

Regular 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 February 3, 2009, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Michael D. Dunlap	Robin Baker
Jerry Ware	David J. Pueschel
John L. Dobberteen	

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

#### AGENDA

Ms. West-Wing stated that the appointment to the Planning Commission should be removed from the agenda.

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

#### MINUTES APPROVED

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the minutes for January 20, 2009 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, January 23 and January 30, 2009.
2. Letter from the City of Three Rivers, Re: Notice of public hearing on February 3 to consider an Obsolete Property and Rehabilitation Exemption at 37 North Main St.
3. Letter from Darlene Tate, Re: Resignation from Commission on Aging Board.
4. Letter from Michigan Department of Transportation, Re: Copy of the Record of Decision for the proposed U.S.-131 Improvement Study.
5. Resolution from Lake County, Re: Encouraging Mason County to join the Michigan Association of Counties.
6. Resolution from Lake County, Re: Endorsing the Michigan Infrastructure and Transportation Association's improvement plan.
7. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of January 12, 2009.
8. Minutes of the Community Mental Health Services Board meeting of December 9, 2008.
9. Minutes of the Department of Human Services Board meeting of December 23, 2008.

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

#### COURTS BUILDING HVAC-CHANGE ORDER NO. 3

Ms. West-Wing stated that Change Order No. 3 regarding the Courts Building HVAC project is to upgrade the chilled water storage tank that was originally included in the contract, for an additional \$926.00.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Courts Building HVAC-Change Order No. 3 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.

COURTS BUILDING HVAC–CHANGE ORDER NO. 4

Ms. West-Wing stated that Change Order No. 4 regarding the Courts Building HVAC project is for a new electrical panel for \$3,534.00.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Courts Building HVAC–Change Order No. 4 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.

LABOR AGREEMENT WITH DISTRICT COURT ASSOCIATION

Ms. West-Wing stated that the Labor Agreement with the District Court Association has been settled. Highlights are as follows:

1. Contract Duration: 3 years–January 1, 2009 through December 31, 2011.
2. Wages:            January 1, 2009            2% increase applied to each step  
                          January 1, 2010            2% increase applied to each step  
                          January 1, 2011            Contract re-opener
3. Health/Dental Insurance:    Employee premium co-pays via pretax payroll deduction:  
  
    Effective January 1, 2010–14% of the annual premium cost (current is 12%)  
    Effective January 1, 2011–Contract re-opener
4. Classification Changes:  
      Effective upon ratification of contract–Eliminate classification titles of probation clerk, assignment clerk, account clerk, senior probation clerk and senior deputy district court clerk and have one classification titled deputy district court clerk, grade 5. All positions covered by this Agreement are now titled and compensated the same.
5. Miscellaneous language changes:  
      Revised FMLA language and included new Federal amendments;  
      Removed obsolete language under double health insurance;  
      Cleaned up language under evaluations, hours of work, insurance, S&A, pension, and payout of accrued leave upon death.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Labor Agreement with the District Court Association 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.

NON-CONTRACT PART-TIME POLICY

Ms. West-Wing explained when the building security guard positions were created it was with the intent that they would be part-time and not accrue benefits by not scheduling over 20 hours per week on a continuous basis. The new Sheriff's administration would like to have the flexibility if needed, to exceed this. The proposed change to the part-time policy includes specific exclusion of the security guard classification from the part-time policy.

The revised policy is as follows:

Regular, part-time employees (excluding building security staff) who work an average of at least twenty (20) hours per week for a continuous period of thirteen (13) weeks will be entitled to paid holidays and accumulation of sick and vacation leave, on a one-half (1/2) full time benefit basis. Sick leave is payable only after completion of thirteen (13) consecutive weeks. For vacation usage see vacation policy. The benefits continue to accrue until the average hours worked for a continuous thirteen (13) week period falls below twenty (20) hours per week.

Regular, part-time employees will move to the next step increment of the classification schedule under the following conditions: six (6) month & step 1 increment after completion of 1040 hours or 12 months whichever occurs first. All other steps after completion of 2080 hours or 24 months whichever occurs first.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the non-contract part-time policy 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.

VACATION POLICY

Ms. West-Wing stated that the vacation policy needs to be amended as well because the part-time policy references the vacation policy and that contains obsolete language that should be removed.

The revised policy is as follows:

All regular, full-time employees covered by this policy shall be entitled to paid vacation and shall accrue and earn this vacation in accordance with the schedule listed below. Regular part-time employees who qualify (see part-time policy) shall be entitled to paid vacations at one-half (1/2) the full-time accrual schedule.

- 13 days after 1 year
- 15 days after 5 years
- 17 days after 9 years
- 20 days after 14 years
- 25 days after 20 years
- 30 days after 25 years

Employees will be eligible to take this vacation on the anniversary of their date-of-hire.

Vacation time shall be accumulated to a maximum of one and one-half (1 1/2) times the employee's annual accrual.

Vacations will be scheduled with due consideration given to the employee's request. Scheduling shall be at the discretion of the department manager.

When an employee is laid off, retires, or severs employment, or when an employee becomes appointed or elected to a County elected position, he/she will receive payment, provided the applicable notice is given (see resignation/retirement policy) for any unused vacation time including that accrued in the current year

on a prorata basis up to the maximum accrual. This applies only to employees with six (6) consecutive months or more of service.

Only employees that submit documentation (on bi-weekly time sheets) will be paid according to this policy.

A vacation may not be waived by an employee and extra pay received for work during that period.

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the vacation policy 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.

### NOMINATIONS/APPOINTMENTS

#### Three Rivers Industrial Development Authority Board (TRIDA)

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that Tom Brady be nominated and appointed to the Three Rivers Industrial Development Authority Board for a 4 year term expiring March 1, 2013. Motion carried.

#### Agricultural Preservation Board

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the following be nominated and appointed to the Agricultural Preservation Board:

	<u>Term to Expire</u>
Tim Peterson–3 year Conservation Interest	March 6, 2012
Henry Miller–3 year Agriculture Interest	March 6, 2012
David Pueschel–1 year County Commissioner	March 6, 2010

Motion carried.

#### Commissioner Appointments

##### Commission on Aging

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that Commissioner Pueschel be nominated and appointed to replace Commissioner Dobberteen on the Commission on Aging for a term to expire June 30, 2009. Motion carried.

##### Economic Development Corporation

It was moved by Commissioner Shaffer and supported by Commissioner Pueschel that Commissioner Dobberteen be nominated and appointed to replace Monte Bordner on the Economic Development Corporation Board for a term to expire June 1, 2010. Motion carried.

##### Parks and Recreation Commission

It was moved by Commissioner Pueschel and supported by Commissioner Dunlap that Commissioner Ware be nominated and appointed to replace Eric Shafer on the Parks and Recreation Commission for a term to expire January 1, 2012 and that Commissioner Dunlap be nominated and appointed to serve another 3 year term that will expire January 1, 2012. Motion carried.

### Planning Commission

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that Commissioner Shaffer be nominated and appointed to the Planning Commission for a 3 year term that will expire January 1, 2012. Motion carried.

### Southwest Michigan Substance Abuse Advisory Council

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that Commissioner Shaffer be nominated and appointed to replace Monte Bordner on the Southwest Michigan Substance Abuse Advisory Council for a term to expire January 1, 2012. Motion carried.

### Transportation Authority

It was moved by Commissioner Shaffer and supported by Commissioner Pueschel that Commissioner Dunlap be nominated and appointed to replace Eric Shafer on the Transportation Authority Board for a term to expire April 1, 2009. Motion carried.

## COMMITTEE REPORTS

### Law Enforcement

Commissioner Baker stated that Law Enforcement Committee had not met.

### Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet on the following dates: April 8th; July 8th; October 14th and January 13, 2010.

### Physical Resources

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

### Executive Committee

Commissioner Baker stated that everyone had received a copy of the minutes of the Executive Committee meeting on January 30, 2009 and would answer any questions.

## PERSONNEL REPORT

Ms. West-Wing presented the following report:

### NEW HIRE:

Kyle Maurer has been hired as part-time Corrections Officer at \$15.30/hr. if less than 20 hours/week or \$17.24/hr. if more than 20 hours/week effective January 27, 2009.

Erin Hahn has been hired as Assistant Prosecuting Attorney I at \$42,611.00/yr. (Rye system, grade 9, minimum) effective February 23, 2009.

### MISCELLANEOUS:

Approve new Operations Administrator (Sheriffs Department) job description, pay grade 10 under the Rye system.

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

## REQUISITIONS

Ms. West-Wing presented the following report:

Furnish and install new bearings on air handler #2, Courts Building \$ 1,460.00

One Dell OptiPlex 755 Desktop, with Windows XP, 19" monitor, 80 gb hard drive, \$ 1,014.75  
speakers, 3-year warranty, Office 2007 small business for Sheriff's Department

Three Body Armor vest, custom fit, GLO2-Brown for Sheriff's Department \$ 1,795.00

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the requisitions be approved. Motion carried.

**BUDGET ADJUSTMENTS**

Ms. West-Wing presented the following report:

**BUDGET AMENDMENTS:**

**DECREASE REVENUE:**

Line item 266-301-580.000 (Centreville Reimbursement) \$ 2,671.00

**DECREASE EXPENDITURE:**

Line item 266-301-999.000 (Operating Transfer Out) \$ 2,671.00

**DECREASE INMATE STORE FUND #546:**

Line item 546-301-744.000 (Clothing and Bedding) \$ 1,211.00

**INCREASE INMATE STORE FUND #546:**

Line item 546-301-984.000 (Computer Hardware) \$ 1,211.00

**DECREASE RESERVES' BUDGET:**

Line item 101-306-977.000 (Equipment) \$ 715.00

**DECREASE SHERIFFS BUDGET:**

Line item 101-301-981.000 (Vehicles) 1,080.00  
\$ 1,795.00

**INCREASE SHERIFFS BUDGET:**

Line item 101-301-977.000 (Equipment) \$ 1,795.00

The following budget amendment is necessary due to Sheriff's Department personnel changes approved by the Board:

<b>SHERIFF'S DEPT. 101-301</b>	<b>Original Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
706.130 Deputies	\$422,022.00	\$413,472.00	-\$8,550.00
706.140 Supervisor	0.00	47,962.00	47,962.00
706.500 Drug Enforcement	95,840.00	96,758.00	918.00
707.000 Part-time	0.00	18,000.00	18,000.00
712.000 Overtime	30,000.00	12,000.00	-18,000.00
715.000 FICA	83,016.00	86,156.00	3,140.00
716.000 Health Insurance	199,970.00	208,013.00	8,043.00
716.010 Dental Insurance	8,753.00	9,128.00	375.00
716.020 S & A Insurance	7,801.00	8,149.00	348.00
716.100 Workers' Comp.	22,359.00	23,341.00	982.00
717.000 Life Insurance	964.00	996.00	32.00
718.050 Pension	111,659.00	116,772.00	5,113.00
725.010 Sick Leave Payout	13,376.00	14,094.00	718.00
			<u>\$59,081.00</u>

<b>JAIL 101-351</b>	Original Budget	Amended Budget	(Decrease) Increase
706.380 Correction Officers	\$759,304.00	\$720,158.00	-\$39,146.00
707.000 Part-time	45,000.00	70,000.00	25,000.00
715.000 FICA	92,963.00	91,828.00	-1,135.00
716.000 Health Insurance	224,614.00	212,549.00	-12,065.00
716.010 Dental Insurance	10,902.00	10,340.00	-562.00
716.020 S & A Insurance	8,895.00	8,557.00	-338.00
716.100 Workers' Comp.	29,265.00	28,495.00	-770.00
717.000 Life Insurance	1,136.00	1,088.00	-48.00
718.050 Pension	121,488.00	117,182.00	-4,306.00
725.010 Sick Leave Payout	16,045.00	15,354.00	-691.00
			<u>-\$34,061.00</u>

Additional funding needed for 2009 from Contingency (line item 101-890-941.000) \$ 25,020.00

The following budget amendment is necessary due to Safe Communities Grant:

INCREASE GENERAL FUND REVENUES:

Line item 101-301-539.000 (Michigan State Police Highway Safety Grant) \$ 46,502.00

INCREASE GENERAL FUND EXPENDITURES:

Line item 101-301-712.000 (Wages-Overtime) \$ 6,674.00

Line item 101-301-715.000 (FICA) 511.00

Line item 101-301-718.050 (Retirement-MERS) 734.00

Line item 101-301-716.100 (Worker's Compensation) 163.00

Line item 101-301-746.000 (Gasoline and Oil) 1,997.00

Line item 101-301-816.000 (Contractual Services) 29,923.00

Line item 101-301-977.060 (Equipment) 6,500.00

\$ 46,502.00

It was moved by Commissioner Baker and supported by Commissioner Dunlap that the budget adjustments 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	\$ 3,788.56	\$
Prepaid Insurance	24,475.00	
Appropriations	55,009.25	
County Commission	12,359.03	4,174.10
Circuit Court	8,064.54	13,381.52
District Court	1,287.03	60,739.18
Friend of the Court	2,527.54	39,277.22
Probate Court	1,763.16	18,606.97
Juvenile Branch	22,789.98	36,086.57
Appeals Court	1,780.60	
Public Defender	460,000.00	
Administration	240.00	9,735.65
Elections	20.00	
Finance Department	1,417.12	13,066.38
County Clerk	1,037.00	22,243.49
Equalization Department	4,300.00	15,774.08
Human Resources	1,514.76	6,279.67

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Geographic Information Systems	\$	\$ 7,083.98
Prosecutor's Office	6,436.66	41,985.28
Central Services	10,530.58	5,428.79
Register of Deeds	4,358.63	13,156.95
County Treasurer		14,926.85
Cooperative Extension	54,292.32	8,467.67
Information Technology	3,249.97	11,970.29
Buildings & Grounds	12,979.86	14,189.30
Courts Building Security		5,764.95
Drain Commission	3,260.15	5,254.90
Sheriff Department	10,867.75	110,809.54
Sheriff Reserves	1,178.00	265.89
Jail & Turnkey	17,920.81	135,195.21
Planning Commission	452.00	
Emergency Services	1,554.65	7,099.41
Animal Control	822.50	9,025.88
Board of Public Works		667.63
Medical Examiners	3,668.88	
Child Care - Probate	9,204.96	538.57
Veterans' Services	6,487.21	1,375.46
Utilities & General Services	31,577.40	
Total	\$ 781,215.90	\$ 632,571.38

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 521,348.43	\$
Parks & Recreation	3,491.28	7,582.60
Emergency 911 Service	45,127.41	67,659.37
Central Dispatch - Wireless	340.00	4,055.26
Meyer Broadway/Coon Hollow Park	590.62	2,253.55
Family Counseling	662.50	
Cade Lake Park	698.17	
Traffic Safety Program Fund	657.91	
Economic Development Fund	973.00	7,883.58
Register of Deeds Automation Fund	2,500.00	
Victims' Rights Advocate Fund		3,195.60
Community Corrections Advisory Board	7,793.34	2,896.45
Community Corrections Program	4,764.69	
Drug Law Enforcement Fund	1,179.86	
Law Enforcement Fund		18,368.64
Secondary Road Patrol		8,533.22
Homeland Security Grant Fund	5,609.73	
Law Library Fund	354.00	
Principal Residence Denial Fund		667.61
Commission on Aging	75,131.77	51,360.21
Sheriff's Justice Training Fund	582.30	
Child Care - Probate Court	23,501.64	3,834.81
Veterans' Trust Fund	2,165.45	
Forfeiture & Foreclosure Fund	5,540.45	
Tax Payment Fund	5,349.99	
Inmate Store	410.89	

OTHER FUNDS

EXPENDITURES

PAYROLL

Three Rivers Community Center		\$ 4,470.78	\$ 816.78
Long Lake Level Revolving Fund		5.49	
Information Technology Improvement Fund		5,934.75	
Flexible Benefits Insurance Fund		<u>152,304.31</u>	
Total		\$ 871,488.76	\$ 179,107.68
Grand Total		\$ 1,652,704.66	\$ 811,679.06
General Fund Operating Expenditures			
Pre-Authorized	\$733,827.67		
Accounts Payable	<u>47,388.23</u>		
		\$ 781,215.90	
General Fund Payroll Expenditures		\$ 632,571.38	
Other Funds Operating Expenditures			
Pre-authorized	\$857,838.79		
Accounts Payable	<u>13,649.97</u>		
		\$ 871,488.76	
Other Funds Payroll Expenditures		\$ <u>179,107.68</u>	
Total Recorded for the Month		\$ 2,464,383.72	

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the bills be approved for payment. Motion carried.

MISCELLANEOUS

Ms. West-Wing introduced Kelsey Arver, who is observing today in the audience.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until February 17, 2009 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John L. Dobberteen, Chairman