

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 May 19, 2015, at 5:00 p.m.

Chairman Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

The Deputy Clerk, Lindsay Oswald, called the roll and the following Commissioners were present:

Allen J. Balog
Robin Baker

Donald Eaton
Rick Shaffer
John L. Dobberteen

Also present: Pat Yoder, Administrator/Controller, Teresa Doehring, Human Resources Director, and Joni Smith, Finance Director.

AGENDA

Commissioner Dobberteen requested the Sheriff's MERS agreement be moved to new business. It was moved by Commissioner Balog and supported by Commissioner Baker that the agenda be approved as amended. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the minutes for April 21, 2015 be approved. Motion carried.

COMMUNICATIONS

1. Letter from Michigan State Housing Development Authority, Re: St. Joseph County's 2012 CDBG grant monitoring findings are cleared.
2. Letter from St. Joseph County Health Center Board, Re: Concerns from a recent meeting of the St. Joseph County Health Center Board.
3. Letter from Elizabeth O'Dell, Re: Funding of Community Mental Health and Substance Abuse Services of St. Joseph County.
4. Copy of Letter to Clark Farm from the Michigan Department of Agriculture, Re: Met requirements for MAEAP Cropping System, MAEAP Farmstead System and MAEAP Livestock System.
5. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on May 14, 2015 to consider Indiana Michigan Power Company's amendment to Terms and Conditions of Standard Service.
6. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on June 4, 2015 to consider Indiana Michigan Power Company's reconciliation of its Energy Optimization Plan and 2014 Power Supply Cost Recovery.
7. Resolution from Cheboygan County, Re: Dates of Code Inspector Conference.
8. Minutes of the Community Mental Health and Substance Abuse Services Board meeting of February 24 and March 31, 2015.
9. Minutes of the Community Action Board meeting of March 23, 2015.
10. Minutes of the Animal Control Advisory Board meeting of March 18, 2015.
11. Minutes of the Commission on Aging Board meeting of April 15, 2015.

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

CITIZENS' COMMENTS

Rebecca Shank, of Constantine commented on the 125th anniversary of the Daughters of the American Revolution and the 110th anniversary of the Abiel Fellows Chapter; appropriate due to the veterans, especially of the Vietnam War; and that it was a good time to check the condition of American flags.

Mike Stiles of WBET invited everyone to listen to and attend the radio-thon fundraiser on Thursday.

RESOLUTION NO. 10-2015

RESOLUTION ACCEPTING MDNR TRUST FUND GRANT AGREEMENT

Jaymes MacDonald, Parks and Recreation Director, asked that the Commission consider the following resolution:

WHEREAS, St. Joseph County has undertaken a Five Year Parks and Recreation Plan which describes the physical features, existing recreation facilities, and the desired actions to be taken to improve and maintain recreation facilities during the period between 2014 through 2018; and

WHEREAS, the objectives of the recreation plan includes increasing the acreage of parkland per capita to improve the 210-acre deficiency, provide waterfront access and general recreation as well as natural resource conservation.

NOW, THEREFORE BE IT RESOLVED, St. Joseph County Commission hereby accept the terms of the agreement as received by the Michigan Department of Natural Resources, and that St. Joseph County does hereby specifically agree, but not by way of limitation as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide two hundred twenty-six thousand nine hundred (\$226,900.00) dollars to match the grant authorized by the Department.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department for auditing at reasonable times in perpetuity.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

It was moved by Commissioner Shaffer and seconded by Commissioner Baker to waive second reading and adopt the resolution accepting the Michigan Department of Natural Resources Trust Fund Grant and project agreement:

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 0

Resolution adopted.

CENTRAL DISPATCH – REQUEST FOR ADDITIONAL FUNDS FOR RADIO TOWER

It was moved by Commissioner Baker and supported by Commissioner Eaton to approve the \$33,616.09 quote from Tele-rad. Motion carried.

REQUEST TO FILL VACANT CORRECTIONS OFFICER POSITION

It was moved by Commissioner Eaton and supported by Commissioner Baker to approve filling the vacant corrections officer position. Motion carried.

REQUEST TO FILL VACANT ROAD PATROL OFFICER POSITION

It was moved by Commissioner Baker and supported by Commissioner Eaton to approve filling the vacant road patrol officer position. Motion carried.

REQUEST TO FILL VACANT PART-TIME JUVENILE DAY TREATMENT POSITIONS

It was moved by Commissioner Shaffer and supported by Commissioner Balog to approve filling the vacant part-time juvenile day treatment positions. Motion carried.

FIVE-YEAR LAW ENFORCEMENT AGREEMENT WITH FABIUS TOWNSHIP

Mr. Yoder requested approval of an Agreement with Fabius Township for police services supplied by the St. Joseph County Sheriff's Office.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Five-Year Law Enforcement Agreement with Fabius Township be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 0

Motion carried.

AGREEMENT TO CHANGE THE MERS CONTRIBUTION RATE FOR THE SHERIFF'S ADMINISTRATION GROUP

Mr. Yoder requested approval of the following agreement:

- I. Employer Name: St. Joseph County Municipality #: 7803
- II. Effective Date: If this is an amendment of an existing Adoption Agreement (Defined Benefit division number 20), the effective date shall be the first day of June, 2015.
- III. Eligible Employees: Only those Employees eligible for MERS membership may participate in the MERS Defined Benefit Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following groups of employees are eligible to participate: Sheriff Admin. These employees are subject to the same personnel policy.
- IV. Required employee contribution (Max 10%, increments of 0.1%): 10%
- V. Appointing MERS as the Plan Administrator: The Employer hereby agrees to the provisions of this MERS Defined Benefit Plan Adoption Agreement and appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan. The Employer also agrees that in the event any conflict between MERS Plan Document and the MERS Defined Benefit Plan, the provisions of the Plan Document control.
- VI. Modification of the Terms of the Adoption Agreement: If the Employer desires to amend any of its elections contained in this Adoption Agreement, including attachments, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Adoption Agreement. The amendment of the new Agreement is not effective until approved by MERS.
- VII. Enforcement:
 1. The Employer acknowledges that the Michigan Constitution of 1963, Article 9, Section 24, provides that accrued financial benefits arising under a public Employer's retirement plan are a contractual obligation of the Employer that may not be diminished or impaired, and prohibits the use of the Employer's required current service funding to finance unfunded accrued liabilities.
 2. The Employer agrees that, pursuant to the Michigan Constitution, its obligations to pay required contributions are contractual obligations to its employees and to MERS and may be enforced in a court of competent jurisdiction.
 3. In accordance with the Constitution and this Agreement, if at any time the balance standing to the Employer's credit in the reserve for employer contributions and benefit payments is insufficient to pay all service benefits due and payable to the entity's retirees and beneficiaries, the Employer agrees and covenants to promptly remit to MERS the amount of such deficiency as determined by the Retirement Board within thirty (30) days notice of such deficiency.
 4. The Employer acknowledges that wage and service reports are due monthly, and the employee contributions (if any) and Employer contributions are due and payable monthly, and must be submitted in accordance with the MERS Enforcement Procedure for Prompt Reporting and Payment, the terms of which are incorporated herein by reference.

5. Should the Employer fail to make its required contribution(s) when due, the retirement benefits due and payable by MERS on behalf of the entity to its retirees and beneficiaries may be suspended until the delinquent payment is received by MERS. MERS may implement any applicable interest charges and penalties pursuant to the MERS Enforcement Procedure for Prompt Reporting and Payment and Plan Document Section 45A(3), and take any appropriate legal action, including but not limited to filing a lawsuit and reporting the entity to the Treasurer of the State of Michigan in accordance with MCL 141.1544(d), Section 44 of PA 436 of 2012, as may be amended.
6. The Employer acknowledges that changes to the Employer's MERS Defined Benefit Plan must be made in accordance with the MERS Plan Document and applicable law, and agrees that MERS will not administer any such changes unless the MERS Plan Document and applicable law permit same, and MERS is capable of administering same.

VIII. Execution: Authorized designee of Governing Body of Municipality or Chief Judge of Court

The foregoing Adoption Agreement is hereby approved by the St. Joseph County Board of Commissioners on 19th day of May, 2015.

It was moved by Commissioner Shaffer and supported by Commissioner Baker to approve the agreement.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 0

Motion carried.

ADMINISTRATOR'S REPORT

Mr. Yoder noted that he was reviewing proposals for the courts building addition review and a recommendation would be brought to the board.

PERSONNEL REPORT

Mrs. Doehring presented the following report:

DISMISSAL:

Alicia Dell, Corrections Officer, has been dismissed effective April 30, 2015.

NEW HIRE:

Tiffany Clark has been hired as full-time Corrections Officer at \$18.60/hr. effective May 5, 2015.

MISCELLANEOUS:

Cathleen Carpenter to change from temporary part-time to regular part-time Juvenile Day Treatment Monitor effective June 1, 2015.

Heather Teadt to change from temporary part-time to regular part-time Juvenile Day Treatment Monitor effective June 1, 2015.

Alex Milliman to change from temporary part-time to regular part-time Juvenile Day Treatment Monitor effective June 1, 2015.

Travis Helmer will change from Telecommunicator Trainee to full-time Telecommunicator at \$17.10/hr. (Nottley scale, grade 5, step 1) effective May 20, 2015.

RESIGNATION:

Joshua Edgington, Road Patrol Officer, has resigned effective May 7, 2015.

Dawn Gest, part-time Juvenile Day Treatment Monitor, has resigned effective March 10, 2015.

Nancy Gamble, part-time Juvenile Day Treatment Monitor, has resigned effective April 13, 2015.

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

FINANCE DIRECTOR’S REPORTS

Mrs. Smith presented the following reports:

Budget Amendments

COUNTY FACILITIES MAINTENANCE FUND:

Decrease Contingency (406-253-941.000)	\$ 160,000.00
Increase Land Improvements (406-253-974.000)	\$ 160,000.00
Decrease Contingency (406-253-941.000)	\$ 72,500.00
Increase Building Additions & Improvements (406-253-976.000)	\$ 72,500.00
Decrease Budgeted Use of Fund Balance (406-253-676.000)	\$ 15,000.00
Decrease Contingency (406-253-941.000)	\$ 15,000.00

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

Bills

Mrs. Smith presented the following reports:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State, Payroll Liabilities,	\$	\$
Prepaid Health & Other Insurances	256,546.21	
Appropriations	78,661.39	
County Commission	31,577.49	3,075.52
Circuit Court	912.11	15,355.77
District Court	7,614.49	60,899.31
Friend of the Court	150.23	44,118.01
Probate Court	2,835.28	21,147.39
Juvenile Branch	25,853.74	29,592.54
Department of Corrections	124.32	
Appeals Court	2,475.08	
Public Defender	40,903.84	
Administration		13,813.29
Elections	3,232.50	
Finance Department		11,484.69
County Clerk	535.89	28,651.04
Equalization Department	191.72	9,210.50
Human Resources	20,097.70	10,876.41
Geographic Information Systems	89.00	17,151.36
County Prosecutor	1,724.69	37,331.71
Register of Deeds	151.58	7,076.67
County Treasurer	559.19	17,401.57
Cooperative Extension		6,559.63
Information Technology	5,572.25	13,592.03
Buildings and Grounds	7,122.66	14,163.91
Courts Building Security		6,902.34
Drain Commission	791.66	7,797.74
Sheriff Department	13,874.71	114,396.99
Sheriff Reserves	1,297.25	
Marine Patrol	300	
Jail and Turnkey	25,092.69	120,250.91
Animal Control	1,988.78	11,384.79
Medical Examiners	825.00	
Childcare - Juvenile	2,140.10	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Veterans Services	\$ 623.81	\$ 7,404.35
Grant Writer	141.45	4,606.28
Utilities and General Services	<u>25,927.67</u>	<u> </u>
Total General Fund	\$ 559,934.48	\$634,244.75
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Parks and Recreation	\$ 5,027.14	\$ 8,865.55
Emergency 911 Service	16,805.71	66,439.11
Central Dispatch - Wireless	1,004.09	2,992.34
Meyer Broadway/Coon Hollow Park	331.85	2,933.37
Family Counseling	210.00	
Cade Lake Park	11,575.23	
Economic Development Corporation Fund	16,743.86	8,823.90
Animal Shelter Donation Fund	259.00	
Register of Deeds Automation Fund	4,276.25	
Victim Rights Advocate Fund	146.63	4,078.44
Community Corrections Advisory Board	7,283.00	3,330.66
Community Corrections Program	1,033.09	
Local Corrections Officer's Training Fund	515.67	
Drug Law Enforcement Fund	4,219.00	
Law Enforcement Fund	40.01	6,359.13
Secondary Road Patrol		9,940.01
Commission on Aging	74,014.23	73,463.16
SCAO Swift and Sure Grant	18,369.32	
Childcare: Probate Court and DHS	57,251.23	16,055.31
County Facilities Maintenance Fund	4,950.00	
Forfeiture and Foreclosure Fund	18,984.00	
Tax Payment Fund	3,231.55	
Inmate Store Fund	136.80	
Building Authority Fund	23,605.89	
Three Rivers Community Center	2,747.40	977.10
Information Technology Improvement Fund	2,348.97	
Trust and Agency	1,708,473.65	
Long Lake Level Revolving Fund	27.89	
Lake Templene Proposed Assessment District	<u>300.00</u>	<u> </u>
Total Other Funds	\$ 1,983,911.46	\$204,258.08
GRAND TOTAL	\$ 2,543,845.94	\$838,502.83

Summary of recorded expenditures for the month ended April 30, 2015:

<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$559,934.48	\$1,983,911.46	\$2,543,845.94
Payroll	<u>634,244.75</u>	<u>204,258.08</u>	<u>838,502.83</u>
Total	\$1,194,179.23	\$2,188,169.54	\$3,382,348.77

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

Per Diem

Robin Baker - 5 half days 5/5, 5/6, 5/13 x 2, & 5/14	\$ 250.00
Allen Balog - 9 half days 4/23, 4/28 x 2, 4/30, 5/12, 5/13 x 2, 5/14, & 5/18	450.00
John Dobberteen - 7 half days 4/30, 5/11, 5/13, 5/14, 5/15, 5/17, 5/18	350.00
Don Eaton - 15 half days 2/25, 3/4, 3/12, 3/17, 3/18 x 2, 4/2, 4/15, 4/16 x 2, 4/18, 4/21, 4/30, 5/13 x 2, & 1 full day on 3/13	845.00
Rick Shaffer - 11 half days 4/23, 4/28, 4/29, 5/1, 5/4, 5/5, 5/6, 5/11, 5/13 x 2, 5/14 & 2 full days on 4/27 & 5/18	<u>740.00</u>
	\$ 2,635.00

Expenses

Robin Baker	\$ 73.03
Allen Balog	90.85
John Dobberteen	83.95
Don Eaton	368.15
Rick Shaffer	<u>318.55</u>
	\$ 934.53

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

Financial Statement

	Revenues	Expenditures
Year to Date - March 31, 2015	\$ 5,256,514.27	\$ 6,357,412.97
Available Balance - Revenues & Expenditures	\$ 11,245,974.73	\$ 10,145,076.03
Percent of total budgeted funds earned year to date		31.85%
Percent of total budgeted funds expended year to date		38.52%

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

Independent Contractor Agreement with Michael Haydon

It was moved by Commission Eaton and supported by Commissioner Baker to approve the independent contractor agreement with Michael Haydon for site visits of emergency services offices.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 0

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Eaton stated that the Committee had not met.

Judiciary

Commissioner Eaton stated the Committee met May 13, 2015, and everyone has a copy of the minutes.

Physical Resources

Commissioner Balog stated that the Committee had not met.

Executive/Committee of the Whole

Chairman Dobberteen stated the Committee met May 14, 2015, and everyone has a copy of the minutes.

Chairman Dobberteen noted that the May 28, 2015 Executive meeting would be canceled because of a scheduling conflict with the Mental Health Board.

CHAIRMAN'S REPORT

Chairman Dobberteen commented that after visiting a soldier cemetery in Normandy, he had a greater appreciation for the sacrifices made for our country and other countries.

CITIZENS' COMMENT

Rebecca Shank of Constantine commented on the cost of the law enforcement contract with Fabius.

COMMISSIONERS' COMMENT

Commissioner Eaton requested a work session in June to discuss funding options for projects. By consent, the Commission set a work session at 4 p.m. on June 9, 2015.

Commissioner Shaffer spoke in appreciation of veterans. He encouraged everyone to take a moment over Memorial Day weekend to recognize veterans and attend a brief service.

Commissioner Shaffer commented on the amount of paperwork that the Clerk handles.

Commissioner Balog also spoke in appreciation of veterans.

ADJOURNMENT

At 5:27 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until June 2, 2015 at 5:00 p.m. Motion carried.

Lindsay Oswald, Deputy County Clerk

John L. Dobberteen, Chairman