

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 July 15, 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	Rick Shaffer
Robin Baker	Donald Eaton
John L. Dobberteen	

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Eaton that the minutes for June 17, 2014 be approved. Motion carried.

CLOSED SESSION MINUTES APPROVED

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the closed session minutes for June 17, 2014 be approved. Motion carried.

COMMUNICATIONS

1. Letter from Michigan State Housing Development Authority, Re: St. Joseph County's 2011 housing grant is complete.
2. Letter from County Treasurer Judie Ratering, Re: Excess proceeds for the 2012 property tax auctions were \$55,265.00.
3. Letter from Eric Shafer, Re: Resignation from the St. Joseph County Planning Commission.
4. Email from Deb Leyes, Re: Resignation from Central Dispatch Policy Board.
5. Letter from Michigan Department of Environmental Quality, Re: Response activities by the St. Joseph County Road Commission to address groundwater contamination at Leonidas area wells site and Robinson Road brine site.
6. Letter from Senator Bruce Caswell, Re: Community Mental Health funding.
7. Email from Michigan Works! Re: Update on potential merger.
8. Letter from James Borgert, Colon Township Lakeboard Chair, Re: Commissioner Eaton has missed two consecutive meetings.
9. Email from St. Joseph County CMH, Re: Announcing August 20 from 3 pm to 6 pm as an open house for St. Joseph County Health Center.
10. Minutes of the Community Action Board meeting of May 19, 2014.
11. Minutes of the Commission on Aging Board meeting of June 18, 2014.
12. Annual Report of Domestic and Sexual Abuse Services – 2012-2013.

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

CITIZENS COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville commented about the Board's decision to approve the College Access Network stating that the Board approved a \$2,000,000 negative budget this year. On top of that he stated that it was a bad winter so the utility bills increased; pay raises were given; and now the Board just created four more jobs.

Dan Lucas, Constantine, stated that around 2 years ago there was some heated discussion about the County giving money to Trine University in Angola, Indiana. He stated that he has an Attorney General's opinion that the County could not spend money on education and was concerned about the County approving the College Access Network Proposal for \$134,000. He had previously contacted the Prosecuting Attorney and he said that money spent by the County for education has to be voted on by the people and asked the Commissioners to withdraw the motion approving this expenditure.

AREA AGENCY ON AGING

Laura Sutter, Coordinator for the Area Agency on Aging IIC, requested approval of their proposed FY2015 Annual Implementation Plan. She stated that the AAA continues to be advocates for the older citizens and they do anticipate an increase in Federal and State funds over what they have in this proposed Plan. The AAA has an Advisory Board and the Board of Health has also reviewed the plan.

They target these funds where they are most needed. Often the most need is in-home care. They are also used for transitioning folks from hospital to home or to another facility.

Their goal is to improve access to health care and to always keep elder abuse awareness in the forefront.

Commissioner Shaffer stated that he has worked in senior health for about 30 years and he said that job shadowing Mrs. Sutter would be a good experience for anyone. He said that too many older citizens do not have families to care for them and he appreciates all that she does.

The following resolution was presented:

RESOLUTION NO. 9-2014

WHEREAS, the Branch-St. Joseph Area Agency on Aging (Region IIC) has been designated as the area agency on aging to serve Branch and St. Joseph Counties since 1996 under the Federal Older Americans Act (Public Law 89-73, and subsequent amendments), and the State Older Michigianians Act (Public Act 180, and subsequent amendments); and

WHEREAS, the Branch-Hillsdale-St. Joseph Community Health Agency Board of Health has been designated and approved as the Policy Board for Region IIC; and

WHEREAS, Region IIC is required to develop an Annual Implementation Plan for fiscal year 2015; and

WHEREAS, the Region IIC Policy Board has developed, reviewed and accepted the Plan after input sessions and a public hearing; and

WHEREAS, the Region IIC Policy Board has taken into consideration the views expressed at the public hearing for the final draft of the Annual Implementation Plan; and

WHEREAS, the Region IIC Policy Board substantiates that this document meets the Michigan Office of Services to the Aging approval criteria.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners endorses the submission of this final planning document to the Michigan Commission on Services to the Aging for final review and approval.

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.

Mrs. Sutter made a comment that she works with this County's Commission on Aging and they are extraordinary.

COMMUNITY MENTAL HEALTH STATE FUNDING

Liz O'Dell, Executive Director of the Community Mental Health, was present to try to explain why our CMH Funding is so low compared to all other counties in the state and extremely lower than Branch, Cass and Barry Counties. Our general fund monies per year are \$61,836 compared to Barry County at \$438,503; Branch at \$484,584; and Cass at \$486,840.

She believes that this is a policy issue on the part of the State. She is in constant contact with the State by letters, emails and phone trying to get an explanation as to why the funding is so inequitable.

There are issues with Medicaid and Healthy Michigan.

She has invited all CMH Board Members to a "review of understanding" that will take place on July 21st beginning at 8:00 a.m. by internal auditors from the State Budget Office. Randy Kline, Finance Director at CMH, said that the money that we are allocated is determined by calculations derived from an older formula.

Mrs. O'Dell estimated that 3 months of employees' time each year is spent on audit work and their audits always come out clean.

She stated that they are trying to educate the Michigan Association of Counties regarding these issues and hope that they would have a session on this issue at their conference. She said that we are not the only County facing these problems as 20 counties in Michigan are requesting more general fund monies. Kent County is having these issues currently too.

CADE LAKE PARK

Mr. Yoder recommended approval of a Sanitary Sewer Design Proposal from Jones, Petrie, Rafinski to develop a Sanitary Sewer System at Cade Lake Park connecting to the Village of Burr Oak and eventually to the City of Sturgis' collection and treatment system.

The proposal in the amount of \$14,716 includes preliminary activities with the Village, Park, City Staff and Administrator; preliminary design based on the above activities; permitting; final design; bidding services including the RFP.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the proposal from Jones, Petrie, Rafinski 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.

CONSTRUCTION MANAGEMENT PROPOSAL FROM CORNERSTONE CONSTRUCTION FOR STURGIS SENIOR CENTER

Mr. Yoder recommended approval of a proposal from Cornerstone Construction for pre-design phase services; design phase services; bidding phase services and construction phase services regarding the Sturgis Senior Center in the amount of \$78,000.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Construction Management Proposal from Cornerstone Construction for the Sturgis Senior Center 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.

TUITION REIMBURSEMENT POLICY

Mr. Yoder recommended approval of a Tuition Reimbursement Policy that will be offered to County Employees. This was developed by a model from another County and he also worked with the President of Glen Oaks, David Devier.

The policy offers up to \$3,500 per employee per year for classes relating to their jobs that they would like to take. They have to present this to the Department Head and if they agree that this would be beneficial they would then recommend it as part of the budget for the next year.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Tuition Reimbursement Policy 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.

ARCHITECTURAL SERVICES PROPOSAL FOR ENHANCED SECURITY ENTRANCE

Mrs. Arver recommended approval of contracting with Landmark Design Group, P.C. to develop schematic design drawings and then create the RFPs for a single entry into the Courthouse/Courts Building.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the proposal with Landmark Design Group 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.

REQUEST TO FILL VACANT FINANCE ACCOUNTING CLERK POSITION

Mrs. Arver stated that she has received a request to fill the vacant Financing Accounting Clerk position. She stated that the position is currently being held on a 90 day trial period by a Deputy Register of Deeds who is working 20 hours in each position.

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that the request to fill the vacant finance accounting clerk position be approved. Motion carried.

REQUEST TO FILL VACANT CORRECTIONS OFFICER POSITION

Mrs. Arver stated that she has received a request to fill a vacant Corrections Officer position due to a retirement and a promotion.

It was moved by Commissioner Baker and supported by Commissioner Balog that the request to fill the vacant Corrections Officer position be approved. Motion carried.

AGREEMENT WITH JUDICIAL DATA SERVICES, INC., (JDS)
FOR WEB JAMIN JAIL MANAGEMENT SYSTEM

Mrs. Arver requested approval of an Agreement with JDS to provide a Jail Management System that will allow integration with current records management software that is used by the Road Patrol and Central Dispatch. The total cost for the integrated solution is \$69,050.

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the agreement with Judicial Data Services, Inc., 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 RETIREMENT EMPLOYEE CONTRIBUTION FOR SHERIFF'S ADMINISTRATION

Mrs. Arver stated that each year a resolution has to be adopted for the Sheriff's Administration to pay the same retirement fee as the Road Patrol and Corrections Officers and that amount will be 13.93% in 2015.

The following resolution was presented:

RESOLUTION NO. 10-2014

MERS RETIREMENT
EMPLOYEE CONTRIBUTION FOR
SHERIFF'S ADMINISTRATION GROUP

WHEREAS, the Board of Commissioners adopted Resolution 23-2005 on November 15, 2005 which increased the MERS retirement benefits for the positions included under the MERS Sheriff Administration (20) division, specifically at the time Sheriff, Undersheriff, Jail Administrator and Emergency Services Coordinator (position removed in January 2010 and Operations Administrator added in January 2009); and

WHEREAS, the Board of Commissioners was asked by MERS in November 2009 to again adopt a second resolution restating the Board's position which the Board did as Resolution 18-2009; and

WHEREAS, Resolutions 23-2005, 18-2009, 17-2010, and 11-2011 all stated "the employee contribution rate shall be 7.70% continuing until such time as the employee contribution rate of the division known as "Police Department (2)" exceeds this amount at which time the Sheriff Administration (20) division shall pay the equivalent of the employee contribution for division 2. The minimum contribution for the Sheriff Admin group shall never be less than 7.70%"; and

WHEREAS, MERS administrative staff in a meeting on July 22, 2012 has again indicated they need an additional resolution from the Board of Commissioners each year restating their previous directives for Sheriff Administration (20) division employee contributions; and

WHEREAS, MERS has established the 2015 employee contribution rate for the employees covered under the Police Department (2) division at 13.93%.

NOW, THEREFORE BE IT RESOLVED, the employee contribution rate for those covered under the Sheriff's Administration (20) division of MERS be the same rate as that for the Police Department (2) division until and if that rate drops below 7.70% and then the Sheriff's Administration (20) division rate will again be capped at no lower than 7.70%.

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

Commission on Aging

It was moved by Commissioner Balog and supported by Commissioner Eaton that Margaret Shultz, Jon Withers, Charles Willer, Steve Boland and Jay Newman be reappointed to the Commission on Aging for 2 year terms that will expire June 30, 2016 and that Deb Leyes be reappointed for a 1 year term that will expire June 30, 2015. Motion carried.

PERSONNEL REPORT

MISCELLANEOUS:

Stacy Griffin, FOC Account Clerk, changed to FOC Child Support Paternity Investigator at \$17.25/hr. (Soltysiak system, grade 8, minimum) effective June 17, 2014.

Mary Hessling, FOC Secretary, changed to FOC Account Clerk (Soltysiak system, grade 5, minimum) at \$13.73/hr. effective June 17, 2014.

Mason Stratton, Corrections Officer, changed to Corrections Sergeant at \$23.42/hr. effective July 1, 2014.

Landon Hackenberg changed from part-time to full-time Corrections Officer at \$18.06/hr. effective July 1, 2014.

NEW HIRE:

Alicia M. Dell has been hired as full-time Corrections Officer at \$18.06/hr. effective July 15, 2014.

RESIGNATION:

Brenda Cutts, COA Home Care Aide, has resigned effective July 2, 2014.

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith presented the following report:

Budget Amendments

BUDGET AMENDMENTS:

GENERAL FUND:

Increase Sheriff's Department Equipment General (101-301-977.000)	\$ 3,300.00
Decrease Sheriff's Department Computer Hardware (101-301-984.000)	\$ 3,300.00

BUILDING AUTHORITY FUND:

Increase Professional Services (569-101-802.130)	\$ 80,000.00
Increase Transfers In (569-101-699.000)	\$ 80,000.00

GENERAL FUND:

Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 80,000.00
Increase Transfers Out (101-390-999.001)	\$ 80,000.00

WASTE MANAGEMENT FUND:

Increase Budgeted Use of Fund Balance (227-101-676.000)	\$ 89,000.00
Increase Transfers Out (227-101-999.003)	\$ 89,000.00

GENERAL FUND:

Increase Professional Fees (101-101-802.130)	\$ 89,000.00
Increase Transfers In (101-390-699.003)	\$ 89,000.00

GENERAL FUND:

Increase Clerk's Computer Hardware (101-215-984.000)	\$ 8,173.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 8,173.00

DRUG FORFEITURE FUND:

Increase Equipment (265-229-980.000)	\$ 7,500.00
Increase Budgeted Use of Fund Balance (265-229-676.000)	\$ 7,500.00

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	\$ 11,320.52	\$
Appropriations	168,402.85	
County Commission	4,116.74	6,558.30
Circuit Court	2,569.72	14,814.66
District Court	711.51	56,702.98
Friend of the Court	3,393.28	40,161.51
Probate Court	1,815.97	17,888.07
Juvenile Branch	7,585.25	29,155.34
Department of Corrections	76.47	
Appeals Court	1,561.33	
Public Defender	39,166.67	
Administration		12,647.62
Elections	8,462.30	
Finance Department	1,556.69	10,901.76
County Clerk	88.10	25,238.50
Equalization Department	2,982.38	8,591.31
Human Resources	6,243.94	10,864.16
Geographic Information Systems		8,494.39
Prosecutor's Office	4,019.72	35,037.55
Register of Deeds	90.96	8,685.26
County Treasurer	258.35	15,951.87
Cooperative Extension		6,159.14
Information Technology	263.24	12,986.08
Buildings & Grounds	4,553.70	12,609.44
Courts Building Security		6,645.74
Drain Commission	95.00	7,090.90
Sheriff Department	13,449.87	102,077.84
Sheriff Reserves	50.00	
Marine Patrol	205.00	2,271.56
Jail & Turnkey	4,740.25	124,719.71

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Animal Control	\$ 1,068.58	\$ 8,772.87
Medical Examiners	4,198.60	
Child Care - Juvenile	2,103.36	
Veterans' Services		1,971.76
Grant Writer	71.12	4,418.84
Utilities & General Services	<u>32,495.96</u>	<u> </u>
 Total General Fund	 \$ 327,717.43	 \$ 591,417.16
 <u>OTHER FUNDS</u>	 <u>EXPENDITURES</u>	 <u>PAYROLL</u>
Parks & Recreation	\$ 822.41	\$ 5,824.82
Emergency 911 Service	6,390.73	65,721.24
Central Dispatch - Wireless	604.41	15,618.26
Meyer Broadway/Coon Hollow Park	90.13	3,674.08
Family Counseling	645.00	
Cade Lake Park	2,286.74	3,158.44
Traffic Safety Program Fund	13,504.00	
County Survey & Remonumentation	11,215.00	
Animal Shelter Donation Fund	155.01	
Victims' Rights Advocate Fund	103.04	3,377.98
Community Corrections Advisory Board	6,863.00	3,068.76
Community Corrections Program	3,847.48	
Local Corrections Officer's Training Fund	300.00	
Drug Law Enforcement Fund	687.74	
Law Enforcement Fund		8,068.10
Secondary Road Patrol		10,885.94
Homeland Security Grant Fund	89.60	
County Law Library	816.34	
Commission on Aging	61,828.12	68,125.43
Community Development Block Grant Fund	4,471.00	
SCAO Swift & Sure Grant	16,896.20	
Child Care: Probate Court & DHS	76,270.76	12,065.73
Veterans' Trust Fund	3,380.38	
Forfeiture & Foreclosure Fund	4,302.73	
Tax Payment Fund	239,367.89	
Inmate Store Fund	1,189.00	
Three Rivers Community Center	2,181.97	658.02
Long Lake Level Revolving - Fabius	29.16	
Flexible Benefits Insurance Fund	178,688.97	
Trust & Agency	315,704.43	
Drain Debt Service Fund	67,759.12	
Lake Templene Proposed Assessment District	<u>525.00</u>	<u> </u>
 Total Other Funds	 \$ 1,021,015.36	 \$ 200,246.80
 Grand Total	 \$ 1,348,732.79	 \$ 791,663.96

<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$327,717.43	\$1,021,015.36	\$1,348,732.79
Payroll	<u>591,417.16</u>	<u>200,246.80</u>	<u>791,663.96</u>
	\$919,134.59	\$1,221,262.16	\$2,140,396.75

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

Per Diems

Robin Baker - 7 half days 6/18 x 2, 7/2 x 2, 7/8 & 7/9/14 x 2	\$ 350.00
Allen Balog - 4 half days 6/18 x 2, 6/23 & 7/9/14 & 1 full day 6/26/14	295.00
John Dobberteen - 10 half days 6/24 x 2, 7/2, 7/7, 7/8, 7/9, 7/10 x 2, 7/12 & 7/14/14 & 1 full day 6/2/14	595.00
Rick Shaffer - 6 half days 6/18, 6/23, 6/25, 7/1 x 2 & 7/14/14	<u>300.00</u>
	\$ 1,540.00

Expenses

Robin Baker	\$ 120.96
Allen Balog	91.28
John Dobberteen	81.76
Rick Shaffer	<u>115.36</u>
	\$ 409.36

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

Financial Statements

	Revenues	Expenditures
Year to Date - June 30, 2014	\$ 9,185,803.90	\$ 10,940,277.99
Available Balance - Revenues & Expenditures	\$ 9,050,983.10	\$ 7,296,509.01
Percent of total budgeted funds earned year to date	50.37%	
Percent of total budgeted funds expended year to date	59.99%	

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

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the Committee had not met.

Judiciary

Commissioner Eaton stated that the Committee had not met.

Physical Resources

Commissioner Balog stated that the Committee had not met.

Executive/Committee of the Whole

Chairman Dobberteen stated that the Committee had met on July 9, 2014 and everyone has a copy of the minutes.

CITIZENS COMMENTS

Del Martin, Fabius Township, stated that he was here 2 months ago and asked about the Board of Commissioners using some monies from the Delinquent Tax Fund. He was ignored so he sent a letter to Chairman Dobberteen who forwarded it to the Administrator to answer. He was not happy with the response. He provided the law to everyone and it is legal to use this money for roads.

He gets frustrated when the Commissioners continually are asked questions and they will not respond. He said that it is nonsense. He has had some letters in the paper and there will be more.

Chairman Dobberteen suggested that he contact his County Commissioner.

Becky Shank from Fabius Township who will be a resident of Constantine on Monday stated that she attended the Road Summit that was held a few months ago and only 2 Commissioners were present. She has attended 3 Candidate Forums and no Commissioners attend. She stated that many topics were brought forward for the candidates to respond to and roads was always one of the issues.

She further stated that cooperation among all levels of government is needed to be successful.

COMMISSIONER COMMENT

Commissioner Eaton stated that he has personally had conversations with some of the State Representative candidates.

ADJOURNMENT

At 5:54 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Balog that the St. Joseph County Board of Commissioners adjourn until August 4, 2014 at 5:00 p.m. Motion carried.

Pattie S. Bender, St. Joseph County Clerk

John L. Dobberteen, Chairman