

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 August 2, 2011 at 5:00 p.m.

Vice-Chairman John Dobberteen called the meeting to order.

The Invocation was given by Commissioner Loudenslager.

The Pledge to the American Flag was given.

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

Gerald E. Loudenslager  
Jerry Ware

Allen Balog  
John L. Dobberteen

Absent: Rick Shaffer, Robin Baker and Donald Eaton

Also present were soon to be retired Dan Carey, Finance Director and new Finance Director, Joni Smith and Elishia Arver, Human Resources Director.

#### AGENDA

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

#### MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Balog that the minutes for July 19, 2011 be approved. Motion carried.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the minutes for the Special Meeting held on July 26, 2011 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, July 22 and July 29, 2011.
2. Letter from Jack Dunn, President of Western Michigan University, Re: Resources available at WMU.
3. Copy of letter to Shelley Connor from Attorney Lance Thornton, Re: Answer to her letter regarding the property at 68222 Klinger Lake Road, Sturgis.
4. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on August 10 to meet the energy optimization requirements in compliance with Public Act 295 of 2008.
5. Resolution from Grand Traverse County, Re: Supporting Employee Freedom to Work Act.
6. Minutes of the Department of Human Services Board meeting of May 24, 2011.
7. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of July 18, 2011.
8. Minutes of the Community Mental Health and Substance Abuse Services Board meeting of June 28, 2011.

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

#### CITIZENS COMMENTS

Dan Lucas, 67608 Maple, Constantine asked the Board if there were parameters set for Attorney Haas' service. He referred to the Trine Development Agreement and said that on page 9, paragraph C it talked about an office to be located in St. Joseph County at a mutually accepted space and on page 10, it mentions a lab to be located in St. Joseph County at our expense. Mr. Lucas believes that this is a giant Ponzi scheme.

Becky Shank, 12302 Corey Lake Road, Three Rivers referred to the Three Rivers paper regarding the Conservation District. She thanked the anonymous donor to the District and invited the Commissioners to the Conservation District office to see what they do.

She added that now the Groundwater Educator and the Forester positions are funded but the District Wildlife Biologist still is not.

She invited the Commissioners to the Fabius Township Hall on Thursday, August 4th at 7:00 p.m. where the Fabius Township Citizens Coalition is meeting and Eric Shafer, from Westside Landfill will be the speaker.

Todd Haifley, 58364 Jennie Drive, Three Rivers stated that there seem to be issues with an easement regarding his property on Pleasant Lake. He explained the situation and a timeline of what has happened when and left some information with Mrs. Arver.

#### JAIL ROOF/BRICK PROJECT

Mrs. Arver reported that the Physical Resources Committee met with Architect Bob VanPutten from Landmark Design and reported that 3 bids had been received. The low bidder was Brussee/Brady with a base bid of \$48,720.00 which includes the gym roof, attached ladder leading to the gym roof, replacing 11 light fixtures with LED and interior gym block joint repairs. Three alternate bids were requested with alternate #1 to replace 40% of the 1988 brick areas, alternate #2 to cover the entire 1988 brick areas with Exterior Insulation Finish System (EIFS) and alternate #3 to cover the remaining exposed 1960 brick areas with EIFS. The Committee recommends base bid of \$48,720 and alternates #2 and #3 for \$219,215 for a total of \$267,935. The Committee also thought that 10% contingency was warranted.

It was moved by Commissioner Ware and supported by Commissioner Balog that the base bid with alternates #2 and #3 be approved in the amount of \$267,935 and also that \$26,000 be reserved as contingency funds as presented.

Commissioner Ware stated that with the 2 alternate bids that the utilities are estimated to go down about 14% or \$12,000 to \$15,000 per year.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Balog, Ware and Dobberteen.

Nay votes cast: 0

Absent: 3 - Commissioners Shaffer, Baker and Eaton.

Motion carried.

#### PUBLIC HEARING - COUNTY CLERK/REGISTER OF DEEDS COMBINATION

Vice-Chairman Dobberteen declared that the public hearing opened on the combination of the County Clerk/Register of Deeds. There being no comments Vice-Chairman Dobberteen closed the hearing.

#### CONSERVATION DISTRICT LOAN TERMS

Mrs. Arver stated that at the last meeting the Board approved loaning the Conservation District \$40,000 through December 28, 2011. Added to that motion to approve were interest and penalties. Tonight the corrected document is ready to be approved.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Board of Commissioners loan up to \$40,000 to the Conservation District with the amount to be paid back by December 28, 2011 and if not then interest in the amount of 1.5% will be assessed per day until paid.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Balog, Ware and Dobberteen.

Nay votes cast: 0

Absent: 3 - Commissioners Shaffer, Baker and Eaton.

Motion carried.

## REGISTER OF DEEDS ANNUAL REPORT FOR 2010

Chairman Shaffer arrived at this time and Vice-Chairman Dobberteen left the meeting.

Jennifer Wall, Register of Deeds, gave an overview of the Annual Report for 2010 and stated that it was a difficult year for the office but they were able to maintain efficient service. She thanked her staff who went above and beyond the call of duty and did an excellent job.

During 2010 there was an audit conducted of the Register of Deeds Office and all areas with which they were concerned have been corrected.

In January of 2010 an upgrade to their imaging system was installed and they continue to this day to struggle, 18 months later, with the vendor and making the system work correctly. There were a lot of mistakes with the conversion in 2002 when they contracted with the Cherry Lan system so they are working through those issues. It is very important that they do not lose staff as they are going back and indexing old records.

Revenue was down, which is totally based on the economy. But, mortgage foreclosures were down too, which is a good sign, from the year before; collecting in 2009 \$12,780 and in 2010 \$11,476.

Their total collections for the office for the County for 2010 was \$299,804.01 and for the State \$657,152.41.

Chairman Shaffer thanked Mrs. Wall for stepping into a difficult situation. He commended her on a job well done.

Commissioner Loudenslager thanked her for the good report.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Register of Deeds Annual Report for 2010 be accepted. Motion carried.

## COMMUNITY CORRECTIONS GRANT APPLICATION

District Judge Jeffrey Middleton presented the Community Corrections Grant Application saying that this was the 22nd year that he has appeared before the Board requesting approval and he has been Chairman of the group for all 22 years. He stated that they are having a troubling year as they had all of the programs set up and with the change in Administration in Lansing they are receiving less money. Some of the programs are being taken over by the State and one is now with Community Mental Health. Their grant used to be \$114,000 and now it is \$86,428. 30% of the grant has been going to the wages of Nancy Pick and now the 30% is much less. They pledged from the beginning that there would be no County costs to this program, but the County does provide a telephone, office space and IT service.

They have set up their own programs through the years that are paid by the users, i.e. domestic violence, anger management, shop lifting alternative programs, embezzlers' program and he is going to attempt to get some funding for Sobriety Court that he would like to begin by Labor Day. All the protocols are in place for this program and they are waiting to get some State funding.

Commissioner Loudenslager stated that of all the Committees he has served on the Community Corrections is the most enjoyable because the return benefits are noticeable.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Community Corrections Grant Application be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shaffer, Loudenslager, Balog and Ware.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Eaton and Dobberteen.

Motion carried.

LABOR AGREEMENT WITH P.O.A.M. - CORRECTIONS UNIT

Mrs. Arver stated that the Labor Agreement with P.O.A.M. - Corrections Unit has been settled and following are the highlights:

1. CONTRACT DURATION. 3 years - January 1, 2010 through December 31, 2012.

2. WAGES. January 1, 2010           0.0% increase  
January 1, 2011           0.0% increase  
January 1, 2012           0.0% increase

3. HEALTH & DENTAL INSURANCE.

Effective August 1, 2011 employees will pay 14% of Blue Cross/Blue Shield health and dental premiums (currently is 12%);

Effective August 1, 2011 BC/BS health plan changes:

(1) single deductible of \$2,500/year and 2 person and family deductible of \$5,000/year with the employee paying the first \$250 of deductible for single coverage and first \$500 of deductible for 2 person and family coverage and the Employer paying the balance up to \$2,250 for single coverage and \$4,500 for 2 person and family coverage through a third party administrator.

(2) Office visit co-pays shall increase from \$20 to \$30 including chiropractic manipulation office visits;

(3) emergency room visit co-pay shall increase from \$50 to \$100.

4. Miscellaneous Language Changes.

Part-time employees—Insert Letter of Understanding from October 2004 regarding terms and conditions of part-time employees.

Hours of Work—Insert Letter of Understanding from January 2008 regarding 12 hour shifts.

Add Promotion language identical to Road contract language.

Family and Medical Leave Act Leaves - Updated language consistent with recent Federal law changes related to military leaves;

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the P.O.A.M. Labor Contract with the Corrections Unit be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shaffer, Loudenslager, Balog and Ware.

Nay votes cast: 0

Absent:           3 - Commissioners Baker, Eaton and Dobberteen.

Motion carried.

MERS HYBRID STUDY

Mrs. Arver reported that in April the Board met with MERS representatives to discuss options to change the employee pension system from the current defined benefits plans. It is the recommendation of the Executive Committee that the Board contract with MERS for \$1,600 to provide an analysis of the Hybrid plan with a 1% DB, 1% Employer DC with a 5 year vesting.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Executive Committee's recommendation be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shaffer, Loudenslager, Balog and Ware.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Eaton and Dobberteen.

Motion carried.

#### COMMITTEE REPORTS

##### Law Enforcement

Commissioner Loudenslager stated that there was no report.

##### Judiciary

Commissioner Loudenslager stated that the next Judiciary Committee meeting will be held on August 10th at noon.

##### Physical Resources

Commissioner Ware stated that in addition to the jail roof/brick repair, a contractor has looked at the leak problems on the Courts Building roof and has determined that the roof area where the DX units are secured to the roof is not sealed properly. The contractor will be submitting a proposal to fix the affected roof area.

##### Executive Committee

The Executive Committee met on July 29, 2011 and most items discussed there have been discussed today. It was the consensus that the Trine issue not be discussed for a couple of weeks, allowing for a "settling-in" period and it would then collectively be discussed at a later date whether or not the Board would move forward.

#### PERSONNEL REPORT

Mrs. Arver presented the following report:

##### RESIGNATION:

Gary Penn, COA Escort Driver, has resigned effective July 14, 2011.

##### MISCELLANEOUS:

James Edward Rangler, Corrections Officer, will be on medical leave commencing August 5, 2011 under the Family and Medical Leave Act of 1993.

Erin Harrington, Assistant Prosecuting Attorney, is on medical leave commencing July 27, 2011 under the Family and Medical Leave Act of 1993.

##### NEW HIRE:

Sally R. Rockelein has been hired as part-time Telecommunicator at \$8.75/hr. effective August 2, 2011.

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

#### BUDGET ADJUSTMENTS

Mrs. Arver presented the following report:

BUDGET AMENDMENTS:

INCREASE REVENUE–FUND BALANCE:

Line item 101-390-676.000 (Use of Fund Balance) \$308,035.00

INCREASE EXPENDITURES–FUND BALANCE:

Line item 101-390-999.000 (Operating Transfers Out) \$308,035.00

INCREASE REVENUE–FACILITY MAINTENANCE FUND #406:

Line item 406-253-699.000 (Operating Transfers In) \$308,035.00

INCREASE EXPENDITURES–FACILITY MAINTENANCE FUND #406:

Line item 406-253-976.000 (Building Addition & Improvement) \$308,035.00

DECREASE COUNTY CLERK'S BUDGET:

Line item 101-215-732.000 (Microfilm/Microfiche Expense) \$ 1,350.00

INCREASE COUNTY CLERK'S BUDGET:

Line item 101-215-985.000 (Computer Software) \$ 1,350.00

FROM APPROPRIATION:

\$89,000.00 from Parks and Recreation Appropriation to Parks and Recreation Fund.

\$90,208.00 from Secondary Road Patrol Appropriation to Secondary Road Patrol Fund.

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

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 5,245.29	\$
Appropriations	45,851.50	
County Commission	1,586.78	7,639.85
Circuit Court	71.30	13,635.70
District Court	382.72	52,416.05
Friend of the Court	286.41	42,225.63
Probate Court	1,973.56	19,016.42
Juvenile Branch	17,331.51	30,024.90
Appeals Court	3,949.93	
Administration		9,967.09
Finance Department	274.00	13,288.53
County Clerk	3,360.00	23,149.73
Equalization Department		14,155.77
Human Resources	4,387.66	9,071.53
Geographic Information Systems		7,723.50
Prosecutor's Office	2,706.94	37,255.12
Register of Deeds	269.00	9,078.14
County Treasurer	198.00	15,676.57
Cooperative Extension	3,994.67	7,872.84
Information Technology	1,114.84	12,994.72
Buildings & Grounds	8,224.91	11,188.19
Courts Building Security		6,188.52
Drain Commission		5,732.04
Sheriff Department	14,180.13	109,030.19
Sheriff Reserves	1,198.60	81.82
Marine Patrol	1,503.48	5,192.51

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Jail & Turnkey	\$ 22,799.26	\$ 105,333.55
Emergency Services	442.92	4,499.17
Animal Control	1,640.06	9,119.89
Board of Public Works		732.92
Child Care - Probate	2,600.63	298.94
Veterans' Services		2,489.26
Utilities & General Services	<u>20,940.56</u>	
Total	\$ 166,514.66	\$ 585,079.09
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 807,989.16	\$
Parks & Recreation	1,541.45	7,355.88
Emergency 911 Service	19,282.06	57,738.83
Central Dispatch - Wireless	2,641.50	4,187.44
Meyer Broadway/Coon Hollow Park	593.50	3,289.50
Family Counseling	940.00	
Cade Lake Park	1,519.11	3,869.22
Traffic Safety Program Fund	600.00	
Economic Development Fund	16.50	4,562.16
Survey & Remonumentation	26,480.00	
Victims' Rights Advocate Fund	16.50	3,353.92
Community Corrections Advisory Bd.	5,156.00	3,009.02
Community Corrections Program	1,250.00	
Drug Law Enforcement Fund	687.41	
Law Enforcement Fund	1,273.94	16,756.10
Secondary Road Patrol	33.00	9,431.67
Homeland Security Grant Fund	5,166.90	3,745.44
Law Library Fund	919.15	
Principal Residence Denial Fund	100.05	733.58
Commission on Aging	58,628.67	66,557.99
Child Care: Probate Court	36,765.84	11,444.94
Facilities Maintenance Fund	15,014.69	
Forfeiture & Foreclosure Fund	100.00	
Tax Payment Fund	28,829.09	
Inmate Store	1,648.06	
Three Rivers Community Center	2,094.85	999.16
Information Technology Improvement Fund	7,071.76	
Flexible Benefits Insurance Fund	<u>169,333.88</u>	
Total	\$ 1,195,693.07	\$ 197,034.85
Grand Total	\$ 1,362,207.73	\$ 782,113.94
General Fund Operating Expenditures		
Pre-Authorized	\$116,031.47	
Accounts Payable	<u>50,483.19</u>	
	\$ 166,514.66	
General Fund Payroll Expenditures	\$ 585,079.09	

Other Funds Operating Expenditures		
Pre-Authorized	\$1,189,382.77	
Accounts Payable	<u>6,310.30</u>	
		\$ 1,195,693.07
Other Funds Payroll Expenditures		\$ <u>197,034.85</u>
Total Recorded for the Month		\$ 2,144,321.67

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

MISCELLANEOUS

Commissioner Ware stated that if any of the press would like any further information on the jail project that was approved tonight he would talk to them after the meeting.

The Clerk mentioned that this was Dan Carey's last meeting as he will be retiring on August 12th and there will be an open house for him that day.

Chairman Shaffer told Mr. Carey that it has been a real privilege working with him and appreciates all that he has done and asked him to keep in touch.

Mr. Carey thanked everyone and said that he appreciated the opportunity to work for the County.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Balog that the St. Joseph County Board of Commissioners adjourn until August 16, 2011. Motion carried.

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Pattie S. Bender, County Clerk

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Rick Shaffer, Chairman