

Organizational Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held in the Commissioners' Room, Courthouse at the Village of Centreville, Michigan on January 6, 2009, at 5:00 p.m.

County Clerk, Pattie S. Bender, acting as Temporary Chairman, called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

The Clerk, Pattie S. Bender, called the roll and the following Commissioners were present:

District #1
Rick Shaffer
19958 Crescent Beach Road
Three Rivers, MI 49093

District #2
Gerald E. Loudenslager
23194 Van Resort Drive
Mendon, MI 49072

District #3
Michael D. Dunlap
17174 Woodside Lane
Three Rivers, MI 49093

District #4
Robin Baker
14936 Roberts Shores Road
Constantine, MI 49042

District #5
Jerry Ware
29251 U.S. 12
Sturgis, MI 49091

District #6
David J. Pueschel
66421 Sherman Mills Road
Sturgis, MI 49091

District #7
John L. Dobberteen
400 S. Monroe
Sturgis, MI 49091

Also present were Judy West-Wing, Administrator/Controller, Dan Carey, Finance Director and Elishia Arver, Human Resource Director.

ELECTION OF CHAIRMAN

The Temporary Chairman stated that nominations were in order for Chairman.

Commissioner Baker nominated Commissioner John Dobberteen.

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the nominations be closed and an unanimous ballot cast for Commissioner Dobberteen for Chairman. Motion carried.

ELECTION OF VICE-CHAIRMAN

Chairman Dobberteen asked for nominations for Vice-Chairman.

Commissioner Pueschel nominated Commissioner Baker.

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the nominations be closed and an unanimous ballot cast for Commissioner Baker for Vice-Chairman. Motion carried.

AGENDA

Ms. West-Wing stated that the 2 Lease Agreements for Antenna Space should be removed from the agenda and a request to fill an Assistant Prosecuting Attorney's position should be added to the agenda.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the agenda be approved as amended. Motion carried.

MINUTES APPROVED

Ms. West-Wing stated that in the December 16, 2008 minutes on page 253 under CHAIRMANS REPORT, the 9th bullet under highlights should be changed from "Established Special Assessment Districts for.." to Approved Resolutions to create Special Assessment Districts for.."

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the minutes for December 16, 2008 be approved as amended. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, December 19, 2008.
2. Letter from the City of Three Rivers, Re: Notice of public hearing on January 6 to consider the establishment of an Obsolete Property and Rehabilitation District for 37 North Main Street.
3. Copy of letter from Tim Carls to President Bush, Re: Road Commission.
4. Letter from Tim Carls, Re: County should make donation to local food banks.
5. Copy of letter from the State Tax Commission to R & H Machine Products, Re: Revocation of the personal property component of Industrial Facilities Exemption Certificate No. 2007-323.
6. Resolution from Ottawa County, Re: Encouraging Community Mental Health Boards to incorporate into their priorities and strategic planning their work with citizens who have developmental disabilities.
7. Resolution from Ottawa County, Re: Endorsing the goals of the transportation infrastructure improvement plan developed by the Michigan Infrastructure and Transportation Association.
8. Minutes of the Department of Human Services Board meeting of October 28, 2008.
9. Newsletter from Southwest Michigan Land Conservancy, Winter 2008-2009.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the communications be accepted and placed on file. Motion carried.

EMPLOYMENT AGREEMENT ADDENDUM WITH PATRICIA KANE, JAIL MEDICAL SERVICES

Ms. West-Wing stated that the Employment Agreement Addendum with Patricia Kane, Jail Medical Services that is effective today increases the rate of pay by 2%.

It was moved by Commissioner Baker and supported by Commissioner Dunlap that the Employment Agreement Addendum with Patricia Kane be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7—Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel & Dobberteen.

Nay votes cast: 0

Motion carried.

REQUEST TO FILL VACANT DISTRICT COURT POSITION

Ms. West-Wing stated that District Court is requesting that the Board approve them filing the Vacant Magistrate/Judicial Associate position.

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the Vacant Magistrate/Judicial Associate Position in District Court be filled. Motion carried.

SET MEETING DATES

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the Commission Meeting dates for 2009 be set for the 1st and 3rd Tuesdays of each month beginning at 5:00 p.m. the only exception being in May when the meeting will be held on May 4th instead of May 5th and the Executive Committee Meeting dates for 2009 be set at 8:00 a.m. on the Friday before each regular meeting with the exception of the second meeting in the November will be held on Wednesday, the 25th instead of Friday, the 27th. Motion carried.

REQUEST TO FILL VACANT ASSISTANT PROSECUTING ATTORNEY'S POSITION

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Vacant Assistant Prosecuting Attorney's position be filled. Motion carried.

COMMUNITY HEALTH AGENCY APPROPRIATION
RESOLUTION NO. 1-2009

Commissioner Loudenslager read the following resolution:

WHEREAS, St. Joseph County is a member of the Branch-Hillsdale-St. Joseph Community Health Agency (CHA); and

WHEREAS, St. Joseph County is committed to supporting programs that provide access to appropriate health care services for low-income residents of St. Joseph County; and

WHEREAS, the Federal government has approved Michigan's Medicaid State Plan Amendment TN No. 05-13, effective June 1, 2006, which creates an "Indigent Care Agreements Pool" for hospitals qualifying for Medicaid Disproportionate Share ("DSH") payments to receive DSH payments under the Indigent Care Agreements Pool so long as: (a) the hospital has an Indigent Care Agreement with a local health care entity, such as Branch-Hillsdale-St. Joseph Health Plan; and (b) the Indigent Care Agreement stipulates that direct or indirect health care services be provided to low-income patients with special needs who are not covered under other public or private health care programs; and

WHEREAS, Branch-Hillsdale-St. Joseph Health Plan's purposes include promoting, organizing, managing and administering programs to create a system for providing or arranging and paying for health care services in a cost effective manner for persons unable to pay for such health care services; and

WHEREAS, Branch-Hillsdale-St. Joseph Health Plan has entered into an Agreement with W.A. Foote Hospital d/b/a Allegiance Health, requiring Branch-Hillsdale-St. Joseph Health Plan to operate a program of arranging and paying for health care to low-income individuals with special needs who are not covered under other public or private health care programs and who are unable to pay for such services; and

WHEREAS, both the Federal government and the State of Michigan participate in the financing of the Indigent Care Agreements Pool, with the Federal government matching the State's portion pursuant to the Federal medical assistance percentage formula; and

WHEREAS, on October 4, 2005 the Board of Commissioners approved transferring a portion of the CHA appropriation to be sent to the State of Michigan as an intergovernmental transfer of public funds from St. Joseph County to be used as the State's share in claiming Federal match of Medicaid ; and

WHEREAS, St. Joseph County has budgeted \$402,201 in 2009 to finance a portion of the Community Health Agency; and

WHEREAS, the State of Michigan has now determined that the maximum yearly amount of St. Joseph County funds shall be \$182,164 beginning with the October 2008 payment.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Treasurer is respectfully directed to make quarterly transfers to the State of Michigan of \$45,541 no later than January 8th, April 7th, July 8th, and October 9, 2009 with the last payment amount to be determined; and quarterly transfers to CHA of \$55,009.25 on or around January 8th, April 7th, July 8th, and October 9, 2009 with the last payment amount to be determined but this will not result in more than \$402,201 when combining the State of Michigan and CHA transfers for 2009.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the resolution be adopted and 2nd reading waived.

Commissioner Shaffer asked what our appropriate share of these expenses is. Ms. West-Wing responded by saying that we pay the highest as it is based on population. St. Joseph and Branch Counties increased their appropriations but Hillsdale was not able to increase their's.

Commissioner Dunlap added that he had talked to Steve Todd, Health Officer, and they are trying to change the fee schedule to bring Hillsdale into parity with St. Joseph and Branch Counties.

The aye and nay vote was called as follows:

Aye votes cast: 7–Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel & Dobberteen.

Nay votes cast: 0

Resolution adopted.

DEPARTMENT OF HUMAN SERVICES APPROPRIATION
RESOLUTION NO. 2-2009

Commissioner Loudenslager read the following resolution:

WHEREAS, St. Joseph County appropriates monies for St. Joseph County Department of Human Services and St. Joseph County Department of Human Services Child Care; and

WHEREAS, St. Joseph County has budgeted \$8,200.00 for 2009 Department of Human Services and \$140,000.00 for 2009 Department of Human Services Child Care.

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer of St. Joseph County be respectfully directed to make the following transfers in 2009: \$140,000.00 to VanBuren County for the Department of Human Services for Child Care on January 7, 2009 and quarterly transfers in the amount of \$2,050.00 to VanBuren County for the Department of Human Services around the first of March, June, September and December, 2009.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the resolution be adopted and 2nd reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 7–Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel & Dobberteen.

Nay votes cast: 0

Resolution adopted.

NOMINATIONS AND APPOINTMENTS

Road Commission

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that Anthony Lang be nominated and appointed to the St. Joseph County Road Commissioner for a 6 year term expiring December 31, 2014. Motion carried.

Central Dispatch Policy Board

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that Phyllis Youga be nominated and appointed to the Central Dispatch Policy Board for a 2 year term expiring December 31, 2010. Motion carried.

COMMITTEE APPOINTMENTS

Law Enforcement

Chairman Dobberteen stated that the Law Enforcement Committee had not met.

Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet at noon on January 14, 2009.

Physical Resources

Commissioner Dunlap stated that the Physical Resources Committee had not met.
Executive Committee

Chairman Dobberteen stated that the Executive Committee had not met.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Mark Lillywhite, Road Patrol Sergeant, change to Undersheriff at \$54,317.00 (Rye system, grade 11, step 2) effective January 2, 2009.

Brian Stears, Road Patrol Officer, change to Road Patrol Sergeant at \$24.53/hr. effective January 6, 2009.

Increase the rate of pay for the following part-time employees:

Kate Fair from \$8.75 to \$9.00/hr. effective January 2, 2009

Bernice Metzger from \$9.00 to \$9.25/hr. effective January 2, 2009

Brooke Bingaman from \$7.75 (office)/\$8.75 (road) to \$8.00/hr. (office)/\$9.00/hr. (road) effective January 2, 2009.

Terry Currier from \$7.75 (office)/\$8.75 (road) to \$8.00/hr. (office)/\$9.00/hr. (road) effective January 2, 2009.

Bruce Harker from \$7.75 (office)/\$8.75 (road) to \$8.00/hr. (office)/\$9.00/hr. (road) effective January 2, 2009.

RESIGNATION/DISSMISSAL:

Holly Curtis, Assistant Prosecuting Attorney II, has not been reappointed; last day worked was December 30, 2008.

Mark Books, Jail Administrator, has not been reappointed effective December 30, 2008.

David Moore, Assistant Prosecuting Attorney I, has resigned effective December 30, 2008.

Nancy Griffin, Telecommunicator, has been dismissed effective January 6, 2009.

Donald Happel has resigned as Magistrate effective January 19, 2009.

NEW HIRE:

Donald Happel has been hired as Juvenile Casework Supervisor/Referee at \$46,002.00 (Rye system, grade 10, minimum) effective January 20, 2009.

Timothy J. Reed has been hired as Assistant Prosecuting Attorney I effective January 2, 2009. Wages to be determined but a minimum of \$42,611.00/yr. (Rye system, grade 9, minimum).

Jason Bingaman has been hired as Jail Administrator effective January 2, 2009. Wages to be determined but a minimum of \$46,002.00/yr. (Rye system, grade 10, minimum).

Peter VandenBrink has been hired as full-time Road Patrol Officer at \$19.69/hr. effective January 6, 2009.

Jeffrey Bingaman has been hired as full-time Road Patrol Officer at \$19.69/hr. effective January 13, 2009.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the personnel report be approved. Motion carried.

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 4,857.17	\$
Due from Schools	4,087.00	
Prepaid Expenses	1,828.75	
Prepaid Insurance	71,241.00	
Appropriations	13,887.41	
County Commission	1,091.24	6,617.17
Circuit Court	8,363.70	16,447.82
District Court	1,019.42	78,207.15
Friend of the Court	2,481.82	42,670.99
Probate Court	1,563.71	20,278.88
Juvenile Branch	23,138.64	42,481.57
Appeals Court	2,083.35	
Administration		11,888.83
Finance Department	1,043.67	13,905.38
County Clerk		26,328.25
Equalization Department	1,853.95	18,165.20
Human Resources	460.50	5,802.24
Geographic Information Systems	1,499.00	7,564.13
Prosecutor's Office	2,116.55	40,527.51
Central Services	14,470.64	7,233.59
Register of Deeds		15,147.72
County Treasurer		16,650.18
Cooperative Extension	648.08	8,387.62
Information Technology	3,691.84	12,860.58
Buildings & Grounds	3,379.55	15,036.82
Courts Building Security		7,386.07
Drain Commission	118.00	5,722.91
Sheriff Department	13,067.40	112,941.37
Sheriff Reserves	35.00	
Marine Patrol	901.27	48.44
Jail & Turnkey	\$ 25,395.82	\$ 109,022.80
Planning Commission	555.34	
Emergency Services	657.07	5,481.32
Animal Control	1,441.62	11,801.60
Board of Public Works		674.25
Child Care - Probate	5,193.57	
Department of Veterans' Affairs	1,620.00	
Veterans' Services	504.33	1,135.60
Utilities & General Services	34,631.67	
Total	\$ 248,928.08	\$ 660,415.99
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 491,478.40	\$
Parks & Recreation	1,842.24	7,618.71
Emergency 911 Service	31,423.65	64,107.97
Central Dispatch - Wireless	585.30	4,045.88
Meyer Broadway/Coon Hollow Park	332.35	2,287.28
Family Counseling	260.00	
Cade Lake Park	562.53	
Traffic Safety Program Fund	25.91	

Chairman Dobberteen acknowledged Mr. Lang and he thanked the Board for appointing him to the Road Commission.

CITIZENS COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville congratulated Commissioners Shaffer and Ware on their election to the Commission.

He told the Board that there are several problems with the Road Commission and asked if they were going to address them as they are their employees.

Chairman Dobberteen stated that this is not a question and answer period and referred him to the two Road Commissioners that were in attendance.

MISCELLANEOUS

Commissioner Loudenslager congratulated Chairman Dobberteen on his election as Chairman and stated that Road Commission employees are not County employees.

Commissioner Shaffer congratulated Chairman Dobberteen and stated that it was good to be back and is looking forward to being a team member.

Commissioner Dunlap congratulated Chairman Dobberteen and welcomed Commissioners Shaffer and Ware and also Jeff Wenzel and Brad Balk.

Commissioner Ware congratulated Chairman Dobberteen and Anthony Lang for his election to the Road Commission.

Commissioner Baker welcomed Commissioners Shaffer and Ware, Jeff Wenzel and Brad Balk and congratulated Chairman Dobberteen.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until January 20, 2009 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman