

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 19, 2013 at 5:00 p.m.

Chairman John Dobberteen, called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Allen Balog	Donald Eaton
Rick Shaffer	Robin Baker
John Dobberteen	

Also present was Joni Smith, Finance Director.

AGENDA

It was moved by Commissioner Shaffer supported by Commissioner Baker that the agenda be approved as presented. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Eaton that the minutes for February 5, 2013 be approved. Motion carried.

COMMUNICATIONS

1. Letter from City Manager Joseph Bippus, City of Three Rivers, Re: Senior Center.
2. Letter from Staff Representative Angela Tabor, AFSCME Council 25, Re: Right to Work Legislation and Agency Fee Letter of Agreement.
3. Letter from Rick Soice, Re: Resignation from Veterans' Affairs Board.
4. Letter from Nottawa Township Supervisor Gerald Loudenslager, Re: The establishment of a Lake Board for Lake Templene.
5. Minutes of the Commission on Aging Board meeting of December 12, 2012.

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

AGREEMENT WITH CASS COUNTY TO FORM JOINT ENDEAVOR

Cass County Administrator, Louis Csokasy, presented an Agreement for a shared Equalization Director between Cass and St. Joseph Counties. He had talked to our previous Administrator and also with other County Administrators including Kalamazoo and VanBuren Counties. He stated that in order for counties to continue receiving revenue sharing the Governor wants them to work towards sharing resources. There is currently in place an agreement to share a County Road Engineer and there has been for a few years and it is working well.

In addition, Mr. Csokasy shared that the State requirements to become a Level IV Equalization Director is becoming more and more difficult to attain therefore it is creating a shortage of those that are qualified. He has previously spoken with each County's Board of Commissioners and they have been positive. He is requesting that the Board approve this Agreement tonight and he will request that the Cass County Board of Commissioners approve it at their meeting on February 21st.

There will be a joint interview team of those that apply for the position and they hope to have someone hired by May.

Commissioner Shaffer asked if there would be a formal tracking of the time that the Director would be in both counties.

Mr. Csokasy stated that it is easier to track by days than by hours and suggested that the Director may spend 2 days per week in each County and the 5th day would be where needed or split in half.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Agreement with Cass County to share an Equalization Director be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

EMPLOYMENT AGREEMENT WITH J. PATRICK YODER

Chairman Dobberteen stated that at the Executive Committee last Friday the Employment Agreement with J. Patrick Yoder to be employed as the Administrator/Controller was discussed. The Agreement is for the time period April 1, 2013 through December 31, 2013.

It was moved by Commissioner Baker and supported by Commissioner Balog that the Employment Agreement with J. Patrick Yoder be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

DEFINING HOURS PER MONTH FOR MERS RETIREMENT PURPOSES

Mrs. Smith stated that hours needed to be defined on a per month basis for MERS Retirement Purposes for the General and Police Units.

The reason that the General Unit needs to be defined is for the protection of part time employees and shall consist of 70 hours per month.

The reason that the Police Unit needs to be defined at 80 hours per month is to allow for the 12 hour shifts that they currently work.

General Unit

Resolution 4-2013

In accordance with Section 3(1) of the MERS Plan Document, as the Board of Commissioners, St. Joseph County does hereby certify that a day of work, or the number of hours of work in a month, for Division 1 (General) for retirement purposes, shall consist of one of the following to be effective as of April 1, 2007.

- A. _____ A day shall consist of _____ hours.
- B. √ _____ A month shall consist of 70 hours.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Resolution be adopted and 2nd reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Resolution adopted.

Police Unit

Resolution 5-2013

In accordance with Section 3(1) of the MERS Plan Document, as the Board of Commissioners, St. Joseph County does hereby certify that a day of work, or the number of hours of work in a month, for Division 2 (Police Officer) for retirement purposes, shall consist of one of the following to be effective as of January 1, 2009.

- A. _____ A day shall consist of _____ hours.
- B. √ A month shall consist of 80 hours.

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that the Resolution be adopted and 2nd reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Resolution adopted.

INTERGOVERNMENTAL FUNDING AGREEMENT WITH VAN BUREN COUNTY
2011 HOMELAND SECURITY GRANT

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Intergovernmental Funding Agreement with VanBuren County be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

ADOPT POLICY REQUIRING DIRECT DEPOSIT OF EMPLOYEES' PAY

Mrs. Smith requested adoption of the following Policy Requiring Direct Deposit of Employees' Pay in order to improve efficiencies in the payroll department:

Methods to Pay Employee Wages

Effective with the pay period ending April 8, 2013 (paycheck date April 12, 2013) all St. Joseph County employees will be required to receive their wages only through one of the following two methods:

- 1) Direct deposit or electronic transfer to the employee's account at a financial institution or
- 2) Payroll Debit Card

If an employee currently is paid by direct deposit, the method of payment shall not be changed to payroll debit card without written consent of the employee. If payroll debit card is the method of payment, the employer must provide:

- written disclosure of the terms and conditions for use, including an itemized list of any and all fees;
- the methods for accessing wages without charge;
- a statement that, if the payroll debit card is used outside the specified network of automatic teller machines, both the payroll card issuer and the operator of the ATM may impose charges;
- methods to obtain free balance inquiries;
- the employees' right to elect to change the method of receiving wages at any time; and
- that the payroll debit card does not provide access to a savings or checking account.

An employee may change the method of payment (from direct deposit to debit card or reverse) at any time. The employer shall take no longer than 1 pay period to implement the change after receiving the change request and any information necessary to implement the request.

For reference see The Payment of Wages and Fringe Benefits Act 390 of 1978.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Direct Deposit of Employees' Pay Policy be adopted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Policy adopted.

NOMINATIONS/APPOINTMENTS

Workforce Development Board

It was moved by Commissioner Baker and supported by Commissioner Eaton that Kelly Presta, representing the Private Sector, be nominated and appointed to the Workforce Development Board to fill a vacancy with a term to expire December 31, 2013. Motion carried.

Agricultural Preservation Board

It was moved by Commissioner Shaffer and supported by Commissioner Balog that John Fair, Larry Rice and Don Eaton be reappointed to the Agricultural Preservation Board. Motion carried. The terms for Fair and Rice are for 3 years expiring March 6, 2016 and Eaton for 1 year expiring March 6, 2014.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that there is a meeting scheduled for tomorrow.

Judiciary

Commissioner Eaton stated that the meeting was held last week and a lot of the discussion centered on e-filing. Everyone has a copy of the minutes.

Physical Resources

Commissioner Balog stated that the committee has not met.

Executive Committee

Chairman Dobberteen stated that everyone has a copy of the minutes from the Executive Committee meeting held on February 15, 2013.

PERSONNEL REPORT

Mrs. Smith presented the following report:

RESIGNATION:

Heather Smith, COA In-home Services Aide, has resigned effective January 23, 2013.

NEW HIRE:

Kathleen L. Whittleton has been hired as COA In-home Services Aide at \$10.25/hr. (COA system, grade 5, minimum) effective February 12, 2013.

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

BUDGET ADJUSTMENTS

Mrs. Smith presented the following report:

GENERAL FUND:

Increase Contingency (101-890-941.000)	\$ 200,000.00
Decrease DHS Child Care Fund Appropriation (101-001-965.120)	\$ 200,000.00

CHILD CARE FUND – DEPARTMENT OF HUMAN SERVICES:

Increase State Reimbursement Grant (292-663-578.000)	\$ 275,000.00
Increase Miscellaneous Reimbursement (292-663-672.000)	<u>275,000.00</u>
	\$ 550,000.00

Increase Family Foster Care Expense (292-663-844-010)	\$ 410,000.00
Increase Other County Institution Expense (292-663-844.030)	30,000.00
Increase In-Home Care Component (292-663-844.105)	100,000.00
Increase Independent Living Expense (292-663-844.050)	<u>10,000.00</u>
	\$ 550,000.00

FROM APPROPRIATION:

\$106,956.00 from General Fund Appropriation (101-001-965.160) to Secondary Road Patrol Fund.

It was moved by Commissioner Baker and supported by Commissioner Balog that the budget adjustments be approved. Motion carried.

FINANCE DIRECTOR’S REPORT

Mrs. Smith presented the following reports:

Per Diem

Robin Baker - 10 half days 1/17 x 2, 1/24, 2/1, 2/5, 2/6, 2/7, 2/12, 2/13 & 2/14/2013 & 1 full day 2/11/2013	\$ 595.00
Allen Balog - 10 half days 1/16 x 2, 1/17, 1/24, 2/1, 2/4, 2/12 x 2, 2/13 & 2/15/2013	500.00
John Dobberteen - 12 half days 1/22, 1/23, 1/25, 1/30, 2/1, 2/5, 2/11, 2/12 x 3, 2/13 & 2/15/2013	600.00
Don Eaton - 11 half days 1/9, 1/11, 1/14, 1/15, 1/17, 1/25, 1/29, 2/7, 2/12, 2/13 & 2/18/2013	550.00
Rick Shaffer - 9 half days, 1/2, 1/11, 1/16, 1/21, 1/25, 2/1, 2/6, 2/15 & 2/18/2013	<u>450.00</u>
	\$ 2,695.00

Expenses

Robin Baker	\$ 292.11
Allen Balog	142.38
John Dobberteen	140.12
Don Eaton	68.93
Rick Shaffer	<u>83.62</u>
	\$ 727.16

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the per diem and expenses be approved. Motion carried.

Independent Contractors' Agreements

Douglas A. Brousseau

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the Independent Contractor Agreement with Douglas A. Brousseau to do Commercial Appraisals for the Land Resource Center/Equalization be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

Roger C. McEvers

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Independent Contractor Agreement with Roger A. McEvers to do Industrial Appraisals for the Land Resource Center/Equalization be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

CITIZENS' COMMENTS

Bruce Bart, Sherman Township Supervisor, stated that a combined Lake Board for Lake Templene is being established by the Sherman and Nottawa Township Boards. A Special Assessment District will be established for weed control; preserving fish habitats; and dredging. He is the representative on the Board for Sherman Township and David Davis is the Nottawa Township Board's representative. He stated that by law the Drain Commissioner is also on this Board along with a County Commissioner. There will be others appointed to the Board as well. Mr. Bart is requesting that the County Commission appoint their representative to this Board prior to the first meeting of the joint Board on March 18th. The board will be establishing bylaws.

Jon Zirkle, Ag Agent at MSUE, alerted the County Commissioners to a bus tour to central Wisconsin on March 11th and 12th to study their agriculture and irrigation. He invited them to participate and stated that the cost is \$260 per person for the trip which includes the hotel cost.

He stated that there will also be two 2 hour free online webinars on March 14th and March 21st in which the Board is invited to participate.

Commissioner Eaton asked Mr. Zirkle if he could develop an educational program regarding forestry including the economic viability of wood management.

CHAIRMAN'S REPORT

Chairman Dobberteen suggested that the Board have a work session on Monday, March 4, 2013 at 3:00 p.m. as discussed in the last Executive Committee.

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the Board hold a work session on March 4th at 3:00 p.m. Motion carried.

COMMISSIONER COMMENT

Commissioner Baker reminded everyone of the presentation that 2 Fish will do on Thursday, February 21st at 7:00 p.m. at the ISD.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until March 5, 2013 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John Dobberteen, Chairman