

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 5, 2011 at 5:00 p.m.

Chairman Rick Shaffer 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:

Rick Shaffer	Allen Balog
Robin Baker	Jerry Ware
Donald Eaton	

Absent: Gerald E. Loudenslager and John L. Dobberteen

Also present were Dan Carey, 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 Ware that the minutes for March 15, 2011 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 18, March 25 and April 1, 2011.
2. Copy of letter from the State Tax Commission to Moreland International, Ltd., Re: Resolution from City of Three Rivers requesting revocation of Industrial Facilities Tax Exemption Certificate 2007-082 issued to Moreland International, Ltd., located at 125 E. Broadway, Three Rivers.
3. Copy of letter from the State Tax Commission to Core Tech No. 3, Inc., Re: Resolution from City of Three Rivers requesting revocation of Industrial Facilities Tax Exemption Certificate 2007-081 issued to Core Tech No. 3, Inc., located at 420 14th Street, Three Rivers.
4. Resolution from Jackson County, Re: Approving Jackson County's legislative agenda.
5. Resolution from Bay County, Re: Opposing Governor Snyder's proposal to tax pensions.
6. Resolution from Bay County, Re: Healthcare reform.
7. Resolution from Livingston County, Re: Funding level of Federal Community Service Block Grant.
8. Minutes of the Community Mental Health Services Board meeting of February 22, 2011.
9. Minutes of the Department of Human Services Board meeting of February 22, 2011.
10. Minutes of the Community Action Board meeting of February 28, 2011.

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

#### CITIZENS' COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville expressed his concern over the \$6.9 million that the Board of Commissioners is considering to use to partner with Trine University. He asked Finance Director, Dan Carey, if he is sure that the County will not need this money. Chairman Shaffer reminded Mr. Carls that this is the time for comments not questions. Mr. Carls does not understand why the Board would ship money across the State line when there is need here. Do we really know that we will not need this money? He further stated that public service is being neglected especially at the Road Commission.

Judy Nelson, Equalization Director, reminded everyone of the presentation that she will be making to the Board, elected officials and the public at the Intermediate School District on April 21st at 5:00 p.m. explaining the equalization process. They have sent out 100 invitations so far and there will be press releases going out as well.

She further commented that Michigan has one of the most complex tax processes, therefore; it is the least understood. She noted that in the Commissioners communications tonight that one of them referenced the revocation of an Industrial Facilities Tax Exemption Certificate in the City of Three Rivers remarking that these certificates were originally granted because of the increase in employment and Mrs. Nelson said that the increase in jobs has been hard to measure.

Mrs. Nelson addressed a question that Commissioner Eaton asked last month about whether or not in her presentation would she be addressing the Tax Tribunal Process. She said that there are 18,000 small claims at the Tax Tribunal.

#### AGREEMENT WITH FABIUS TOWNSHIP FOR LAW ENFORCEMENT SERVICES

Mrs. Arver presented the renewal of an Agreement with Fabius Township for Law Enforcement Services stating that the estimated cost will be \$96,099, but the actual costs will be billed. The agreement is effective from April 1, 2011 through March 31, 2012.

It was moved by Commissioner Baker and supported by Commissioner Ware that the Agreement with Fabius Township for Law Enforcement Services be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

#### REQUEST TO USE COUNTY PROPERTY FOR COVERED BRIDGE DAYS

It was moved by Commissioner Baker and supported by Commissioner Balog that the use of County property for the Covered Bridge Days on June 24-25, 2011 be approved. Motion carried.

#### HAZARDOUS MATERIALS EMERGENCY PLANNING 2010-2011 GRANT AGREEMENT (RENEWAL)

Mrs. Arver stated that this grant is for \$1,720 with a \$430 County match and will update the current plan identifying current and adding new sites, if any, that have hazardous materials.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Hazardous Materials Emergency Planning Grant Agreement Renewal for 2010-2011 be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

#### SET PUBLIC HEARING FOR 2011 HOUSING RESOURCE FUND APPLICATION

Mrs. Arver stated that a public hearing needs to be set for the Housing Resource Fund Application and suggested April 19th at 5:05 p.m.

It was moved by Commissioner Balog and supported by Commissioner Baker that a public hearing be set for April 19th at 5:05 p.m. regarding the Housing Resource Fund Application. Motion carried.

REQUEST TO FILL VACANT PARKS AND RECREATION SECRETARY POSITION

It was moved by Commissioner Ware and supported by Commissioner Eaton that the vacant Parks and Recreation Secretary position be filled. Motion carried.

LEASE AGREEMENT FOR HOUSE AT MEYER BROADWAY PARK

Mrs. Arver explained that the lease agreement is with Emma J. Collins and Deanna L. Gottschalk and they are to open the park gates at dawn and close them at dusk every day and will pay \$400 per month rent plus utilities and they must have renter's insurance.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Lease Agreement for the house at Meyer Broadway Park with Emma Collins and Deanna Gottschalk be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

CRIME VICTIMS' RIGHTS WEEK

Linda Baker, Victim Rights' Coordinator, explained that next week is National Crime Victims' Rights Week and stated that the slogan for this year is "re-shaping the future, remembering the past." She explained some of the new laws that have been put into place during the past year and also stated that all funds to support this program come from criminal assessments.

Chairman Shaffer presented the following resolution for approval:

RESOLUTION NO. 5-2011  
NATIONAL CRIME VICTIMS' RIGHTS WEEK, APRIL 10-16, 2011

WHEREAS, 20 million Americans are victims of crime each year and each crime affects many more, including families, friends and communities; and

WHEREAS, crime exacts an emotional, physical, psychological, and financial toll on victims as they have lost loved ones, life savings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives forever; and

WHEREAS, more than 30 years of progress for crime victims stands on the shoulders of dedicated advocates and brave victims who overcame shame, isolation, and indifference to gain a voice, rights, and respect; and

WHEREAS, we applaud the progress that our nation has made in recognizing crime's impact on victims and celebrate advocates and survivors who through their determination brought rights and resources for victims and have changed the course of history; and

WHEREAS, more work remains to be done to address the mental health impact of crime, and to meet the needs of victims of non-violent crime, victims of terrorism, and other underserved victims; and

WHEREAS, our history teaches us that, by working together, we can help victims of crime reshape their destinies and ensure that they receive the support they need, the respect they deserve, and the rights they have earned; and

WHEREAS, National Crime Victims' Rights Week, April 10-16, 2011, provides an opportunity for us to reshape the future for victims by honoring the past and reflecting on hard-won victories, and to recommit to working together to insist on better treatment for victims to help them overcome the harm caused by crime; and

WHEREAS, St. Joseph County is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout the State of Michigan and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners proclaims the week of April 10-16, 2011, to be National Crime Victims' Rights Week and reaffirms this County's commitment to respect and enforce victims' rights throughout the year.

BE IT FURTHER RESOLVED, that this proclamation be presented to the St. Joseph County Prosecutor's Office, Victims' Rights Division, on this 5th day of April, 2011.

It was moved by Commissioner Balog and supported by Commissioner Eaton that the resolution be adopted and second reading waived.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Resolution adopted.

Chairman Shaffer presented the resolution to Mrs. Baker.

HONORING MAURICE J. KAERCHER

Chairman Shaffer presented the following resolution for approval:

RESOLUTION NO. 6-2011  
PROCLAMATION HONORING MAURICE J. KAERCHER

WHEREAS, Maurice (Maury) J. Kaercher commenced his career with Michigan State University Extension on May 1, 1983 as an Extension Agricultural Agent in Kalamazoo County; and

WHEREAS, on July 1, 2003 Maury changed to Regional Livestock Educator for St. Joseph County; and

WHEREAS, on February 1, 2005 Maury was appointed Acting County Extension Director and then selected as County Extension Director for St. Joseph County on May 1, 2005; and

WHEREAS, Maury Kaercher will retire from MSU Extension on May 1, 2011 with 28 years of meritorious service to Michigan State University Extension.

WHEREAS, Maury's utmost professionalism has earned him numerous awards and recognitions at both the state and national level. Maury has been a long-time member of the Michigan Extension Agricultural Educators' Association receiving the Association Distinguished Service Award in 2005; member of the Michigan Sheep Breeders' Association; member of Epsilon Sigma Phi; President of the Michigan Cattlemen's Association from 1998-2000; and in 2007 Maury was presented with the Distinguished Service to Agriculture award from the Kalamazoo County Farm Bureau; and

WHEREAS, Maury's involvement with the St. Joseph Grange Fair is worth noting as the Grange Fair and Extension have worked hand-in-hand to promote agriculture and the importance of youth development. In addition to providing leadership within the agricultural community, Maury spent extensive time educating the non-farm public about our food system and the importance of having a strong agricultural community.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners recognizes and expresses grateful appreciation for the many years of devoted service and leadership that Maury Kaercher has given to the citizens of St. Joseph County.

BE IT FURTHER RESOLVED, that this resolution will be presented to Maury at a retirement party in his honor on the 15th day of April with sincere thanks and best wishes.

BE IT FURTHER RESOLVED, that this resolution be spread upon the proceedings of the St. Joseph County Board of Commissioners this 5th day of April, 2011.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the resolution be adopted and second reading waived.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Resolution adopted.

Chairman Shaffer will present the resolution to Mr. Kaercher on April 15th at his Retirement Party.

#### COMMITTEE APPOINTMENTS

##### Law Enforcement

Commissioner Baker stated that there was no report, but that he did attend the Ribbon Cutting ceremony for the solar units at the Sheriff's Department as part of the "Kilowatts for Cops" grant and said that there was a very good turnout.

##### Judiciary

Commissioner Balog stated that the Committee has not met.

##### Physical Resources

Commissioner Ware stated that the Committee had not met, but that last week 2 contractors met with the architect from Landmark regarding the water issue at the jail in the gymnasium. The architect will be following up with a report and recommendations on how best to remedy the situation.

##### Executive Committee

Chairman Shaffer stated that the Executive Committee met on March 31, 2011 and most of the items discussed at that meeting have been discussed tonight.

#### PERSONNEL REPORT

Mrs. Arver presented the following report:

##### NEW HIRE:

Tammy Rigby has been hired as part-time Deputy Treasurer at \$13.20/hr. (Soltysiak system, grade 5, minimum) effective March 21, 2011.

Wallace Bristow has been hired as COA Sub Driver at \$9.01/hr. (COA system, grade 2, minimum) effective April 4, 2011.

RETIREMENT:

Robert Sabatini, Senior Probation Officer, will retire effective May 31, 2011.

MISCELLANEOUS:

Sherry Swartz, COA In-Home Services Coordinator, will be on intermittent medical leave commencing March 23, 2011 under the Family and Medical Leave Act of 1993.

Ryan Smith, District Court Probation Officer, job title change to Probation Officer/Magistrate at the same pay grade as current position (grade 7).

RESIGNATIONS:

Meghan Prescott, part-time Parks & Recreation Secretary, has resigned effective April 14, 2011.

Marcia Saunders, Grant Writer, has resigned effective April 26, 2011.

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

BUDGET ADJUSTMENTS

Mrs. Arver presented the following report:

BUDGET AMENDMENTS:

<u>DECREASE WASTE MANAGEMENT FUND #227:</u>	
Line item 227-101-941.000 (Contingency)	\$ 39,997.00
<u>INCREASE WASTE MANAGEMENT FUND #227:</u>	
Line item 227-101-970.000 (Land)	\$ 39,997.00
<u>INCREASE WASTE MANAGEMENT FUND #227 REVENUES:</u>	
Line item 227-101-676.000 (Use of Fund Balance)	\$ 10,106.00
<u>INCREASE WASTE MANAGEMENT FUND #227 EXPENDITURES:</u>	
Line item 227-101-970.000 (Land)	\$ 10,106.00

FROM APPROPRIATION:

\$100,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following reports:

Bills

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 5,181.61	\$
Due from Employees	390.00	
Due to Townships	112.50	
Appropriations	500.00	
County Commission	11,175.26	5,772.13
Circuit Court	18,005.20	13,635.42
District Court	1,730.88	56,502.20
Friend of the Court	63.60	42,251.89
Probate Court	2,316.38	18,673.44

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Juvenile Branch	\$ 20,936.93	\$ 34,954.95
Appeals Court	2,430.13	
Administration		9,966.84
Elections	6,987.64	
Finance Department	1,066.69	10,925.29
County Clerk		22,986.70
Equalization Department	3,262.50	14,155.04
Human Resources	17,581.01	9,071.08
Geographic Information Systems	449.00	7,668.00
Prosecutor's Office	11,219.95	37,287.85
Register of Deeds	298.65	9,077.44
County Treasurer		14,493.27
Cooperative Extension	1,547.09	7,872.11
Information Technology	997.43	12,824.98
Buildings & Grounds	7,945.79	11,101.52
Courts Building Security		8,140.70
Drain Commission		5,166.86
Sheriff Department	141,299.52	104,711.64
Sheriff Reserves	40.00	
Marine Patrol	12.00	
Jail & Turnkey	16,541.85	103,361.10
Emergency Services	447.18	
Animal Control	2,757.73	9,719.83
Board of Public Works		733.40
Child Care - Probate	5,575.94	528.70
Department of Veterans' Affairs	2,400.00	
Veterans' Services	35.00	2,489.26
Utilities & General Services	26,735.50	
Total	\$ 310,042.96	\$ 574,071.64

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 478,953.28	\$
Parks & Recreation	679.15	5,101.84
Emergency 911 Service	8,793.43	57,734.41
Central Dispatch - Wireless	356.50	4,570.71
Meyer Broadway/Coon Hollow Park	489.49	2,659.85
Family Counseling	870.40	
Cade Lake Park	1,648.50	
Waste Management		
County Commission	50,102.52	
Traffic Safety Program Fund	9,190.00	
Economic Development Fund	16.50	8,066.06
Victims' Rights Advocate Fund	16.50	3,353.70
Community Corrections Advisory Board	4,886.00	3,009.02
Community Corrections Program	4,249.29	
Drug Law Enforcement Fund	3,038.93	
Law Enforcement Fund	340.00	15,377.72
Secondary Road Patrol	33.00	10,181.79
Homeland Security Grant Fund	9,473.20	3,671.81
Law Library Fund	918.40	
Principal Residence Denial Fund	237.24	733.38

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Commission on Aging	\$ 56,129.21	\$ 60,631.38
Sheriff's Justice Training Fund	3,165.00	
Child Care: Probate Court	20,537.96	11,908.62
Veterans' Trust Fund	5,277.28	
Facilities Maintenance Fund	1,290.00	
Tax Payment Fund	138,747.34	
Inmate Store	1,654.93	
Three Rivers Community Center	2,468.17	999.16
Information Technology Improvement Fund	56,207.81	
Flexible Benefits Insurance Fund	<u>209,669.10</u>	
Total	\$ 1,069,439.13	\$ 187,999.45
 Grand Total	 \$ 1,379,482.09	 \$ 762,071.09
 General Fund Operating Expenditures		
Pre-Authorized	\$291,172.93	
Accounts Payable	<u>18,870.03</u>	
	\$ 310,042.96	
 General Fund Payroll Expenditures	 \$ 574,071.64	
 Other Funds Operating Expenditures		
Pre-Authorized	\$1,058,117.98	
Accounts Payable	<u>11,321.15</u>	
	\$ 1,069,439.13	
 Other Funds Payroll Expenditures	 \$ <u>187,999.45</u>	
Total Recorded for the Month	\$ 2,141,553.18	

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

#### Independent Contractor Agreements

It was moved by Commissioner Baker and supported by Commissioner Balog that the Independent Contractor Agreement with Douglas Brousseau to do commercial appraisals; agreement to expire November 30, 2011 be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Independent Contractor Agreement with Roger McEvers to do industrial appraisals; agreement to expire November 30, 2011 be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

#### CHAIRMAN'S REPORT

Chairman Shaffer reminded everyone of the work session scheduled for April 12, 2011 at 3:00 p.m.

He stated that Commissioner Loudenslager had further surgery yesterday. He had a stimulator inserted in his back to decrease the pain. He is available to accept phone calls.

#### CITIZENS' COMMENTS

Mike Stiles, from WBET Radio and United Way Board Member, notified the Board that on May 26th they will be doing their 2nd annual radiothon with the proceeds going to the United Way. There will be celebrities on the air during this time, one of them being Commissioner Eaton's wife, Kelly. Lunch and other refreshments will be provided as well.

#### MISCELLANEOUS

Commissioner Eaton stated that the Finance Committee has met twice regarding the proposal from Trine University, with one of those meetings taking place at the University. They have received an information package from them and Trine representatives visited Glen Oaks today. Their next meeting should have better information that he will share with everyone.

Commissioner Ware has a lot of questions and he would definitely appreciate more information.

Chairman Shaffer stated that a little over a week ago the County lost an icon, Midge Bender. She gave freely of her services to the betterment of St. Joseph County especially at the 4-H Office at the Fair.

#### ADJOURNMENT

It was moved by Commissioner Baker and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until April 19, 2011 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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Rick Shaffer, Chairman