

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 April 1, 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 and Joni Smith, Finance Director.

#### AGENDA

Chairman Dobberteen stated that Senator Bruce Caswell would be added first under New Business and the Jail Diversion request will be added under New Business after the MERS Service Credit Purchase. Commissioner Balog asked that an appointment to the Veterans' Affairs Board be added to the agenda under Nominations and Appointments.

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

#### MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Eaton that the minutes for March 18, 2014 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from Enbridge Energy, Re: Line 6B replacement pipeline project update.
2. Letter from Michigan Commission on Services to the Aging, Re: Recognizing that St. Joseph County is the recipient of the Community for a Lifetime award, based on its Aging-Friendly Community Assessment.
3. Email from Laura Barley, Re: Animal Control Advisory Board.
4. Resolution from Antrim County, Re: Opposing SB 636 Landline Elimination.
5. Resolution from Antrim County, Re: Supporting HB 5253.
6. Resolution from Antrim County, Re: Supporting HB 5215.
7. Resolution from Cheboygan County, Re: Supporting the current standard that permits the home owner to choose whether or not to install a home sprinkler system.
8. Resolution from Charlevoix County, Re: Celebrating the 200<sup>th</sup> anniversary of the National Anthem of the United States of America on September 14, 2014.

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

#### SENATOR CASWELL

Senator Bruce Caswell explained the partial elimination of the personal property tax. Currently the commercial and industrial taxes have been eliminated for small businesses below a taxable value of \$40,000.00. Whether or not the second Phase will be a reality will be determined by the voters at the August Election. If there is a yes vote on the proposition in the second Phase, the Personal Property Tax would be eliminated for larger industries and manufacturers and the locals would have their taxes replaced 100% from the Use Tax Fund. This is currently in place at 6% with 2% going to schools and 4% goes to the State General Fund. 2% of the 4% would be diverted to the local units of government.

If the voters turn down the proposition the personal property tax is restored effective January 1, 2015 for each business, industry and manufacturer including those below \$40,000. But, those below \$40,000 still do not have to pay those taxes for 2014.

Qualified manufacturing personal property will be charged an essential services assessment based on the acquisition cost of the qualified manufacturing personal property multiplied by a gradually depreciating millage rate.

Senator Caswell stated that from 2015 through 2019, the local community stabilization authority (LCSA) created by law will reimburse municipalities 100% of their 2013 personal property tax collections. Beginning in 2020, the LCSA will reimburse municipalities through a bifurcated system based on a percentage of their 2013 personal property tax collections and a dynamic reimbursement. When the dynamic reimbursement begins in 2020, local units of government will see reimbursements based on their 2013 personal property tax collections reduced by 5% per year.

Senator Caswell stated that the eliminating of the personal property tax is essential for Michigan to be competitive with our neighboring States.

He also stated that he expects Counties to be fully Revenue Sharing funded.

The next subject he addressed is the Child Care Fund. This will be changed from a service based system to a performance based system for Abuse and Neglect cases only.

There are \$1,000,000 in grant funds available to Counties, for rehabbing kids in the Juvenile System instead of having them in institutional care. The grants are based on performance. They will be adding another \$500,000 into this fund this year.

Chairman Dobberteen asked Senator Caswell about funding for Community Mental Health.

The Senator stated that with the Medicaid expansion there was hope that this would save General Fund monies. He stated that there are uncertainties with the Affordable Care Act, but stated that there should be some additional funds available for Mental Health.

Chairman Dobberteen stated that the funding for CMH should be more fair than it seems to be. Commissioner Eaton stated that our local CMH is asking the County for \$150,000.00.

### DRAIN COMMISSIONER'S ANNUAL REPORT FOR 2013

Jeffery Wenzel, Drain Commissioner, gave an overview of the Annual Report for 2013. He spoke about some projects that they did in 2013 and was also involved with the Enbridge Pipeline which went across 3 drains. Also, Indiana and Michigan Power installed new lines from Three Rivers to Sturgis. 2013 was also the first full year that this office issued Soil Erosion Permits and everything went very well. He and his Deputy are both certified to issue the permits. He also stated that he does not charge farmers for permits to clean out the drains on their properties as this saves money for the Drain office.

Following are the financial reports for 2013:

#### ASSESSMENTS

The following assessments were filed with the St. Joseph County Clerk September 18, 2013:

Grover & Coohon Drain, Colon Township (Petitioned Cleanout)	\$18,763.97
Felker Drain, Park Township (Petitioned Cleanout)	\$51,152.81
Colon Number One Drain, Colon & Nottawa Townships (Petitioned Cleanout)	\$36,576.14
Nye Drain, Sturgis Township (Petitioned Cleanout and Consolidation)	\$39,700.50

Kaiser Lake Assessment, Fabius Township (Costs to Establish a Special Assessment District)	\$ 4,052.94
Beaver Lake Assessment, Colon Township (Costs to Establish a Special Assessment District)	\$ 4,549.35
Bennett & Birch Drain, Leonidas Townsip (Maintenance Assessment)	\$ 6,083.52
Garman-Foster Drain, Mendon and Park Township (Maintenance Assessment)	\$11,000.00
Park Drain, Lockport and Park Township (Maintenance assessment)	\$17,500.00
Total Drain and Lake Assessments - 2013	\$189,379.23

Below are the summaries for the drain and lake level accounts:

DRAIN

AINSLEY	\$0.00
AMBS	\$0.01
BARTHOLOMEW/SPRING CREEK	\$2.86
BEAVER LAKE & EXTENSION	\$228.47
BENEDICT LAKE	\$2,432.80
BENNETT & BIRCH	\$610.22
BERKLEY & REED	\$451.46
BLACK RUN	\$4,578.73
BRICKER	\$121.62
BRISTOL	\$5.46
BROOKS	\$6.62
BURR OAK VILLAGE	\$1.47
BURR OAK/COUNTYLINE	\$6,004.35
CALVERT & FOUR COUNTY	\$2,305.71
CARL	\$71.84
CARTER-BOWER	\$156.32
CLARKS	\$2.72
CLYDE	\$2,264.76
COLE & DARLING	\$37.91
COLON NO. 1	\$51,649.77
COOPER	\$35.70
COPENHAFER	\$1,439.02
COREY LAKE (DRAIN)	\$131.25
DAVIS TILE	\$27.98
DELONG	\$3.18
DENT EXTENSION	\$3.34
DRY LAKE	\$2.57
FABIUS NEWBERG	\$0.00
EBERHARD LAKE (DRAIN)	\$22.76
EDWARDS-STARKWEATHER	\$1.00
FARNHAM	\$45.31
FAWN RIVER	\$0.00
FELKER	\$3,616.32
FLETCHER	\$44.00
FOUR COUNTY	\$40.20
FOUR COUNTY BRANCH	\$39.26
FOWLER	\$32.32

FREEMAN	\$6,517.31
GARMAN FOSTER BRANCH	\$2,201.09
GEMBERLING	\$230.04
GILL & TRY	\$381.88
GILLETT	\$7.06
GOOSE LAKE	\$91.52
GRAVES	\$17.56
GROVER-COOHON	\$38,503.06
HALLWOOD - BRANCH #1	\$262.41
HANDESHAW	\$0.00
HASBROOK & MUMBY	\$0.15
HASSINGER	\$878.30
HAZZARD	\$45.54
HENRY	\$39.45
HEPNER-COOK	\$100.00
HILL	\$159.41
HIMEBAUGH & NOBLE	\$21.92
HOG CREEK & BRYANT LAKE	\$606.44
HOOVER-KELLY	\$242.52
JOHNSON & KELLY	\$408.59
KEIGHTLY	\$217.62
KIBBIE & AKEY	\$3.42
KISER & BICKLE	\$0.00
KLADY	\$0.00
LAIRD TOMPKINS & DOANE	\$5.31
LEONIDAS VILLAGE	\$20.59
LEONIDAS/MENDON/LITTLE PORTAGE	\$886.57
LITTLE PORTAGE CREEK EXTENSION	\$0.00
LEVERANCE & REED	\$246.59
LITTLE SWAN CREEK	\$4,782.91
MARVIN	\$21.33
MCCAULEY	\$100.00
METTY RICE	\$45.01
MOE	\$6,112.64
MOORE & BURGNER	\$19.18
MOOREPARK	\$39.49
NOTTAWA LOCKPORT	\$57.68
NOTTAWA NO. 1	\$1,006.64
NYE	\$4,935.58
OLDORF	\$19.99
OUTWATER	\$4.65
PARK	\$3,235.52
PIERCE-SHERMAN	\$10.50
PLUG EXTENSION	\$44.66
PLUM	\$0.01
PORTAGE CREEK INTERCOUNTY	\$40.50
PORTAGE LAKE DRAIN	\$35,742.77
PROFILE LAKE	\$701.79
RAILROAD STREET & TRY	\$55.42
REED	\$0.00
REED & HAGAR	\$1.44
RUMSEY	\$0.00
SADAWASSER	\$80.77
SAMUEL CLYDE	\$16.93

SAM METTA	\$0.00
SANBORN & HOG CREEK	\$172.01
SECTION FIFTEEN	\$100.00
SECTION FOUR	\$1,936.93
SECTION FOUR & FIVE	\$33.47
SECTION LINE	\$391.46
SECTION SEVEN	\$150.50
SECTION SIXTEEN	\$0.91
SECTION THIRTY-ONE	\$23.18
SECTION TWENTY-EIGHT	\$9.20
SHAW & AKEY	\$4.08
SIMPSON	\$6.91
SKIRVIN	\$7.69
SMITH & TYLER	\$50.00
SMITH WOODWORTH	\$37.11
SNAKE	\$614.90
STEPHENSON	\$331.32
STEWART LAKE	\$13,950.90
SWEET LAKE	\$0.00
THORNTON-BEAVER MARSH	\$27.73
TRECKLE	\$2.64
TUTEWILER & TOWN LINE & PLUG	\$2,706.00
WAITS	\$13.38
WANEER	\$87.29
WASEPI	\$10.12
WILCOX	\$2,247.02
WINGER	\$0.00
WOOD & WATSON	\$3,296.88
YAPLE	\$60.85
YEATTER JOINT	\$1.93
YODER	\$82.45
TOTALS	\$211,943.93

\*This fund is the total of the individual drain accounts included with this report.

#### LOANS

Colon Number One Drain	\$365,780.00
Felker Drain	\$427,000.00
Grover & Coohon Drain	\$220,000.00

Mr. Wenzel mentioned that Deputy Beverly Thelen has moved out of State and he has hired Traci Balyeat who is working out well and will soon be getting her certification to issue Soil Erosion permits.

In response to a comment by Commissioner Eaton, Mr. Wenzel stated that Eberhard Lake is the only lake that is still suffering with low lake levels due to the drought in 2012. Currently most levels are very high.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Drain Commissioner's Annual Report for 2013 be accepted.

#### RENEWAL OF THE LAW ENFORCEMENT AGREEMENT WITH FABIUS TOWNSHIP

Mr. Yoder recommended approval of a renewal of the Law Enforcement Agreement with Fabius Township at a projected increase to \$93,439 up from \$90,198. The language stayed the same.

It was moved by Commissioner Eaton and supported by Commissioner Balog that the renewal of the Law Enforcement Agreement with Fabius Township 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.

#### MERS SERVICE CREDIT PURCHASE

Mr. Yoder is recommending that the Board approve the request of Dru Carney to purchase service credit of 8 months in the amount of \$2,852.00.

It was moved by Commissioner Eaton and supported by Commissioner Baker that Dru Carney be allowed to purchase 8 months of MERS service credit in the amount of \$2,852.00.

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.

#### JAIL DIVERSION

Mark Lillywhite, Undersheriff, requested approval to accept a bid from RBC Home Improvement Center to construct two new jail cells in the current training room for the jail diversion program in the amount of \$166,406.00. He explained that these funds are part of the grant that they are working with Community Mental Health to establish this program.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the bid from RBC Home Improvement Center for \$166,406.00 be approved to construct two new jail cells.

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.

#### NOMINATIONS/APPOINTMENTS

It was moved by Commissioner Balog and supported by Commissioner Baker that Norm Brown be appointed to the Veterans' Affairs Board for a term to expire March 1, 2018. Motion carried.

#### WORK SESSION SET

Mr. Yoder stated that Christopher Bolt, Engineer at the Road Commission, would like to have a work session scheduled the last week of April regarding the Road Commission's millage.

The work session was scheduled for April 30, 2014 at 3:00 p.m.

#### PERSONNEL REPORT

Mr. Yoder presented the following report:

RESIGNATION:

Charlene Parish, COA Sub Driver, has resigned effective December 18, 2013.

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

FINANCE DIRECTOR'S REPORT

Budget Amendment

Mrs. Smith presented the following reports:

BUDGET AMENDMENT:

REGISTER OF DEEDS AUTOMATION FUND:

Decrease Computer Service Contract (256-236-931.020)	\$ (18,620.00)
Increase Computer Software (256-236-985.000)	38,208.00
Decrease Contingency (256-236-941.000)	<u>(18,010.00)</u>
	\$ 1,578.00
Increase Budgeted Use of Fund Balance (256-236-676.000)	\$ 1,578.00

GENERAL FUND:

Increase Clerk's Computer Software (101-215-985.000)	\$ 15,288.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 15,288.00

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

Bills

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State & Miscellaneous	\$ 1,545.96	\$
Appropriations	53.96	
County Commission	8,647.19	4,954.64
Circuit Court	2,076.18	14,814.72
District Court	3,699.80	56,625.58
Friend of the Court	924.04	40,932.22
Probate Court	1,850.18	17,742.31
Juvenile Branch	6,863.72	27,022.90
Appeals Court	320.05	
Public Defender	39,166.66	
Administration		12,648.29
Elections	59.58	
Finance Department	959.06	10,901.66
County Clerk	401.89	27,837.61
Equalization Department	1,035.06	8,570.32
Human Resources	505.64	9,904.23
Geographic Information Systems	23.25	8,474.54
Prosecutor's Office	1,739.98	35,456.53
Register of Deeds	393.76	8,686.11
County Treasurer	282.25	15,735.18
Cooperative Extension	19.96	6,067.10
Information Technology	364.08	12,991.72
Buildings & Grounds	5,572.72	12,385.10
Courts Building Security		6,718.14

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>	
Drain Commission	\$ 750.62	\$ 9,415.00	
Sheriff Department	10,178.21	138,388.42	
Sheriff Reserves	50.00		
Jail & Turnkey	14,814.97	101,035.07	
Planning Commission	184.20		
Animal Control	1,455.98	8,769.03	
Medical Examiners	2,673.60		
Child Care - Juvenile	1,736.86		
Veterans' Services		1,909.32	
Grant Writer	94.08	4,418.76	
Utilities & General Services	<u>1,071,942.27</u>		
Total General Fund	\$ 1,180,385.76	\$ 602,404.50	
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>	
Parks & Recreation	\$ 679.84	\$ 5,183.20	
Emergency 911 Service	5,194.27	56,168.60	
Central Dispatch - Wireless	1,089.07	7,022.30	
Meyer Broadway/Coon Hollow Park	178.01	2,795.64	
Cade Lake Park	75.00		
Victims' Rights Advocate Fund		3,378.73	
Community Corrections Advisory Board	6,653.00	3,068.76	
Community Corrections Program	4.22		
Drug Law Enforcement Fund	6,697.13		
Law Enforcement Fund	1,002.15	6,723.31	
Secondary Road Patrol		9,417.85	
Homeland Security Grant Fund		3,217.44	
County Law Library	716.84		
Commission on Aging	51,696.75	70,950.66	
SCAO Swift & Sure Grant	17,102.00	257.46	
Child Care: Probate Court & DHS	46,922.02	12,546.89	
Veterans' Trust Fund	4,214.44		
Forfeiture & Foreclosure Fund	2,777.52		
Inmate Store Fund	1,040.43		
Three Rivers Community Center	2,964.34	658.04	
Long Lake Level Revolving - Fabius	29.16		
Information Technology Improvement Fund	9,961.78		
Flexible Benefits Insurance Fund	192,265.31		
Trust & Agency	<u>3,331,573.75</u>		
Total Other Funds	\$ 3,682,837.03	\$ 181,388.88	
Grand Total	\$ 4,863,222.79	\$ 783,793.38	
<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$1,180,385.76	\$3,682,837.03	\$4,863,222.79
Payroll	<u>602,404.50</u>	<u>181,388.88</u>	<u>783,793.38</u>
	\$1,782,790.26	\$3,864,225.91	\$5,647,016.17

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

CHAIRMAN'S REPORT

Chairman Dobberteen stated that he wanted a matter of record that he is not pleased that the State is passing down the Community Mental Health costs to the Counties.

CITIZENS' COMMENTS

Del Martin, Fabius Township, stated that he made some comments at the March 4th Commission Meeting and he is asking for some answers to his comments.

Chairman Dobberteen stated that discussion does not take place at this meeting.

COMMISSIONER'S COMMENTS

Commissioner Baker brought to everyone's attention the award that Jennifer Miller, Administrator of the St. Joseph County Conservation District, recently received the Conservation Partner of the Year by the Branch County Conservation Department.

ADJOURNMENT

At 5:43 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until April 15, 2014 at 5:00 p.m. Motion carried.

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Pattie S. Bender, St. Joseph County Clerk

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John L. Dobberteen, Chairman