

**Kalamazoo Area Building Authority (KABA)
Board Meeting
August 11, 2016**

The KABA meeting was held at the Oshtemo Township Hall. Board Chairperson Deb Everett called the meeting to order at 1:00 p.m.

PRESENT:
Deb Everett, Chair
George Cochran, Treasurer
Carol DeHaan, Secretary
Ann Nieuwenhuis, Member
Barney Martlew, Member

Also present were KABA Building Official Mike Alwine, KABA Interim Operations/HR Director Jannette Poehlman, KABA Attorney Rob Krueger, Cooper Township Supervisor Jeff Sorenson, Oshtemo Township Assessor Kristine Biddle, KABA Administrative Assistant Erin Feist, and Recording Secretary Kerrie LeClercq.

Approve Agenda

Mr. Martlew requested that an update from the KABA Attorney regarding a possible small claims action by the KABA Board be added to the agenda. This was added as Item 6E under the Operational Decisions heading. A motion was made by Ms. DeHaan to approve the agenda as amended, seconded by Mr. Martlew and carried with a vote of 4-0.

Consent Agenda

After a brief discussion to clarify a point, Mr. Martlew made a motion to approve the Consent Agenda. The motion was seconded by Mr. Cochran and carried with a vote of 4-0.

Citizen Comments on Non-Agenda Items – There were no citizen comments.

FOIA Request Update – Mr. Krueger advised the Board that he emailed Attorney Fahey regarding a delay in receiving the FOIA response from Oshtemo Township and was notified that Mr. Fahey had been on vacation. Ms. DeHaan explained that she has the FOIA response and will turn it over to KABA upon payment of the invoice that was submitted to KABA.

Operational Decision – Fee Reduction/Alteration - Mr. Alwine clarified some aspects of his proposal from the July 21, 2016 KABA Board meeting and presented a fee comparison for Board member review. This fee comparison detailed typical Building permit fees as they are currently set, and the reduction in fees that Mr. Alwine is proposing to adopt. The new fee schedule is a merged schedule, covering both Residential and Commercial Building permits, identical to the fee schedule used by the State of Michigan. The result of adopting the new fee schedule will be an 11% reduction in revenue, but Mr. Alwine feels that it is necessary to KABA's future to bring the permit fees down for customer benefit. Additionally, the new fee schedule will allow the percentage of the construction value charged for a permit to become more consistent. With the current fee schedule, lower construction value projects are paying a higher percentage of the fees. After some discussion and related questions, Ms. Nieuwenhuis made a motion to adopt the amended fee schedule as proposed by Building Official Alwine with an effective date of Monday, August 15, 2016. The motion was supported by Mr. Cochran and carried with a vote of 5-0.

Operational Decision – Inspector Tablets – Ms. Poehlman explained that she was able to find tablets for the KABA inspectors at a cost of \$1200 with 3 years of accident protection insurance.

Operational Decision – Lease and Remodel – Ms. Poehlman advised the Board that she has put together a comprehensive list of the expenses related to KABA's move and the cost estimate is approximately \$93,000, which is significantly less than the amount allocated by Board vote on July 21, 2016.

Operational Decision – Return to Work Policy – Ms. Poehlman explained that the documents provided in the Board packet were supplied by Attorney John Gardner. Ms. Everett questioned the need for personal information to be required as part of the forms, and Mr. Krueger advised that those questions were included for the purposes of a potential insurance investigation. Mr. Cochran made a motion to adopt the proposed documents as KABA’s formal Return to Work Policy. The motion was seconded by Ms. Nieuwenhuis, with the addition that the effective date of the policy be listed as August 11, 2016. The motion carried with a vote of 5-0.

Operational Decision – FOIA / Small Claims Update – Mr. Martlew inquired of the KABA Attorney whether KABA would need representation in a Small Claims action. Mr. Krueger advised that KABA’s status is somewhat obscure, as it is considered a separate legal entity, but what kind of legal entity is not defined. As a result, Mr. Krueger explained that he believed a salaried employee of KABA could file a claim, but he was unsure of the outcome, and he reminded the Board that the court system can prove extremely costly. After extensive discussion, it was decided that no further action would be taken regarding KABA’s petty cash fund.

Board Member Comments – Mr. Cochran stated that the KABA Board did not live up to its responsibility of due diligence over the years since KABA’s inception. He believes that the Board should have been more involved in the day-to-day running of KABA. Ms. Nieuwenhuis apologized for her late arrival and suggested that additional Board meetings needed to be scheduled. It was decided to move the Special Budget meeting from its current date in September to a date in October, to be determined. The Board also added a regular KABA Board meeting on September 15, 2016 at 2:00 PM at the Comstock Township Hall. Ms. Everett asked for an update on Tracy Fricke’s medical condition and Ms. Poehlman advised that she hadn’t been in communication with Tracy and could not provide any update.

KABA Staff Comments – Mr. Alwine asked about the approval of the Closed Board Session minutes from the April 7, 2016 KABA Board meeting. Ms. Everett advised the Board that she had them with her if any Board member wanted to review them, but that the minutes had already been approved as part of the Consent Agenda. Ms. Nieuwenhuis, Mr. Cochran, Mr. Martlew, and Mr. Krueger reviewed the minutes. Mr. Martlew and Ms. Nieuwenhuis expressed their belief that the minutes, as provided, were extremely sparse.

There was no further business and the meeting was adjourned at approximately 2:07 p.m.

Next Meeting – August 25, 2016 at the Comstock Township Hall at 2:00 p.m.

Drafted: August 17, 2016
Approved: August 25, 2016