RELATIONSHIP TO GOALS

The acquisition of this land is a critical part of the Kalamazoo/Battle Creek International Airport's long-term development plan that focuses on improving/increasing airport services and facilities, as well as generating new sources of revenue.

FUNDING SOURCE

There is no funding involved.

PERSONNEL

No personnel actions are required as a result of this request.

PROCUREMENT

N/A

ISSUES/CONCERNS

There are no issues or concerns. If you have questions, please contact David Reid, Airport Director at 388-3690 or dereid@kalcounty.com.

B.

BOARD AGENDA REQUEST FORM

PROPOSED FOR BOARD MEETING OF: September 16, 2014

DEPARTMENT: Circuit Court

PREPARED BY: Susan Sayles

SUBJECT: Elimination/Creation of Positions.

SPECIFIC ACTION REQUESTED:

The Circuit Court is requesting the elimination and creation of one position in the finance division/Friend of the Court.

DESCRIPTION OF ACTION (dollar amount, purpose):

TIME FRAME OF ACTION:

Effective September 15, 2014

FUNDING SOURCE IF REQUIRED (Federal, State, or Local):

There is no change in the funding source. This position is part of the Friend of the Court IV-D funding which is 66% funded by a federal grant.

PERSONNEL IF REQUIRED:

(indicate if elimination or creation and list FTE; job title; grade; full-time salary range; account number; and, if known, position number)

CREATE

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10267-xxx	Account Services Specialist	k03	24,440.00-32,988.80	1.0	215-141-704.00

ELIMINATE

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10856-001	Assistant State Liaison	k03	24,440.00-32,988.80	1.0	215-141-704.00

NEW OR RENEWAL OR AMENDMENT:

(If an amendment to a contract/agreement please provide the date in which the original was approved by the Board of Commissioners)

N/A

ANY OTHER PERTINENT INFORMATION:

PROCUREMENT INFORMATION:

(indicate if the contract was bid out, if not, state reason(s) why; indicate last time contract was bid out; indicate if awarded bidder was the lowest bidder, if not, indicate why)

N/A

CONTACT PERSON WITH PHONE NUMBER:

Susan Sayles 383-6415
Suzanne Darling 383-8928

BOARD AGENDA REQUEST FORM**PROPOSED FOR BOARD MEETING OF: Wednesday, September 17, 2014****DEPARTMENT: Office of the Drain Commissioner (KCDC)****PREPARED BY: Pat Crowley, Drain Commissioner****SUBJECT: Morrow Lake Water Quality Monitoring Grant**

SPECIFIC ACTION REQUESTED: Approve the submittal of a Morrow Lake Water Quality Monitoring Grant (2015-2016) by the County of Kalamazoo-KCDC to the Michigan Department of Environmental Quality (MDEQ).

DESCRIPTION OF ACTION (dollar amount, purpose):

The Kalamazoo River Watershed is under Total Maximum Load Limits for total phosphorus. The results of monitoring paid with this grant will help to understand the sources of phosphorus and identify management activities that might reduce total phosphorus loading. This grant was previously funded by MDEQ but was not carried out because of the oil spill. Partners (duties, match) include the City of Kalamazoo's Environmental Services (lab work, \$3432), the Kalamazoo River Point Source TMDL Committee (technical and IT services, \$4680), the Forum of Greater Kalamazoo (administrative and reporting services, \$360), and Kieser & Associates (technical consultant, \$6217.50). The County of Kalamazoo (KCDC, Finance) will provide documentation review and accounting services (\$574.80). The grant amount requested is \$42,700.

TIME FRAME OF ACTION: At the Board meeting following.

FUNDING SOURCE IF REQUIRED (Federal, State, or Local): No new funding is required.

PERSONNEL IF REQUIRED: No new personnel are required.

NEW OR RENEWAL OR AMENDMENT: New

ANY OTHER PERTINENT INFORMATION: A request for assistance in sponsoring this grant came in one week before the due date because it was discovered that the intended sponsor could not meet the audit requirements. Proposed county duties are minimal. The County of Kalamazoo does discharge to the River and experiences TMDL limitations. Information gained from this work will help the entire watershed fine tune its management of total phosphorus. The application did not require a signature. KCDC did consult with Finance and county contributions were included in the match.

PROCUREMENT INFORMATION: All work will be done by the partners.

CONTACT PERSON WITH PHONE NUMBER:

Pat Crowley, 269-384-8117.



Kalamazoo County

Health & Community Services

3299 Gull Road, P.O. Box 42, Nazareth, MI 49074-0042

DATE: September 17, 2014
TO: County Board of Commissioners
FROM: Lynne Norman, Acting Health Officer
RE: **ITEMS FOR YOUR CONSIDERATION**

A. APPROVAL OF AMENDMENT #1 TO LIHEAP/DOE13-309015 WEATHERIZATION SUBCONTRACTOR AGREEMENTS

ACTION REQUESTED

HCS Administration requests Board approval of amendment #1 to weatherization subcontractor agreements for the period of July 1st, 2013 through July 1st, 2015 with the entities listed below. The original agreements were approved by the Board on 12-17-14.

Subcontract Amendment #1 to Agreements with:

- Flory Construction, LLC – Weatherization Contractor
- Neville Construction, LLC – Weatherization Contractor
- Rogers Refrigeration, Inc. – Weatherization Contractor

DESCRIPTION OF SUBJECT

These subcontract agreement amendments account for new requirements from the federal government in relation to quality control inspections and regulations. The amendment provides for the incorporation of Quality Control Protocol to be incorporated into the current agreements. This will allow the continued completion of Weatherization related work to be completed for Kalamazoo residents in need. These are a result of the grant award, DHS LIHEAP/DOE13-39015, previously accepted by the Board of Commissioners.

RELATIONSHIP TO GOALS

The approval of these contract amendments will further the department's goal to strengthen the capacity of individuals and families at risk within the community to take control of their lives, work toward their self-sufficiency, and help improve the housing stock in our community.

FUNDING SOURCE

No county general funds are required. Funding is from the DHS grant award LIHEAP/DOE13-39015 (U.S. Department of Energy through the Michigan Department of Human Services).

PERSONNEL

There are no new personnel associated with this request.

PROCUREMENT

County Purchasing Policy was followed. The subcontractors listed above submitted a successful RFQ to the HCS – Community Action Agency.

ISSUES AND CONCERNS

There are no issues or concerns. If you have any questions, please contact Amber Leverette, Housing and Neighborhoods Coordinator, Community Action Agency 373-5101 or at arleve@kalcounty.com.

B. ACCEPTANCE OF TERMS OF USE FOR PURCHASE AND USE OF FAIR HEALTH “FH FEE ESTIMATOR”

ACTION REQUESTED

HCS Administration requests Board acceptance of the Terms of Use that accompany the acquisition of the Fair Health (FH) Fee Estimator. The terms of use are for a 12 month period beginning the date of Fee Estimator download. The Cost is \$300.

DESCRIPTION OF SUBJECT

The Fair Health Fee Estimator is a tool that will allow KCHCS to set competitive and accurate fees for dental services provided in its clinic. It is a comprehensive database that has up to date information for actual charge data as reported by dental professionals in southwestern Michigan (exclusive of Kent County).

RELATIONSHIP TO GOALS

This product will continue to support the goal of KCHCS to eliminate barriers to better health and will allow KCHCS to commit resources to the overall improvement of community health through decreasing preventable disabilities and deaths.

FUNDING SOURCE

Funding for this product will come from fees charged by the dental program.

PERSONNEL

There are no new personal associated with this request.

PROCUREMENT

There is no procurement associated with this request.

ISSUES/CONCERNS

There are no issues or concerns at this time. If there are any questions or concerns, please contact Tammy Lahman at 373-5257 or talahm@kalcounty.com

C. APPROVAL OF SERVICE AGREEMENT AND BUSINESS ASSOCIATE AGREEMENT BETWEEN HEALTH AND COMMUNITY SERVICES AREA AGENCY ON AGING 3A AND THE CENTER FOR INFORMATION MANAGEMENT, INC.

ACTION REQUESTED

HCS Administration requests Board approval of a renewal service agreement and Business Associate Agreement with the Center for Information Management, Inc. (CIM) and HCS/AAA3A for information services from CIM's MI-Choice Information System (MICIS) Service Bureau. This agreement includes a monthly maintenance fee of \$130/month for software data access, updates, technical assistance and support. The agreement period is October 1, 2014 to September 30, 2015.

DESCRIPTION OF SUBJECT

In 2008, the Michigan Office of Services to the Aging (OSA) required all Area Agency on Aging programs to be a part of the MICIS system, which all state AAA's subscribe to for data collection and reporting. MICIS is managed by the Center for Information Management, Inc. (CIM).

RELATIONSHIP TO GOALS

The Care Management/Case Coordination programs address the goal to strengthen the capacity of individuals and families at risk within the community to take control of their lives and work toward self-sufficiency.

FUNDING SOURCE

There are no County funds associated with this request. Funds for the maintenance fee will be paid for from the State Care Management grant.

PERSONNEL

There are no new personnel associated with this request.

PROCUREMENT

There is no procurement associated with this request.

ISSUES/CONCERNS

There are no issues or concerns. If you have any questions, please contact Judy Sivak, Director, Older Adult Services at 373-5153 or jasiva@kalamazoo.com.

D. ACCEPTANCE OF NOTICE OF AWARD (NOA) FROM THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA)

ACTION REQUESTED

HCS Administration requests Board approval to accept a grant award from the Health Resources and Services Administration (HRSA) in the amount of \$532,933.00 in support of the Kalamazoo County Healthy Babies Healthy Start project (HBHS) for the budget period of 9/1/14-5/31/15.

DESCRIPTION OF SUBJECT

The Healthy Start Initiative – Healthy Babies Healthy Start project is a 5-year federal grant that provides for the reduction of infant mortality and perinatal health disparities in Kalamazoo. The project involves extensive collaboration and system integration involving multiple agencies, medical and social service providers. The Healthy Babies Healthy Start project period will run through 5/31/19.

RELATIONSHIP TO GOALS

This funding provides services consistent with the HCS goal to improve the overall health of the community by reducing preventable disabilities and death, and promoting healthy lifestyles and choices.

FUNDING SOURCE

No County general funds are required as a result of this request. Funding is from the Federal Department of Health and Human Services, Health Resources and Services Administration (HRSA). Grant funds will be awarded on a yearly basis, through further NOA's.

PERSONNEL

This funding will allow for additional Care Coordinator positions of up to 2.0 FTE's. This will be presented to the board for approval at the October 21 meeting.

PROCUREMENT

There is no procurement associated with this request.

ISSUES/CONCERNS

There are no issues or concerns. If you have questions please contact Deb Lenz, Maternal & Child Health Division Manager at 373-5024 or at dllenz@kalamazoo.com.

E. APPROVAL OF AGREEMENT FOR SERVICES FOR THE HEALTHY START INITIATIVE - HEALTHY BABIES HEALTHY START (HBHS) PROGRAM WITH MULTIPLE ENTITIES.

ACTION REQUESTED

HCS Administration requests Board approval of an Agreement between Kalamazoo County Health and Community Services and the following entities for the provision of services under the Healthy Babies Healthy Start Program.

<u>Provider</u>	<u>Services</u>	<u>Term</u>	<u>Funds</u>
YMCA of Kalamazoo	Provision of pool classes including lifeguard, and child care	September 1, 2014 – May 31, 2015	\$3900
Challenger Group, Inc.	Hosting, Support, Maintenance of HBHS data software	September 1, 2014 – May 31, 2019	\$1000 per month.

DESCRIPTION OF SUBJECT

The Healthy Babies Healthy Start Program is in the 1st year of a five-year grant cycle with the purpose of continuing the collaborative effort toward reduction of the infant mortality rate in Kalamazoo County. Healthy Babies Healthy Start staff, initiatives and programs will continue to focus on those geographic areas in the county with the highest concentration of infant and fetal deaths.

RELATIONSHIP TO GOALS

HCS has a goal to improve the overall health of the community by reducing preventable deaths. The Healthy Babies Healthy Start Project works to reduce the fetal and infant deaths in Kalamazoo County.

FUNDING SOURCE

No County general funds are required as a result of these actions. All funding for these agreements comes from the Healthy Start Initiative of the United States Department of Health and Human Services (HRSA).

PERSONNEL

There are no new personnel associated with this request.

PROCUREMENT

All County purchasing policies were followed in identifying these subcontractors.

ISSUES/CONCERNS

There are no issues or concerns. If you have any questions, please contact Deb Lenz, Maternal & Child Health Division Manager at 373-5024 or dllenz@kalcounty.com

J.

BOARD AGENDA REQUEST FORM

PROPOSED FOR BOARD MEETING OF: 9/2/14

DEPARTMENT: Planning and Community Development

PREPARED BY: Lee Adams, Resource Coordinator

SUBJECT: Resolution in support of a service agreement between the Southcentral Michigan Planning Council and the Upjohn Institute

SPECIFIC ACTION REQUESTED:

Adopt the attached resolution before October 1, 2014.

DESCRIPTION OF ACTION (dollar amount, purpose):

The Southcentral Michigan Planning Council (SMPC) has agreed to enter into a contract with the W.E. Upjohn Institute to provide staffing and fiduciary services. Under this contract, the Upjohn Institute will employ all necessary personnel to oversee, operate, and manage SMPC. The SMPC board will remain in place and will retain decision making authority over the policy and management of SMPC.

As a formational county of SMPC, the SMPC Board and the Upjohn Institute are requesting that Kalamazoo County adopt this resolution in support of the new staffing arrangement and authorize the SMPC Chair to execute the agreement. Similar action is requested of all five formational counties: Barry, Branch, Calhoun, Kalamazoo, and St. Joseph.

A presentation to the Committee of the Whole will also accompany this request.

TIME FRAME OF ACTION:

Presentation at the September 2nd Committee of the Whole.
Action requested at the September 16th Board of Commissioner's meeting.

FUNDING SOURCE IF REQUIRED (Federal, State, or Local):

N/A

PERSONNEL IF REQUIRED:

N/A

NEW OR RENEWAL OR AMENDMENT:

N/A

ANY OTHER PERTINENT INFORMATION:

None.

PROCUREMENT INFORMATION:

N/A

CONTACT PERSON WITH PHONE NUMBER:

Lee Adams, Department of Planning and Community Development – 269-384-8305

RESOLUTION

TO APPROVE SERVICES AGREEMENT WITH THE W. E. UPJOHN UNEMPLOYMENT TRUSTEE CORPORATION

WHEREAS, Region 3 was created as the Southcentral Michigan Planning and Development Council ("SMPC") on June 13, 1973, pursuant to P.A. 281 of 1945.

WHEREAS, Region 3 consists of the Counties of Barry, Kalamazoo, Calhoun, Kalamazoo and St. Joseph (the "Member Counties") and is represented by SMPC.

WHEREAS, SMPC reorganized in October of 2012.

WHEREAS, following this reorganization, Kalamazoo County provided temporary administrative staff to SMPC in FY 2013 and FY 2014.

WHEREAS, SMPC has determined that a more permanent solution is needed.

WHEREAS, SMPC has reviewed several options, and has decided to pursue a relationship with the W. E. Upjohn Unemployment Trustee Corporation ("Institute").

WHEREAS, in this regard, SMPC wishes to utilize Institute to fulfill the administrative role of SMPC, pursuant to a Services Agreement dated October 1, 2014, between SMPC and Institute substantially in the form of Exhibit A attached hereto (the "Services Agreement").

WHEREAS, the SMPC Board has reviewed the Services Agreement.

APPROVAL OF SERVICES AGREEMENT

NOW THEREFORE, BE IT RESOLVED, that the terms of the Services Agreement is found to be fair and reasonable, and the Services Agreement is hereby approved, and the Chairperson of SMPC is hereby authorized to execute the Services Agreement and any related agreements for and on behalf of Kalamazoo County as a member agency and SMPC.

GENERAL

RESOLVED FURTHER, that the SMPC Board be, and hereby is, authorized and directed to take all actions and to execute and deliver all documents and agreements which the SMPC Board in their discretion reasonably believes are necessary to carry out the Services Agreement and general operations of SMPC.

MOVED BY: _____
SECONDED BY: _____

RESOLVED ON THE _____ DAY OF _____, 2014

Timothy A. Snow, County Clerk

Date

11134033

SOUTHCENTRAL MICHIGAN PLANNING COUNCIL
W. E. UPJOHN UNEMPLOYMENT TRUSTEE CORPORATION

SERVICES AGREEMENT

This Services Agreement (this "Agreement") is made and entered into as of October 1, 2014 by and between the SOUTHCENTRAL MICHIGAN PLANNING COUNCIL, an entity created under the authority of Act 281 of Michigan Public Acts of 1945, as amended ("SMPC") and W. E. UPJOHN UNEMPLOYMENT TRUSTEE CORPORATION, a Michigan nonprofit corporation ("Institute") (each, a "Party" and together, the "Parties"), for the purpose of fixing the rights and obligations of the Parties.

RECITALS:

- A. Region 3 consists of the Counties of Barry, Branch, Calhoun, Kalamazoo, and St. Joseph and is represented by SMPC.
- B. SMPC reorganized in October of 2012.
- C. Kalamazoo County provided temporary administrative staff to SMPC in FY 2013 and FY 2014. SMPC determined that a more permanent solution was needed.
- D. SMPC reviewed several options and decided to pursue a relationship with Institute.
- E. Institute will fulfill the administrative role of SMPC.

Accordingly, the Parties agree as follows:

TERMS AND CONDITIONS:

- 1. Recitals: The recitals are not made a part of this Agreement.
- 2. Agreements:
 - a) Institute will provide certain administrative and support services to SMPC, as described below in Section 4 of this Agreement.
 - b) The SMPC board shall delegate and grant to Institute those rights and that authority necessary to allow Institute to perform those functions described below in Section 4 of this Agreement.
 - c) The current SMPC Bylaws will remain in effect following the execution of this Agreement.
 - d) The term of this Agreement will expire on September 30, 2017. Notwithstanding the foregoing, either Party may terminate this Agreement with or without cause at any time upon providing the other Party at least ninety (90) days prior written notice of such termination. Upon the expiration of this Agreement, if both Parties agree, the term of this Agreement may be extended.
 - e) Notwithstanding anything in this Agreement to the contrary, unless Institute otherwise agrees in writing, Institute shall not be responsible for any

administrative or support services to SMPC that relate to any activity, occurrence or event that occurred prior to the date of this Agreement.

3. Rights, Duties and Responsibilities of SMPC: During the term of this Agreement, SMPC and its board agree to do the following:
 - a) Delegate and grant to Institute those rights and that authority necessary to allow Institute to perform those functions described below in Section 4 of this Agreement
 - b) Approve annual strategic plan for SMPC activities and program planning, as submitted by Institute
 - c) Approve annual SMPC budget and budget amendments submitted by Institute
 - d) Monitor and approve quarterly SMPC financial reports submitted by Institute
 - e) Perform annual reviews of SMPC's relationship with Institute
 - f) Advise Institute on appointment of director hired by Institute to direct SMPC-related activities

4. Rights, Duties and Responsibilities of Institute: During the term of this Agreement, Institute agrees to do the following (collectively, the "Services"):
 - a) Act as the administrative agent for SMPC, assuming responsibility for program planning, administration, staffing and fiscal management, in accordance with SMPC's bylaws, strategic plan and budget
 - b) Coordinate SMPC board meetings
 - c) Upon approval of the SMPC board, enter into contracts on behalf of SMPC
 - d) Respond to correspondence relating to SMPC
 - e) Develop and maintain relationships with SMPC member counties, other local units of government, and related organizations, as appropriate
 - f) Represent SMPC at Michigan Association of Regions, Michigan Department of Transportation, Regional Prosperity, and other meetings
 - g) Administer SMPC agreements with the Kalamazoo Area Transportation Study
 - h) Maintain SMPC website
 - i) Prepare proposed annual budget for submission to SMPC board for approval
 - j) Prepare proposed budget amendments, as needed, for submission to SMPC board for approval
 - k) Prepare quarterly SMPC activity and financial reports for SMPC board meetings
 - l) Submit invoices and payments to outside entities, as needed and budgeted, on behalf of SMPC
 - m) Receive and disburse SMPC funding from: (i) membership dues; (ii) grants; (iii) contractual agreements; (iv) reimbursements; and (v) other sources
 - n) Complete and publish an annual audit of SMPC funds
 - o) Supply meeting facilities for SMPC, as needed
 - p) Perform other SMPC administrative tasks, as reasonably determined by the SMPC board

5. Financial Relationship. In consideration of Institute's performance of the Services, SMPC shall reimburse Institute with SMPC's funds (including without limitation grants, dues, subscriptions, technical assistance, contract services, and other sources) for identifiable costs associated with Institute's performance of the Services, not exceeding the amount set forth in the approved budget, as amended.
6. Independent Contractor. The Parties mutually understand and agree that Institute shall be at all times acting and performing as an independent contractor under this Agreement. Nothing in this Agreement is intended to create an employer/employee or joint venture relationship between the Parties. The Parties agree that Institute and its employees and independent contractors are not eligible for any compensation, fringe benefits, pension, workers' compensation, sickness or health insurance benefits, or other similar benefits accorded typical employees, by SMPC. Nothing in this Agreement is intended to allow SMPC to exercise control or direction over the manner or method by which Institute performs the Services.
7. Binding Effect: The obligations of the Parties shall bind and inure to the benefit of each Party and their respective successors. The Parties do not intend to confer any benefits on any person or entity other than the Parties.
8. Notices: Any notices that may be required under this Agreement shall be in writing and delivered personally, or via first-class mail, postage fully prepaid and properly addressed to:

*Institute: Don Edgerly, Administrator
300 S Westnedge Ave
Kalamazoo, MI 49007*

*SMPC: Kathy-Sue Dunn, Chairperson
201 W. Kalamazoo Ave, Room 101
Kalamazoo, MI 49007*
9. Severability: If one or more provisions of this Agreement are held to be unenforceable under applicable law, such provisions shall be excluded from this Agreement and the balance of this Agreement shall be interpreted as if such provision were so excluded and shall be enforceable in accordance with its terms.
10. Amendment: This Agreement may not be amended except by mutual written agreement of the Parties.
11. Entire Agreement: This Agreement shall constitute the entire agreement between the Parties and supersedes any and all other written or oral agreements between the Parties with respect to the subject matter of this Agreement.

12. Governing Law; Waiver of Jury Trial: This Agreement shall be governed by, and interpreted and enforced in accordance with, the laws of the State of Michigan, without regard to conflicts of law principles. EACH PARTY WAIVES ANY RIGHT TO REQUEST A TRIAL BY JURY IN ANY LITIGATION WITH RESPECT TO THIS AGREEMENT AND REPRESENTS THAT COUNSEL HAS BEEN CONSULTED SPECIFICALLY AS TO THIS WAIVER.
13. Counterparts: This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by facsimile or .pdf and, upon such delivery, the facsimile or .pdf will be deemed to have the same effect as if the original signature had been delivered to the other Party.

The Parties have made this Agreement effective as of the date first set forth above.

W. E. UPJOHN UNEMPLOYMENT TRUSTEE
CORPORATION

Dated: _____

By: _____

Its: Administrator

SOUTHCENTRAL MICHIGAN PLANNING
COUNCIL

Dated: _____

By: _____

Its: Chairperson

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BOARD AGENDA REQUEST FORM**PROPOSED FOR BOARD MEETING OF: September 16, 2014****DEPARTMENT: Treasurer's Office****PREPARED BY: Mary Balkema, County Treasurer****SUBJECT: Acceptance of parcel 06-14-306-007 and parcel 06-14-310-010 from the United States Marshals. They are returning the parcels to the county since the taxes are priority over the U.S. Government interest which is minimal if any.****SPECIFIC ACTION REQUESTED:**

I am requesting the County Board of Commissioners to accept the above referenced parcels from the United States Marshals so the Kalamazoo County Treasurer acting as the foreclosing governmental unit for the county can exercise the final order of forfeiture dated March 4, 2013 and recorded April 26, 2013 as Instrument Number 2013-018849 of the Kalamazoo County, Michigan records. As a county officer, I only have the authority granted by state law. There is nothing in state law that authorizes a county treasurer to take title to real property except for tax reverted property in the capacity as an FGU. Therefore I am requesting action by the Board of Commissioners.

DESCRIPTION OF ACTION (dollar amount, purpose):

Parcel 06-14-310-010 and parcel 06-14-306-007 commonly known as 350 Blaine Street and 2 Mills Street respectively, were the subject of a federal crime and subsequently the properties were seized by the U.S. Marshals. The back taxes on the parcels are \$49,461.87 and \$3,643.04 respectively. The properties have been for sale for months and there has not been a viable buyer due to the large outstanding tax lien on the property and the likely contamination.

Brief Background of the Criminal Activity: Fabian was a financial advisor and the principal of Fabian Financial Group from 1999-2007 and Fabian & Associates, LLC from 2007-2010. Through these two entities, Fabian purported to offer various financial-related services including estate planning, trust preparation, investment advice, insurance annuities, veteran's benefits assistance, and tax preparation. In 2007, the Financial Industry Regulatory Authority (FINRA) began investigating Fabian for diverting client funds in 2005 and fabricating an investment certificate to make a client believe that the money she had invested with Fabian was placed in a product with guaranteed interest. That product, "Van Buren Investment Trust" did not exist. Instead, Fabian diverted the client's money to purchase a building in Kalamazoo, Michigan, which became the office of Fabian Financial Group/Fabian & Associates, LLC. FINRA subsequently barred Fabian from associating with any FINRA-member firm in any capacity and Fabian lost his brokerage license.

Ultimately, Fabian defrauded at least 80 percent of the clients that he serviced out of a total of \$4.8 million between 2005 and 2010. The United States charged Fabian in a one-count Felony Information with perpetrating a wire fraud scheme, in violation of 18 U.S.C. § 1343. Fabian pled guilty and the district court sentenced him to 92 months' incarceration. As part of his sentence, the district court also imposed a \$3.7 million forfeiture money judgment on Fabian and ordered the forfeiture of twelve real properties and over 800 items of personal property to apply towards Fabian's forfeiture money judgment.

Correspondence with MDEQ reveals the following: The MDEQ is currently conducting an environmental investigation in the area where these properties are located. Based on the data and information the MDEQ has collected to date, we have identified the 2 Mills Street property as a leaking underground storage tank (LUST) site and filed a confirmed release. The impacts observed and associated with the 2 Mills Street property are likely the result of the historic operation of the property as a gasoline filling station.

The MDEQ also has reviewed information associated with the 350 Blaine Street property. Although the MDEQ has not conducted any investigations on the property, data and information associated with area indicate wide-spread soil and groundwater contamination that likely impacts the 350 Blaine Street property. Additionally, the property was historically operated as an auto and truck repair garage and storage facility, which poses a risk for releases associated with these activities.

Finally, the county has indicated that the existing buildings are functionally obsolete and unsalable in their current condition. Release of the properties to the county will allow for additional investigation on those properties and for the completion of response activities, as warranted. These combined efforts will help position the properties for future redevelopment and reduce the risks associated with environmental conditions present on the sites.

As such, the DEQ supports releasing these properties to the county to help facilitate the above described activities.

The U.S. Marshals will not allow an FGU to foreclose on them. **The only remedy for this parcel is for them to deed the property to Kalamazoo County and then have the Kalamazoo County Treasurer acting as FGU to perfect title and foreclose on March 31, 2015.**

Corporate Counsel for the County has reviewed and supports the proposed action.

TIME FRAME OF ACTION:

September 2014

FUNDING SOURCE IF REQUIRED (Federal, State, or Local):

None

PERSONNEL IF REQUIRED:

(indicate if elimination or creation and list FTE; job title; grade; full-time salary range; account number; and, if known, position number)

NEW OR RENEWAL:

Renewal

ANY OTHER PERTINENT INFORMATION:

PROCUREMENT INFORMATION:

(indicate if the contract was bid out, if not, state reason(s) why; indicate last time contract was bid out; indicate if awarded bidder was the lowest bidder, if not, indicate why)

CONTACT PERSON WITH PHONE NUMBER:

Mary Balkema 384-8134



ADMINISTRATIVE SERVICES MEMORANDUM

TO: Board of Commissioners
FROM: Tina Becker
DATE: September 3, 2014
SUBJECT: Land Bank Authority Waiver Request

The Board Appointments Committee recommends waiving the interview process for Mr. Chris Haenicke and Mr. Terry Dorgan. Both of their terms expire September 30, 2014. Mr. Haenicke has served since October 2012 and Mr. Dorgan has served since February 2012. They both assumed terms expiring September 30, 2014. If reappointed, this would serve as their first three year term that would expire September 30, 2017.

Attached please find attendance records and a letter of recommendation from Mary Baikema on behalf of the Land Bank Authority.

If there are no objections or concerns, this will be on the September 17 BOC Agenda for approval.

Land bank

Attendance Records

NAME	DORGAN	HAENICKE
TERM	9/30/2014	9/30/2014
DATE		
10/1/2009	X	X
11/12/2009	X	X
12/3/2009	X	X
2/11/2010	X	X
4/8/2010	X	X
5/13/2010	X	X
6/1/2010	X	X
6/10/2010	X	X
7/8/2010	X	X
8/12/2010	X	X
9/9/2010	X	X
11/11/2010	X	X
12/9/2010	X	X
1/14/2011	X	X
2/10/2011	X	X
3/10/2011	X	X
4/14/2011	X	X
5/12/2011	X	X
6/9/2011	X	X
8/11/2011	X	X
9/8/2011	X	X
10/13/2011	X	X
12/14/2011	X	X
1/12/2012	<u>X</u>	X
3/8/2012	P	X
4/12/2012	P	X
5/10/2012	P	X
6/14/2012	P	X
7/12/2012	P	<u>X</u>
11/8/2012	P	P
12/13/2012	P	P
2/14/2013	P	P
4/11/2013	A	A
6/13/2013	P	P
8/9/2013	P	P
11/5/2013	P	P
12/12/2013	P	P
2/13/2014	P	P
5/15/2014	P	P
7/7/2014	A	P

Dorgan attended
15/17 mtgs.

Haenicke attended
11/12 mtgs.



Kalamazoo County Land Bank Authority

229 East Michigan Avenue, Suite 340 • Kalamazoo, Michigan 49007
Phone: (269) 762-6191 • Fax: (269) 743-4196

Kelly Clarke, Executive Director

August 27, 2014

Dear Board of Commissioners,

At the August 14, 2014 meeting of the Kalamazoo County Land Bank Authority board of directors, the board voted to approve the recommendation to renew the terms of board members Christopher Haenicke and Terrence (Terry) Dorgan. On behalf of the Land Bank's board of directors, I ask that the Kalamazoo County Board of Commissioners approve the renewal of Chris Haenicke and Terry Dorgan's terms on this board. If renewed, their terms would expire in September 2017.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Mary Balkema".

Mary Balkema
Board Chair
Kalamazoo County Land Bank Authority

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

APPLICATION FOR APPOINTMENT TO:

(Please select which board you are interested in serving)

- Animal Services & Enforcement Board
- Board of Public Works
- Building Authority
- Central County Transportation Authority
- Community Action Tripartite Advisory Board
- Department of Human Services
- Economic Development Corporation /Brownfield Redevelopment Authority
- Fair Council

- Kalamazoo County Transportation Authority
- Land Bank Authority
- Metropolitan Planning Commission
- Parks & Recreation Commission
- Retirement Investment Committee
- Solid Waste Management Planning Committee
- Soil Erosion & Sedimentation Board of Appeals
- Southcentral Michigan Planning Council
- Substance Abuse Council

Name Terence C. Dorgan

Occupation Banker

Home Address [REDACTED] [REDACTED] [REDACTED]
Street City Zip

Home Telephone _____

Business Telephone [REDACTED]

Cell Number [REDACTED]

E-mail address [REDACTED]

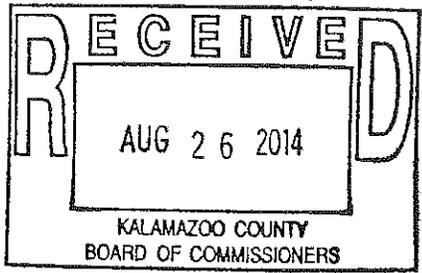
Please indicate experience and/or qualifications that would help make you an effective board member for which you have applied:

KCLB Board member two year
KCLB Secty/Treasurer One year

Volunteer Experiences:

Big - Big Brothers Big Sisters (Four years)
Board Member Big Borthers Big-Sisters (Two years)
Fund Raising committee - Big Brothers Big Sister (Four years)
Fund Raising Committee - Seelye American Cancer (Ten+ years)
Fund Raising Committee - Ziegler American Cancer (Four years)

8/26/2014
Date of Application



KALAMAZOO COUNTY BOARD OF COMMISSIONERS

APPLICATION FOR APPOINTMENT TO:

(Please select which board you are interested in serving)

- Animal Services & Enforcement Board
- Board of Public Works
- Building Authority
- Central County Transportation Authority
- Community Action Tripartite Advisory Board
- Department of Human Services
- Economic Development Corporation /Brownfield Redevelopment Authority
- Fair Council

- Kalamazoo County Transportation Authority
- Land Bank Authority
- Metropolitan Planning Commission
- Parks & Recreation Commission
- Retirement Investment Committee
- Solid Waste Management Planning Committee
- Soil Erosion & Sedimentation Board of Appeals
- Southcentral Michigan Planning Council
- Substance Abuse Council

Name Christopher T. Haenicke

Occupation Attorney/Trust Officer

Home Address [REDACTED] [REDACTED] [REDACTED]
Street City Zip

Home Telephone [REDACTED]

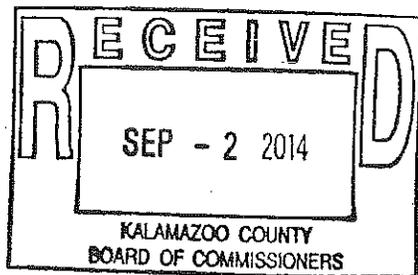
Business Telephone [REDACTED]

Cell Number [REDACTED]

E-mail address [REDACTED]

Please indicate experience and/or qualifications that would help make you an effective board member for which you have applied:

I practiced law in the Kalamazoo community for 10 years. My practice covered a wide range of legal areas, including real estate, landlord tenant, small business matters, etc. For the last 12 years, I have been employed by Greenleaf Trust as a Trust Relationship Officer and Vice President. In that capacity, I serve individual and corporate clients, helping to meet their their financial, legal and investment service needs. I have been actively engaged in the Kalamazoo community since moving here permanently in 1993.



Volunteer Experiences:

Selective Service System. Local Board Member. 2000-Present

Trust Counsel Committee, Michigan Bankers Association. Committee Chair (2011-Present) and Committee Member. 2008-Present

Heritage Community of Kalamazoo. Board Member. 2008-Present

Big Brothers Big Sisters. Mentor. 2009-Present

Harold and Grace Upjohn Foundation. Secretary/Treasurer and Trustee. 2009-Present

Kalamazoo County Land Bank. Board Member. 2012-Present

Kalamazoo Symphony Orchestra. Treasurer and Vice President of Finance (2007-2013) and Board Member. 2003-2013

Drug Treatment Court Foundation of Kalamazoo County. Development Cabinet Member. 2012-2013

Oshtemo Township Citizen Ad Hoc Police Protection Committee Member. 2012

Rotary Club of Oshtemo. President (2008-2009), Secretary (2005-2008), and Member. 2003-2010

Southwest Michigan Professionals Network. Board Member. 2000-2007

Kalamazoo County Bar Association. President (2003-2004), Vice President (2002-2003), Board Member (approx. 1997-2004), and Member. 1993-Present.

Guardian, Inc., of Battle Creek. President of Board of Trustees (1998-2003), Vice President (1997-1998), and Trustee. 1995-2003

Kalamazoo Area Academic Achievement Program. Mentor. 1997-2001

Optimist Club of Kalamazoo. President (1998-1999), Vice President (1997-1998), and Member. 1994-2004

Leadership Kalamazoo. 1996-1997

Kalamazoo County Guardian. Board Member. 1994-1996

9/02/2014

Date of Application

BOARD AGENDA REQUEST FORM

PROPOSED FOR BOARD MEETING OF: September 17, 2014

DEPARTMENT: Administration

PREPARED BY: John Faul

SUBJECT: Healy Street Center – State Department of Corrections Lease

SPECIFIC ACTION REQUESTED: Approve Lease with State Department of Corrections (Parole) for space at the Healy Street Center.

DESCRIPTION OF ACTION (dollar amount, purpose):

At your June 3, 2014 Board of Commissioners meeting, you approved an Addendum to our existing lease with the State for Department of Corrections parole operations. The Addendum simply noted the change of location from the Administration Building to the Healy Street Center. The Department of Corrections indicated this was the best way to effect this change.

However, the Attorney General, who approves all State Leases, rejected the Amendment because of that Office's preference for an entirely new Lease especially in this case due to the new address and site plan.

Consequently, for your consideration and approval is the new Lease agreement for 3,350 usable square feet of space to the State Department of Corrections, parole operations (DOC) in the Healy Street Center Building. The purpose of the Lease is to memorialize the change of address to 1421 Healy St, acknowledge there is no increase in space and the rent will remain the same (\$3,517.50), and change the floor plan to address the new location.

For clarification, the State will occupy approximately 19,500 square feet of the total 29,000 square feet. Their operations are divided between Probation (16,150 sq. ft.) and Parole (3,350 sq. ft.). Probation is considered a "county" function and we are obligated to provide space so do not charge rent. Parole is the portion of their activities for which we charge rent. Because of the restrictive terms of the lease with the State, rent terms will remain the same in the new location.

TIME FRAME OF ACTION: Request approval at the September 17, 2014 Board of Commissioners meeting.

FUNDING SOURCE IF REQUIRED (Federal, State, or Local): Not Applicable

PERSONNEL IF REQUIRED: (indicate if elimination or creation and list FTE; job title; grade; full-time salary range; account number; and, if known, position number) No additional personnel

NEW OR RENEWAL: Change to existing Lease

ANY OTHER PERTINENT INFORMATION:

PROCUREMENT INFORMATION: (indicate if the contract was bid out, if not, state reason(s) why; indicate last time contract was bid out; indicate if awarded bidder was the lowest bidder, if not, indicate why)

CONTACT PERSON WITH PHONE NUMBER: John Faul (383-8908) jmfaul@kalcounty.com

BOARD AGENDA REQUEST FORM

PROPOSED FOR BOARD MEETING OF: September 17, 2014

DEPARTMENT: Human Resources

PREPARED BY: Tracie Moored Finance & Administrative Services Director & Jean Michaud, Benefits Specialist

SUBJECT: **Kalamazoo County Wellness Program**

SPECIFIC ACTION REQUESTED: Approval of 2015 Wellness Program Enhancements/Changes

DESCRIPTION OF ACTION: In an effort to continue to offer Kalamazoo County employees a comprehensive benefit package, we have been reviewing the County's wellness program and the effectiveness of the program. While we are proud of our employees and their progress, we believe it is time to take our wellness program to the next level and focus on our employee's engagement to improved health. To that end, we are recommending the following changes within our wellness program:

1. Partner with Blue Cross Blue Shield's (BCBS) on wellness program

2. Continue departmental grant program ~\$5,000 grant budget

3. Create Wellness Coordinator (1.0 FTE)

Creation:

#TBD	Wellness Coordinator	K08	1.0 FTE	Sal/Frg \$55,563	Funding 103-000-704.00
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4. Terminate contract with Holtyn & Associates effective 12/31/2014

This comprehensive plan has been presented to our internal wellness committee and our plan design team. Both groups, which include representatives from the Board, elected officials, Administration, Court Administrators, Department Heads and employees from various departments, are in favor of this plan.

FUNDING SOURCE: Employee Benefit Fund

NEW OR RENEWAL: New

CONTACT PERSON AND PHONE NUMBER: Tracie Moored, 384-8843, tlmoor@kalcounty.com or Jean Michaud, 383-8953, or jmmich@kalcounty.com



ADMINISTRATIVE SERVICES MEMORANDUM

TO: Board of Commissioners
FROM: Tina Becker
DATE: September 10, 2014
SUBJECT: Central County Transportation Authority (CCTA)

The Board Appointments Committee is requesting to appoint the following members to CCTA effective immediately. It is critical that we appoint the first six individuals to the CCTA at our 9-17 meeting. The CCTA must have a quorum to conduct business and the first order is to send out the 30 day opt out notice to the affected units of government. The other five individual's cannot be appointed until the opt out period has ended due to the potential for a conflict of interest as elected officials representing their units of government.

One Year Terms (9/17/14 – 9/16/15)

Greg Rosine (City of Kalamazoo)
Jeffrey Breneman (Urban)

Two Year Terms (9/17/14 – 9/16/16)

GarryLee McCormick (City of Kalamazoo)
John Gisler (Rural)

Three Year Terms (9/17/14 – 9/16/16)

Linda Teeter (City of Kalamazoo)
Martin Janssen (Rural)

The Board Appointments Committee is requesting to appoint the following members to CCTA effective upon expiration of the 30 day opt out period that is anticipated to begin November 1, 2014.

One Year Terms (11/01/14 – 10/31/15)

Ann Nieuwenhuis (Comstock Township)

Two Year Terms (11/01/14 – 10/31/16)

Jim Pearson (City of Portage)
Pam Brown Goodacre (Kalamazoo Township)

Three Year Terms (11/01/14 – 10/31/17)

Terry Urban (City Portage)
Deb Everitt (Oshtemo Township)