

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

NOVEMBER 18, 2014

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 November 18, 2014.

ITEM 2 Invocation: Mr. Dale Shugars gave the Invocation on behalf of Commissioner Alford.

ITEM 3 Pledge of Allegiance: Commissioner Alford led the Pledge of Allegiance.

ITEM 4 Roll Call: Commissioners Carolyn Alford, Dave Buskirk, Jeff Heppler, Brandt Iden, David Maturen, Julie Rogers, and Michael Seals.

Members Absent: Commissioners Phil Stinchcomb, John Taylor, Roger Tuinier and John Zull.

Administrators Present: John Faul, Deputy County Administrator; Tracie Moored, Finance Director; Lotta Jarnefelt, Planning & Community Director; David Rachowicz, Parks Director; Thom Canny, Corporate Counsel; 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 November 5, 2014, Board meeting be approved as distributed.

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

ITEM 6 Communications:

Commissioner Alford presented the following communications, all of which are on file in the Administrative Services Office unless otherwise noted:

- a) A Resolution from Antrim County supporting Waters of the United State Regulatory Overreach Protection Act 2014, HR 5078.
- b) A Notice of Public Hearing from Cooper Township for Industrial Facilities Tax Exemption Certificate for Sapa Extrusions North America.

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. Jack Ryan, Vicksburg, addressed the Board concerning lack of transparency by the Board concerning MLive articles concerning the resignation/retirement of former County Administrator Peter Battani. He stated the severance package Mr. Battani received was not included in his contract. He stated he would like to know the real reason Mr. Battani resigned.

Mr. Rusty Shelburne, Scotts, addressed the Board concerning the departure of Mr. Battani from the County. He concurred with the comments made by Mr. Ryan. He stressed that transparency was crucial and this Board was not being transparent.

ITEM 8 For Consideration

A. Public Hearing on Brownfield Plan for Oshtemo Township

Commissioner Heppler moved and it was duly seconded that the Board of Commissioners move into a Public Hearing on Brownfield Plan for Oshtemo Township.

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

Mr. Thell Woods, Kalamazoo, Brownfield Redevelopment Authority Board member spoke in favor of the propose Brownfield Plan for Oshtemo Township.

Mr. Joe Gesmundo, Ross Township, stated he was the Developer of the property who was asking for this initiative. He urged the Board to approve this Plan.

Commissioner Iden moved and it was duly seconded that the Board of Commissioners move out of a Public Hearing on Brownfield Plan for Oshtemo Township.

Commissioner Rogers thanked Oshtemo Township, Kalamazoo Brownfield Redevelopment Authority and Southwest Michigan First on this project.

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

CONSENT AGENDA

Circuit Court

B. Request for Approval of Elimination/Creation of Positions (General Fund)

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

CREATE

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10821- xxx	Court Services Specialist II	K5	29,203.20-39,416.00	1.0	101-132-704.00
10821- xxx	Court Services Specialist II	K5	29,203.20-39,416.00	1.0	101-132-704.00
10821- TBD	Court Services Specialist II	K5	29,203.20-39,416.00	1.0	101-132-704.00

ELIMINATE

<u>Position #</u>	<u>Job Title</u>	<u>Grade</u>	<u>Salary Range</u>	<u>FTE</u>	<u>Account Number</u>
10313-001	Caseflow Specialist GR K5	K5	29,203.20-39,416.00	1.0	101-132-704.00
10314-001	Caseflow Specialist GR K5	K5	29,203.20-39,416.00	1.0	101-132-704.00
10315-001	Caseflow Specialist GR K5	K5	29,203.20-39,416.00	1.0	101-132-704.00

District Court**C. Request for Approval of a Contract with State Court Administrative Office (SCAO) for Grant Funding through the Michigan Mental Health Court Grant Program (MMHCGP)**

That the appropriate County officials be authorized and directed to execute a Contract with SCAO for grant funding through the MMHCGP in the amount of \$122,000 for funding for the 8th District Mental Health Recovery Court for the period of October 1, 2014 through September 30, 2015; a copy of said Contract to be attached to the official Minutes of this meeting.

Health & Community Services**D. Request for Approval of Purchase of Service and Business Associate Agreement with Regions 3B and IV Area Agencies on Aging**

That the appropriate County officials be authorized and directed to execute a Purchase of Service and Business Associate Agreement with Regions 3B and IV Area Agency on Aging to participate in the MI Health Link Demonstration program and assist in providing covered services to enrollees in Meridian & Coventry health plans residing in primarily Kalamazoo County effective January 1, 2015; a copy of said Agreements to be attached to the official Minutes of this meeting.

E. Request for Approval of FY 2015 Contract Renewal with Branch St. Joseph Area Agency on Aging (IIIC)

That the appropriate County officials be authorized and directed to execute FY 2015 Contract Renewal with Branch St. Joseph Area Agency on Aging IIIC for Long-term Care Ombudsman Services in the amount of \$2,000 for the period of October 1, 2014 through September 30, 2015; a copy of said Contract to be attached to the official Minutes of this meeting.

F. Request for Approval of Business Associate Agreement with TNT Building Services

That the appropriate County officials be authorized and directed to execute Business Associate Agreement with TNT Building Services, who provides cleaning services in the Dental Clinic, and due to potential interactions and access to personal health information a confidentiality agreement needs to be signed effective November 1, 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

G. Request for Approval of Affiliation Agreement with Western Michigan University Homer Stryker M.D. School of Medicine

That the appropriate County officials be authorized and directed to execute an Affiliation Agreement with WMU Homer Stryker M.D. School of Medicine to aid in successful placement and

preparation of medical students and residents into educational public health rotations effective October 1, 2014 with automatic renewals; a copy of said Agreement to be attached to the official Minutes of this meeting.

Human Resources

H. Request for Approval of Amendment to Personnel Policy 5.08

That the Board of Commissioners approve the Amendment to Personnel Policy 5.08 as included in the packet.

I. Request for Approval of Amendment to Personnel Policy 5.10

That the Board of Commissioners approve the Amendment to Personnel Policy 5.10 as included in the packet.

J. Request for Approval of Amendment to Personnel Policy 5.12

That the Board of Commissioners approve the Amendment to the Personnel Policy 5.12 as discussed at the November 5, 2014 Committee of the Whole meeting and as included in the packet.

Planning & Community Development

K. Request for Approval of Vicksburg Downtown Development Authority Restated Development Plan and Tax Increment Financing Plan

That the Board of Commissioners approve the Vicksburg Downtown Development Authority Restated Development Plan and Tax Increment Financing Plan by way of Resolution; a copy of said Resolution to be attached to the official Minutes of this meeting.

L. Request for Approval of Resolution Approving a Brownfield Plan for Property Located at Northwest Corner of the Intersection of Drake Road and Stadium Drive, Oshtemo Township

That the Board of Commissioners approve a Resolution Approving a Brownfield Plan for Property Located at Northwest Corner of the Intersection of Drake Road and Stadium Drive, Oshtemo Township; a copy of said Resolution to be attached to the official Minutes of this meeting.

Prosecuting Attorney

M. Request for Approval of Collaborative Mental Health Treatment and Assistance Program Agreement

That the appropriate County officials be authorized and directed to execute a Collaborative Mental Health Treatment and Assistance Program Agreement to address the needs of people with mental illness who enter the criminal justice system/jail system effective October 15, 2014 with automatic month to month renewals; a copy of said Agreement to be attached to the official Minutes of this meeting.

Sheriff

N. Request for Approval of FY 2014-2015 Snowmobile Law Enforcement Program Grant Agreement with the Michigan Department of Natural Resources

That the appropriate County officials be authorized and directed to execute FY 2014-2015 Snowmobile Law Enforcement Program Grant Agreement with the Michigan Department of Natural Resources in the amount of \$800 for the period October 1, 2014 through April 30, 2015; a

copy of said Agreement to be attached to the official Minutes of this meeting.

O. Request for Approval of Subcontract Agreement with the Michigan State Police Southwest Drug Enforcement Team (SWET) through the Byrne Justice Assistance (JAG) Grant

That the appropriate County officials be authorized and directed to execute Subcontract Agreement with SWET through the Byrne JAG Grant in the amount of \$25,565 for the period of October 1, 2014 through September 30, 2015; a copy of said Agreement to be attached to the official Minutes of this meeting.

P. Request for Approval of Amendment #1 with Kalamazoo Community Mental Health and Substance Abuse Services

That the appropriate County officials be authorized and directed to execute Amendment #1 with Kalamazoo Community Mental Health and Substance Abuse Services to extend the agreement through January 31, 2015; a copy of said Amendment #1 to be attached to the official Minutes of this meeting.

Board of Commissioners

Q. 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 November 18, 2014", noting claims in the total amount of \$2,889,681.26, 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 November 18, 2014, and the Director of Finance be authorized to make budgetary transfers, as listed.

R. Request for Approval to Amend Central County Transportation Authority Articles of Incorporation

That the Board of Commissioners approve Amendments to Central County Transportation Authority Articles of Incorporation.

S. Request for Approval of a Management Agreement with Discover Kalamazoo

That the Board of Commissioners approve a Management Agreement with Discover Kalamazoo for the period of January 1, 2016 through December 31, 2021; a copy of said Agreement to be attached to the official Minutes of this meeting.

T. Request for Approval of a Contract Amendment with Eckert Wordell

This Item was removed from the Consent Agenda.

U. Request for Approval of Real Estate Agreement with West Michigan Cancer Center

That the appropriate County officials be authorized and directed to execute a Real Estate Agreement with West Michigan Cancer Center to solidify the Letter of Intent the Board approved in January 2014; a copy of said Agreement to be attached to the official Minutes of this meeting.

Commissioner Alford moved and it was duly seconded that Items B. through U., with the exception of Item T., 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: Commissioners Stinchcomb, Taylor, Tuinier, and Zull

The motion carried.

NON-CONSENT AGENDA ITEMS

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

T. Request for Approval of a Contract Amendment with Eckert Wordell

Commissioner Rogers moved and it was duly seconded that the Board of Commissioners approve additional scope of services in the amount of \$12,661.25; a copy of said Contract Amendment to be attached to the official Minutes of this meeting.

Commissioner Seals stated he would like an explanation of the changes.

Mr. John Faul stated the changes were because the County asked Eckert Wordell to look at the possibility of moving Health & Community Services Facilities adjacent to the Administration Building and this scope of work was not part of the original agreement. He indicated he would be providing the Board with a Facilities Master Plan update at the next meeting.

Commissioner Rogers stated she too had some of those same questions. She inquired about a mixed use occupants and Mr. Faul indicated the site would include Family Health Center, the County and Department of Human Services. She stated she would support this request, however, she would not approve any further funds until further discussions occurred.

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

ITEM 9 Old Business

There was no old business.

ITEM 10 New Business

Commissioner Seals moved and it was duly seconded that the Kalamazoo County Board of Commissioners appoint John M. Faul as the Interim County Administrator and to serve in that position until further notice or action by the Board of Commissioners and receive compensation for these additional duties, beginning on this date, in accordance with Section 4.06 "Pay Policy for Employee and Position Actions" of the County's Non-Union Personnel Policies.

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

Commissioner Alford moved and it was duly seconded that the Kalamazoo County Board of Commissioners appoint Tracie L. Moored as the Interim County Controller and to serve in that position until further notice or action by the Board of Commissioners and receive compensation for these additional duties, beginning on this date, in accordance with Section 4.06 "Pay Policy for Employee and Position Actions" of the County's Non-Union Personnel Policies. According to Current County Personnel Policies provide that if an employee is promoted to assume additional duties as a result of a vacancy in another office, the employee receives a stipend equal to a single step increase.

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

Commissioner Alford thanked Mr. Faul and Ms. Moored for their willingness to step into these roles. She inquired if additional staff would be required to do additional work. Mr. Faul indicated that it had been a very busy week and Mr. Canny had gone above and beyond his normal duties and had been very helpful in this transition.

Commissioner Alford indicated she felt Ms. Sutton's duties had increased with the vacancy of Mr. Battani and she felt it would be a lot more work for Ms. Sutton and Mr. Canny and asked the Board to look into this.

ITEM 11 County Administrator's Report

County Administrator Mr. John Faul thanked the Board in their confidence of him. He indicated he did provide a written report to the Board yesterday and stated he would be willing to discuss it with the Board if they wished.

ITEM 12 Chairperson's Report

Chairperson Maturen read the Core, Core Principals.

ITEM 13 Vice Chairperson's Report

There was no Vice Chairman's report.

ITEM 14 Members' Time

Commissioner Alford expressed her appreciation of Mr. Faul and Ms. Moored. She stated she was going to miss her work in public service. She wished everyone a happy Thanksgiving.

Commissioner Heppler wished everyone a happy Thanksgiving and asked everyone to drive safely and be careful. He thanked Mr. Shugars for his prayer this evening.

Commissioner Rogers thanked the Board for supporting the latest Brownfiled Plan and stated another one would be coming before the Board before the end of the year. She encouraged everyone to visit Costco. She expressed her thoughts and prayers for those who have been injured or killed in the weather.

Chm Initial _____

Clk Initial _____

29551

Commissioner Seals updated the Board on the Child Care Fund/DHS placements and stated the plan was moving forward. He wished everyone a blessed Thanksgiving. He encouraged everyone to slow down and drive safely.

ITEM 15 Adjournment

There being no further business to come before the Board, Chairperson Maturen adjourned the meeting at 7:44 p.m.

Timothy A. Snow
Clerk/Register of Deeds

David C. Maturen, Chairperson
Kalamazoo County Board of
Commissioners