

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 March 18, 2014, at 5:00 p.m.

Chairman Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge of Allegiance to the flag was given.

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

Allen J. Balog	Donald Eaton
Rick Shaffer	Robin Baker
John L. Dobberteen	

Also present were Pat Yoder, Administrator/Controller, Elishia Arver, Human Resources Director and Joni Smith, Finance Director.

AGENDA

Chairman Dobberteen stated that an out of state travel request be added to the agenda under New Business and a Road Commission update be added to Committee Reports.

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the minutes for March 4, 2014 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the City of Sturgis, Re: Notice of public hearing on March 12, 2014 to consider an Industrial Facilities Exemption Certificate to Summit Polymers, Inc.
2. Letter from Enbridge Energy, Re: March update.
3. Resolution from Ottawa County, Re: 2015 Revenue Sharing.
4. Minutes of the Commission on Aging Board meeting of February 19, 2014.

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

CITIZENS' COMMENTS

Eva Beeker, 63067 Engle Road, Centreville, 4-H Program Coordinator invited the Commissioners to attend the 5th Grade Conservation Event. It will be held on April 29th and 30th at Covered Bridge Park and the programs are coordinated with the City of Sturgis; Parks and Recreation Commission; and Conservation District. It is a 2 day event and provides the opportunity for each of the 800 5th graders in the County to attend one of the sessions which last about 2½ hours. There are 7 stations that provide an excellent opportunity for the 5th graders to learn about conservation and recycling to name two. She stated that this has been an ongoing event for the 5th graders for 45 years.

Tim Carls, 63044 Klinger Lake Road, Centreville, announced that he is a candidate for 3rd District County Commissioner on the Democratic ticket.

He mentioned that he saw that Commissioner Eaton has been reappointed to the Agriculture Preservation Board and stated that Commissioner Eaton has no qualifications and it is not appropriate for him to be on this Board.

Mr. Carls asked what taxes are going to be generated to pay for the lovely pay raises.

He also mentioned all the potholes in the County and that the County has enough money to fix them.

PUBLIC HEARING

Chairman Dobberteen stated that the public hearing was declared open on the Michigan Natural Resources Trust Fund Grant Application.

John Pence, Parks and Recreation Director, stated that if the County is awarded the grant that it would be used to purchase 135 acres of property north of Lafayette between Big Hill and Plumb School Road on the south side of Stewart Lake in Burr Oak Township. The property would be purchased to build a park. It is an area that has wildlife; there are woodlands; and they hope to build fishing piers as well as a possible beach for swimming. This fits into the Parks and Recreation Master Plan. The grant would be for \$733,000 with a County match of \$226,900 which is 31% of the grant.

There being no comments from the public it was moved by Commissioner Shaffer and supported by Commissioner Baker that the public hearing be closed. Motion carried.

EMPLOYMENT AGREEMENT WITH ELISHIA ARVER

Mr. Yoder recommended approval of an Employment Agreement with Elishia Arver for the position of Deputy County Administrator/Human Resource Director with an annual salary of \$72,000.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Employment Agreement with Elishia Arver 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.

AUTHORIZING RESOLUTION
LOCAL UNIT OF GOVERNMENT MATCH WITHOUT DONATED FUNDS
RESOLUTION NO. 6-2014

Commissioner Shaffer presented the following resolution:

WHEREAS, the St. Joseph County Board of Commissioners supports the submission of an application titled "Lake Property Acquisition and Conservation" to the Michigan Natural Resources Trust Fund for acquisition of 135 acres of property abutting Stewart Lake; and

WHEREAS, the proposed application is supported by the County's 5-year approved Parks and Recreation Master Plan; and

WHEREAS, St. Joseph County has made a financial commitment to the project in the amount of \$226,792 matching funds, in cash.

NOW THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners hereby authorizes submission of a Michigan Natural Resources Trust Fund Application for \$504,795, and further resolves to make available its financial obligation amount of \$226,792 (31%) of a total \$731,587 project cost during the 2015 fiscal year.

It was moved by Commissioner Shaffer and supported by Commissioner Balog 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.

MIDSTATE JAIL SECURITY PROJECT

Mrs. Arver recommended approval of a contract in the amount of \$177,000 with Midstate Proposal to upgrade security in the booking area. She stated that the current system is hard to repair. After these upgrades are complete then the cameras can be upgraded. The amount budgeted for this project for 2014 is \$100,000. The additional funds will come from the \$100,000 plus in funding that the Sheriff's Department received from the Enbridge pipeline.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Midstate Proposal be approved to update jail security in the amount of \$177,000.

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.

BS&A PROPOSAL

Mrs. Smith requested approval of a BS&A Proposal that would add payroll to the current accounts payable software. This would replace the ADP software that is currently in use. In addition a Human Resources function would also be added and timesheets will be able to be done paperless. The cost is \$68,860.

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the new BS&A functionality 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.

OUT OF STATE TRAVEL REQUEST

Mr. Yoder stated that T.J. Baker, Director of the new Jail Diversion Program is requesting permission to attend training related to this new position in Las Vegas, Nevada and Minneapolis, Minnesota both during the month of April.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the out of state travel request 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.

AUTHORIZING PAYMENT TO MERS OF UNFUNDED EMPLOYER LIABILITY

Mrs. Arver stated that the MERS Sheriff's Administration Group is underfunded by \$1,054,127 and is requesting adoption of the following resolution to eliminate this liability:

PROVIDING FOR A ONE TIME PAYMENT TO MERS
OF THE CURRENT UNFUNDED EMPLOYER LIABILITY
FOR THE SHERIFF'S ADMINISTRATION MERS UNIT DIVISION 20

RESOLUTION NO. 7-2014

WHEREAS, the most recent MERS Annual Actuarial Report (12/31/12) for the St. Joseph County Pension Plan determined that the Sheriff's Administration Unit Division 20 has unfunded Employer liability in the amount of \$1,054,127.00; and

WHEREAS, the MERS Plan Document and MERS Policies require that the St. Joseph County Pension Plan should be 100% funded; and

WHEREAS, the most recent MERS Average Annual Investment Return is approximately 5.4% which rate of return is substantially greater than the approximate 1% annual rate of return currently earned by the St. Joseph County Delinquent Tax Revolving Fund; and

WHEREAS, the St. Joseph County Administrative Staff including the County Administrator and the Human Resources Director have investigated the relevant circumstances surrounding the funding of the Sheriff's Administration MERS Unit Division 20 and have recommended that the St. Joseph County 2014 Annual Budget Appropriation Act be amended by the Board of Commissioners by the transfer of sufficient funds from the Delinquent Tax Revolving Fund to the General Fund to pay the outstanding unfunded liability for the MERS Sheriff's Administration MERS Unit Division 20 in the amount of \$1,054,127.00.

THEREFORE, BE IT RESOLVED that the St. Joseph County Annual Budget Appropriation Act be amended by the transfer of \$1,054,127.00 from the Delinquent Tax Revolving Fund to the General Fund for the purpose of payment of the MERS Sheriff's Administration Unit Division 20 unfunded liability as of December 31, 2012, in the amount of \$1,054,127.00; and

FURTHER BE IT RESOLVED that a one-time payment of \$1,054,127.00 be made to MERS to be applied to the unfunded liability of the St. Joseph County Sheriff's Administration Unit Division 20.

It was moved by Commissioner Shaffer and supported by Commissioner Baker 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.

MERS RESOLUTION FOR ADMINISTRATION GROUP

Mrs. Arver requested adoption of the following resolution that would require any future employees in the Sheriff's Department Administration to become part of the hybrid as stated in the resolution:

AMENDING THE PENSION PLAN FOR NEWLY ELECTED
AND NEWLY APPOINTED OFFICIALS AND ADMINISTRATIVE EMPLOYEES
AND EMPLOYEES OF THE SHERIFF'S OFFICE ON OR AFTER MARCH 18, 2014

RESOLUTION NO. 8-2014

WHEREAS, the St. Joseph County Pension Plan provides for a Sheriff's Office Administration Unit which provides a pension benefit to employees employed as the current Sheriff, the current Undersheriff, the current Jail Administrator and the current Operations Administrator and which Pension Plan provides for a MERS B-4 Defined Benefit Plan with a twenty-five (25) years of service rider and a FAC-3 and an E-2 Cost of Living Rider; and

WHEREAS, it has recently become apparent that the cost of such benefit is not financially sustainable for future Officials and Administrators of the Sheriff's Office.

THEREFORE, BE IT RESOLVED that all elected and appointed officials and administrators of the St. Joseph County Sheriff's Office who are elected or hired and/or who take office on or after March 18, 2014, shall be members of and participate in the St. Joseph County MERS Hybrid Pension Plan for all years of service thereafter which Hybrid Plan shall consist of a Defined Benefit (DB) Component with a 1.00% benefit multiplier and a Defined Contribution (DC) Component as follows:

- (i) The DB Component of the Hybrid Pension Plan shall provide for vesting at completion of six (6) years of service and shall provide for a FAC-3 years along with a 1% benefit multiplier.
- (ii) The County will contribute to the Defined Contribution (DC) Component of the Hybrid Plan. The Employers contribution shall be 1% of the Employee's payroll. Employees will be allowed to make additional contributions as allowed by the Plan Document, MERS Regulations and applicable laws. Employees will be 100% vested in Employer contributions to the DC Component of the Hybrid Plan following six (6) year graded vesting schedule.

and

BE IT FURTHER RESOLVED that the Chairperson of the St. Joseph County Board of Commissioners is hereby authorized to execute whatever forms and documents are required by the MERS in order to effectuate the terms of the above described Pension Plan Amendment.

It was moved by Commissioner Shaffer and supported by Commissioner Baker 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.

NOMINATIONS/APPOINTMENTS

Agriculture Preservation Board

It was moved by Commissioner Shaffer and supported by Commissioner Balog that Roger Gentz and Carroll Parmeter be appointed to the Agriculture Preservation Board for 3 year terms to expire March 6, 2017 and Donald Eaton be appointed for a 1 year term to expire March 6, 2015. Motion carried.

Community Mental Health and Substance Abuse Services Board

It was moved by Commissioner Baker and supported by Commissioner Shaffer that Barbara Parker and Karen Beverly be appointed to the CMHSASB for 3 year terms expiring March 31, 2017. Motion carried.

PERSONNEL REPORT

Mrs. Arver presented the following report:

NEW HIRE:

Regan J. Taylor has been hired as part-time Telecommunicator at \$12.50/hr. effective April 8, 2014.

Brendon M. Westrick has been hired as part-time Telecommunicator at \$12.50/hr. effective April 8, 2014.

Fernando Garcia has been hired as COA Sub-Driver at \$9.09/hr. (COA, grade 1, minimum) effective March 11, 2014.

Kimberly K. Berg has been hired as COA Home Care Aide at \$10.49/hr. (COA, grade 3, minimum) effective March 7, 2014.

Frank R. DeYoung has been hired as COA Home Care Aide at \$10.49/hr. (COA, grade 3, minimum) effective March 7, 2014.

Dawn S. Davidhizar has been hired as COA Home Care Aide at \$10.49/hr. (COA, grade 3, minimum) effective March 7, 2014.

RESIGNATION:

Robert Littke, Marine Patrol Officer, has resigned effective February 27, 2014.

MISCELLANEOUS:

Jerimiah Abnet, Road Patrol Officer, change to Road Patrol Sergeant at \$26.03/hr. effective March 11, 2014.

Elishia Arver employment agreement at \$72,000/yr. with job title changes from Human Resource Director to Deputy County Administrator/Human Resource Director effective April 1, 2014.

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith presented the following reports:

Budget Adjustments

CENTRAL DISPATCH FUND:

Decrease Maps (211-911-982.010)	\$ 40,000.00
Increase Communications Equipment (211-911-977.010)	\$ 40,000.00

DELINQUENT TAX REVOLVING FUND:

Increase Operating Transfers Out (516-253-999.002)	\$ 1,054,127.00
Increase Budgeted Use of Fund Balance (516-253-676.000)	\$ 1,054,127.00

GENERAL FUND:

Increase Operating Transfers In (101-390-699.002)	\$ 1,054,127.00
Increase MERS Expense (101-872-718.050)	\$ 1,054,127.00

Increase Drain Commission Dues (101-275-803.000)	\$ 45.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 45.00

Increase Jail's Computer Hardware (101-351-984.000)	\$ 78,000.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 78,000.00

Increase Finance Department Computer Software (101-212-985.00)	\$ 88,275.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 88,275.00

Increase Human Resource Wages – Department Head (101-226-705.010)	\$ 8,352.00
Increase Human Resource FICA Expense (101-226-715.000)	639.00
Decrease Human Resource Health Insurance Expense (101-226-716.000)	(1,089.00)
Increase Human Resource MERS Expense (101-226-718.020)	475.00
Increase Human Resource Work Comp Insurance Expense (101-226-716.100)	<u>23.00</u>
	\$ 8,400.00

Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 8,400.00
---	-------------

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

Per Diem

Robin Baker - 5 half days 2/19, 2/20, 2/27, 3/5, 3/13/14 & 1 full day 2/24/14	\$ 345.00
Allen Balog - 8 half days 2/19, 2/20, 2/27, 3/4, 3/5, 3/11, 3/13 & 3/17/14	400.00
John Dobberteen - 7 half days 2/5, 2/25, 3/11, 3/12, 3/13, 3/16 & 3/17/14 & 1 full day 3/17/14	445.00
Rick Shaffer - 7 half days 2/11, 2/12, 2/19, 2/21, 3/6 & 3/13/14 x 2 & 2 full days 1/27 & 2/24/14	<u>540.00</u>
	\$1,730.00

Expenses

Robin Baker	\$ 242.48
Allen Balog	72.24
John Dobberteen	47.04
Rick Shaffer	<u>244.16</u>
	\$ 605.92

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

Financial Statements

	Revenues	Expenditures
Year to Date - February 28, 2014	\$ 2,335,895.31	\$ 3,130,312.77
Available Balance - Revenues & Expenditures	\$ 14,486,744.69	\$ 13,692,327.23
Percent of total budgeted funds earned year to date	16.13%	
Percent of total budgeted funds expended year to date	18.05%	

It was moved by Commissioner Baker and supported by Commissioner Eaton that the financial statements be accepted. Motion carried.

Mrs. Smith stated that the year-end closing is going well.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that there was no report.

Judiciary

Commissioner Eaton stated that there was no report.

Physical Resources

Commissioner Balog stated that there was no report.

Executive Committee

Chairman Dobberteen stated that the Executive Committee/Committee of the Whole met on March 13, 2014 and everyone has a copy of the minutes.

ROAD COMMISSION UPDATE

John Bippus, Road Commission Chairman, gave the following update:

- There are 828 miles of paved roads.
- There are 195 miles of gravel roads.
- There are 96 bridges and numerous culverts.
- Roads typically last 20 years with routine maintenance and chip and seal.
- Bridges typically last 50 years with routine maintenance.
- The road system has an average condition rating of 5 on a scale of 1-10.
- 30 bridges are in need of replacement or maintenance.
- Transportation funding from the State covers routine maintenance and the 1 mill County road millage pays for the annual chip and seal program. Critical bridge funds along with County appropriations historically replace less than one bridge a year.

The following assumptions are used in the analysis of a 10 year plan:

- 2 inch asphalt overlays cost \$110,000 per mile.
- Chip and seal costs \$15,000 per mile.
- Bridge replacements are \$850,000 each.
- Bridge maintenance projects are \$250,000 each.
- Gravel and grading a gravel road is \$15,000 per mile.
- The 1 mill County levy levies approximately \$1,250,000.

Mr. Bippus also made these comments:

- \$12,420,000 funds chip and seal on all 828 miles of pave roads one time.
- \$45,540,000 funds a 2 inch asphalt overlay on 414 miles of paved roads.
- \$12,750,000 funds 15 bridge replacements.
- \$3,750,000 funds 15 bridge maintenance projects.
- \$2,925,000 funds a gravel and grade of all 195 mills of gravel roads one time.

Total \$77,385,000 which is 61.91 mills over 10 years or 6.19 mills per year. He is not advocating raising taxes.

Mr. Bippus further stated that a long-term funding solution is needed. Fifteen of the 16 townships have shown no interest in funding anything to do with roads. The Road Commission can only spend so much on local roads; however, the local units could levy special assessments or millages to fund road repairs, etc.

CITIZEN’S COMMENTS

Rebecca Shank, 12302 Corey Lake Road, Three Rivers made a comment in response to the comment that Del Martin made 2 weeks ago about requesting the County to take \$800,000 out of the Delinquent Tax Revolving Loan Fund and give \$50,000 to each township to repair their roads. She stated that all townships are not equal therefore an equal amount to each would not be fair.

She stated that she recently attended an event in Sturgis regarding no till farming; cover crops; and water quality issues.

She also mentioned that the outdoor wood burning units add pollution to the air; all the seasoned hardwood has been depleted because of this year’s harsh winter and all of this adds to quality of life issues.

COMMISSIONER COMMENTS

Commissioner Shaffer stated that today he rode with a COA driver and assisted in delivering Meals on Wheels. He was glad that he had this opportunity and encouraged others to do the same this week as it is a great program.

ADJOURNMENT

At 5:45 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until April 1, 2014 at 5:00 p.m. Motion carried.

Pattie S. Bender, St. Joseph County Clerk

John L. Dobberteen, Chairman