

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 3, 2012 at 5:00 p.m.

Chairman Rick Shaffer called the meeting to order.

The Invocation was given by Chairman Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Allen Balog	Robin Baker
Jerry Ware	Donald Eaton

Absent: John L. Dobberteen

Also present were Joni Smith, Finance Director and Elishia Arver, Human Resources Director.

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Eaton that the minutes for March 20, 2012 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, March 30, 2012.
2. Letter from Cass County, Re: Notice of Cass County Planning Commission's intent to prepare a master plan.

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

CITIZENS COMMENTS

State Representative Matt Lori gave an update on what is happening in Lansing. He said that they are working on the budget. He sits on the Appropriations Committee and he is Chairman of the Community Health Committee. The budget is just under \$15 billion.

He said that our County is moving in the right direction as we explore the coordination of Community Health and Mental Health services. He said that it is good if there can be any savings in administrative expenses and duplication of services.

They are working on Cyber Schools and even though the Superintendents are not happy with it the proposed legislation is livable.

Representative Lori added that in the budget is a slight increase in revenue sharing for Counties.

They are paring down the Corrections Budget adding that most of the expenses are wages and fringe benefits.

Commissioner Loudenslager asked Representative Lori if he knew where the County stood in the health ranking that was supposed to come out today. Commissioner Eaton stated that we placed 70 out of the 83 Counties.

E 9-1-1 CENTRAL DISPATCH MILLAGE RENEWAL

It was moved by Commissioner Balog and supported by Commissioner Eaton that the motion regarding setting a public hearing on the E 9-1-1 Central Dispatch Millage Renewal be removed from the table. Motion carried.

It was moved by Commissioner Eaton and supported by Commissioner Balog that the public hearing not be set until further information is received. Motion carried.

CIRCUIT COURT ANNUAL REPORT

Circuit Court Judge Paul Stutesman gave an overview of the 2011 Annual Report.

He stated that the Courts continue to work toward consolidation of services. All four Judges are cross-assigned.

His main responsibilities are felony; divorces without children; civil over \$25,000; and appeals from Administrative Agencies.

There is now only 1 Chief Judge in the County as our Judges agreed to a recommendation from the Supreme Court.

Judge Shumaker, Probate Judge/Family Court Judge handles abuse/neglect; the JDT Program; child care fund; juveniles; and a majority of the PPOs.

District Judge Welty handles for Circuit Court divorces with children and has oversight of the Friend of the Court.

District Judge Middleton is Judge Stutesman's backup when there is a conflict and also does some PPOs.

Tom Koenig is the Probation Officer and works for the Department of Corrections and there are 10 Probation Officers.

Judge Stutesman stated that he is thankful for programs such as the Twin County Probation Center.

The County Clerk's Office staff oversees the Court files.

He did some comparables with Cass and Branch Counties and Cass County had 626 felony cases in 2011; Branch County 476 and we had 922. In addition Cass County had 486 civil cases including divorces; Branch County 316 and St. Joseph County 701.

Judge Stutesman added that our felony cases are 2/3 of what Ottawa County has and they are a much larger County.

He stated that Chief Justice Young has a goal of Court consolidation and next year there may be only one annual report instead of 3.

The collections for Circuit Court continue to get better and better and he credited the Clerk's Office staff for these increases.

The Judicial Council was formed this year and meets monthly. The Tech Committee will be meeting next week with someone from the Supreme Court's IT Department and also with our Regional Court Administrator, Jim Hughes.

He continues to be involved with the Michigan Judges' Association and currently is the Chairman of the Rules Committee. Technology changes will be coming.

In 2011 there were 3 Jury trials, one of them being the Stewart case which received national attention.

Already this year there have been 10 jury trials.

His two employees remain very busy.

Judge Welty and Judge Shumaker will be retiring at the end of the year and both have been here more than 20 years and they are beginning to prepare for the change and may need to request funding from the Commissioners for these changes.

Commissioner Eaton asked what happened to existing staff when a new Judge's term begins. Judge Stutesman responded by saying that each Judge may bring one staff member and they may then try to predict retirement dates to see if any staff will be lost.

Commissioner Balog stated that he is serving on the Judiciary Committee currently and it has been a positive experience. He added that we are blessed to have the Judges and the staff that we have as they always have a vision of looking ahead.

Commissioner Loudenslager also stated that he had been a member of the Judiciary Committee for a number of years and it is nice to see collaboration and cooperation between the Judges and the Courts.

Chairman Shaffer stated that it was a good report.

It was moved by Commissioner Loudenslager and supported by Commissioner Eaton that the 2011 Circuit Court Annual Report be accepted. Motion carried.

DISTRICT COURT ANNUAL REPORT

Judge Jeffrey Middleton gave an overview of the 2011 Annual Report. He stated that District Court handles all misdemeanors whereas Circuit Court handles felonies; District Court handles civil cases under \$25,000 and Circuit Court over \$25,000.

All Judges can back each other up. Judge Welty has over 20 years of knowledge and experience and will be retiring at the end of the year.

Judge Middleton stated that Tab Wolf, the District Court Administrator, prepared the report. He added that she makes both Judges look good.

There were some staff changes in 2011 and added that in the 10 years that he has been Judge the staff has been reduced by 4.

Some Counties have to reduce their number of Judges but the studies show that we have exactly the right number.

Judge Middleton gave the history of the issuance of search warrants. When he was the Prosecutor, the Road Officers called him in the middle of the night to get authorization; then they graduated to faxing the authorization; and now the Magistrates can email the authorization to the officers on the road to their laptops that are in each car. This is much more convenient for everyone.

The Judge complimented Tab Wolf and Mark Books on their Magistrate duties and mentioned that Probation Officer Ryan Smith now has some Magistrate duties as well.

Their collections for 2011 were \$1,680,618.57 and their caseload was down 1,500 from 2010 but they disposed of more cases in 2011 than they took in.

They had less of every kind of case including drunk driving arrests that were down to 276 in 2011 from 464 in 2007. This could be attributed to no smoking in public establishments and also that there are less law enforcement officers than there used to be.

One of the probation officers is assigned to Sobriety Court which so far has been very successful.

Judge Middleton stated that when Judge Noecker left some years ago many people met to work out some structural changes. They intend to do that again this year preparing for 2 new Judges beginning in 2013. They are always looking at ways to combine duties, streamline them and become more efficient.

In 2011 they began with 11 people in Sobriety Court and now there are 22. A lot of time is spent in this endeavor but it is working remarkably well. They are using this Court for some meth cases too.

Discussion ensued on staff issues when the new Judges begin in 2013.

Commissioner Loudenslager thanked the Judge for the excellent report and stated that we will miss Judge Welty but is thankful that Judge Middleton will be here.

Judge Middleton stated that he appreciates the longevity of Commissioner Loudenslager on the Community Corrections Board and the Judiciary Committee over the years.

Judge Welty stated that he is proud to have served the County for 22 years and he is looking forward to retirement but it will be bittersweet as he will miss the people with whom he worked.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the 2011 District Court Annual Report be accepted. Motion carried.

OUT-OF-STATE TRAVEL REQUEST FROM THE SHERIFF'S DEPARTMENT

Mrs. Arver stated that the Sheriff is requesting that he would like to send Deputies Brandon Dahl and Tim Barnes to a Clan Lab State Local Certification School 275 from April 16-20 at the FBI training center in Virginia. The Drug Enforcement Administration is providing the training at no cost including travel and lodging expenses and the deputies will also each get a custom fit tactical vest and helmet at the completion of the course. The cost to the County are the wages and fringes of the officers and cost for covering for them while they are gone.

It was moved by Commissioner Eaton and supported by Commissioner Loudenslager that Deputies Dahl and Barnes be allowed to attend the Clan Lab State Local Certification School in Virginia. Motion carried.

2012 HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT AGREEMENT RENEWAL

Mrs. Arver explained that the grant renewal is for \$1,980 and is used for identifying the 14 sites where hazardous materials are located and any others as well. Also, the grant is for updating the plan to handle possible accidents at these sites.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the 2012 Hazardous Materials Emergency Planning Grant Agreement renewal be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Loudenslager, Shaffer, Balog, Baker, Ware and Eaton.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

EMPLOYMENT AGREEMENT ADDENDUM FOR EUGENE ALLI

Mrs. Arver explained that Eugene Alli is an employee doing Homeland Security work with no benefits and is requesting an adjustment in his wages increasing by 2% to a wage of \$23.35 effective June 1, 2012. The wages are paid for by a Homeland Security Grant.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the employment agreement addendum for Eugene Alli be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Loudenslager, Shaffer, Balog, Baker, Ware and Eaton.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Eaton stated that there was no report.

Physical Resources

Commissioner Ware stated that the new boiler and other equipment at the Jail should arrive this week.

Executive Committee

The Executive Committee met on March 30, 2012 and Chairman Shaffer stated that everyone has a copy of the minutes and he would answer any questions that anyone may have.

PERSONNEL REPORT

Mrs. Arver presented the following report:

NEW HIRE:

Richard Shingledecker has been hired as Sub Driver (HDM & Bulk) at \$9.01/hr. (COA system, grade 2, minimum) effective March 9, 2012.

Cassie M. Smith has been hired as part-time Parks and Recreation Secretary at \$10.13/hr. (Soltysiak system, grade 1, minimum) effective April 10, 2012.

RETIREMENT:

Lois Devlin, Telecommunicator, will begin disability retirement effective April 23, 2012.

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

BUDGET ADJUSTMENTS

Mrs. Arver presented the following report:

FROM APPROPRIATION:

\$10,000 from County Road Bridge Appropriation to County Road Bridge Fund.

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

BILLS

Ms. Smith presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 2,491.92	\$
County Commission	674.85	11,050.70
Circuit Court	4,898.06	20,396.19
District Court	1,933.90	81,689.76
Friend of the Court	462.75	62,193.65
Probate Court		28,285.17

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Juvenile Branch	\$ 13,658.14	\$ 45,146.84
Appeals Court	436.01	
Administration	428.50	14,918.99
Elections	982.97	
Finance Department	1,212.65	16,063.15
County Clerk		34,063.80
Equalization Department	161.97	21,873.54
Human Resources	7,505.80	13,876.07
Geographic Information Systems		12,433.44
Prosecutor's Office	2,333.58	54,165.74
Register of Deeds	338.40	14,584.00
County Treasurer	980.00	23,934.16
Cooperative Extension	6,975.29	7,880.16
Information Technology	2,234.34	19,138.74
Buildings & Grounds	11,705.68	16,782.31
Courts Building Security	373.69	10,276.73
Drain Commission	154.94	8,052.73
Sheriff Department	37,261.57	156,533.72
Marine Safety Patrol		209.92
Sheriff Reserves	45.00	
Jail & Turnkey	24,321.77	150,670.85
Emergency Services	43.61	603.91
Animal Control	2,060.86	11,141.91
Board of Public Works		1,796.58
Medical Examiners	2,658.55	
Child Care - Juvenile	1,933.67	
Department of Veterans' Affairs	1,800.00	
Veterans' Services	40.00	3,813.08
Utilities & General Services	<u>19,140.08</u>	
 Total	 \$ 149,248.55	 \$ 841,575.84
 <u>OTHER FUNDS</u>	 <u>EXPENDITURES</u>	 <u>PAYROLL</u>
County Road Commission	\$ 389,037.51	\$
Parks & Recreation	1,304.15	6,249.13
Emergency 911 Service	12,484.95	82,054.17
Central Dispatch - Wireless	1,550.81	6,705.28
Meyer Broadway/Coon Hollow Park	8,304.49	4,118.13
Family Counseling	210.00	
Cade Lake Park	268.99	
Traffic Safety Program	1,450.00	
Economic Development Fund	93,523.83	
Victims' Rights Advocate Fund	16.50	4,930.88
Community Corrections Advisory Bd.	2,520.00	4,513.56
Community Corrections Program	2,558.00	
Drug Law Enforcement Fund	655.00	
Law Enforcement Fund	580.97	30,700.52
Secondary Road Patrol	33.00	14,496.98
Homeland Security Grant Fund	3,742.45	5,519.59
Law Library Fund	645.53	
Principal Residence Denial Fund	50.00	1,796.58

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Commission on Aging	\$ 119,459.74	\$ 100,435.46
Child Care: Probate Court	17,965.69	17,086.31
Veterans' Trust Fund	350.00	
Forfeiture & Foreclosure Fund	5,682.18	
Tax Payment Fund	4,389.93	
Inmate Store	3,550.78	
Three Rivers Community Center	9,912.93	1,500.72
Long Lake Level Revolving	22.17	
InformationTechnology Improvement		
Fund	14,496.05	
Flexible Benefits Insurance Fund	<u>197,232.72</u>	
Total	\$ 891,998.37	\$ 280,107.31
Grand Total	\$ 1,041,246.92	\$ 1,121,683.15
General Fund Operating Expenditures	\$141,401.69	
Pre-Authorized	<u>7,846.86</u>	
Accounts Payable	\$ 149,248.55	
General Fund Payroll Expenditures	\$ 841,575.84	
Other Funds Operating Expenditures		
Pre-Authorized	\$887,471.18	
Accounts Payable	<u>4,527.19</u>	
	\$ 891,998.37	
Other Funds Payroll Expenditures	\$ <u>280,107.31</u>	
Total Recorded for the Month	\$ 2,162,930.07	

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

INDEPENDENT CONTRACTOR AGREEMENT

Mrs. Smith recommended approval of an Independent Contractor Agreement for Steven Barnell for work as a Homeland Security Regional Planner at \$24.96 per hour from May 1, 2012 through May 31, 2013. This is paid by Homeland Security grant monies.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Independent Contractor Agreement with Steven Barnell be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Loudenslager, Shaffer, Balog, Baker, Ware and Eaton.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

MISCELLANEOUS

Chairman Shaffer asked everyone to keep Commissioner Loudenslager's wife, Pat, in their thoughts and prayers as she has fallen and broken her ankle.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until April 17, 2012 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Rick Shaffer, Chairman