

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 6, 2013 at 5:00 p.m.

Chairman John Dobberteen, 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:

Allen Balog	Donald Eaton
Rick Shaffer	John Dobberteen

Absent: Robin Baker

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

#### AGENDA

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

#### MINUTES APPROVED

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that the minutes for July 16, 2013 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Commission on Aging Board of Directors, Re: Letter of support for the County's continued movement toward creating a new senior center facility.
2. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on August 20 to consider Indiana Michigan Power Company's application to reconcile its renewable energy plan.
3. Letter from the City of Sturgis, Re: Notice of public hearing on August 14 for consideration of an Industrial Facilities Exemption Certificate to Johnson Precision Mold, Inc.
4. Letter from the City of Sturgis, Re: Notice of public hearing on August 14 regarding the City's Brownfield Plan for the Moso Village Project.
5. Resolution from Muskegon County, Re: In support of non-discrimination for lesbian, gay, bisexual and transgender persons.
6. Minutes of the Veterans' Affairs Board meeting of June 12, 2013.
7. Minutes of the Community Action Board meeting of June 20, 2013.
8. Minutes of the Community Mental Health & Substance Abuse Services Board meeting of July 30, 2013.  
Note - the resignation of Board Member Betty Massey was accepted at this meeting.

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

#### CITIZENS' COMMENTS

Cheryl Strohm, 68578 Vistula Road, White Pigeon stated that her neighbors lost their home at the end of June and they had asked another neighbor to take care of their animals that were in a kennel. They were not taking care of them so she provided food and water to them. She had some discussions with Tom Miller and also Brooke Bingaman, Tom's assistant.

Then she called the Animal Rescue fund for help. Finally the owner relinquished the dog and the owner's son cut the chain on the dog, but in the meantime she called Mrs. Bingaman and she called for backup and a Michigan State Police Trooper came to assist.

Lee Ann Farmer, 1035 S. Washington, Constantine stated that she is the President of ARF and there are a lot of cases of neglect and abuse in St. Joseph County and she wants the County's Ordinance enforced which includes the owner's responsibility to groom the dog; feed the animal; make sure that there is water; a shelter; that it receives humane treatment; and is free of waste.

Alice Lisbon, 3520 N. Drake Road, Kalamazoo said that she moved out of this County because she was afraid of what would happen to her two dogs if something happened to her. She further stated that she saw pictures of abused dogs on Facebook and stated that the government needs to address these issues. Animal Control and the government in St. Joseph County are gaining the reputation of disrespecting the lives of animals. There is an opportunity for the Board to change this.

She further stated that there is animal abuse everywhere, and it's important that the local government does something about it. She asked the Commissioners to open their eyes and make some changes.

Tom Moltor, 1013 Azaleamum Drive, Three Rivers stated that on the federal level citizens can waive their time to another speaker and would like the Board to let him waive his time to Cheryl Strohm.

Chairman Dobberteen stated that the Commissioners' Board Rules do not allow for that.

Mr. Moltor said that he has been involved for 20 years in the welfare of dogs and cats. He is asking the Board to let the River Country Humane Society, which now has 501c3 status, to help the County alleviate some of their problems and let them house some animals.

#### MILLAGES TO LEVY FOR 2013

Tony Meyaard requested that the Board approve the form 4029 and adopt the tax rates for 2013 for the County as follows:

- Allocated - Operating 4.5482
- Extra Voted - Roads 0.9932
- Extra Voted - 911 0.5000
- Extra Voted - COA 0.7500
- Extra Voted - Transportation 0.3300

He also introduced Lydia Paille who is the Deputy Equalization Director.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the 2013 tax rates for 2013 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

#### REQUEST TO FILL VACANT LAND RESOURCE SERVICES CLERK

Mr. Meyaard stated that the Land Resource Services Clerk has resigned and he is requesting that the position be filled.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the vacant Land Resource Services Clerk position be filled. Motion carried.

#### APPOINT THE COUNTY ADMINISTRATOR TO THE EDC BOARD OF DIRECTORS

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that Pat Yoder, County Administrator/Controller, be appointed to the Economic Development Board of Directors. Motion carried.

AMENDMENT TO LEASE AGREEMENT FOR HOUSE AT MEYER BROADWAY PARK

Mr. Yoder stated that the current renters in the house at Meyer Broadway Park would like to have the garage, also known as Dimmick Lodge, and they would pay an extra \$100 per month. If the Parks Department has a rental for the Lodge they would remove their vehicles.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the Amendment to the Lease Agreement for the house at Meyer Broadway Park be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

IN HONOR OF THE 175TH ANNIVERSARY OF THE FIRST PRESBYTERIAN CHURCH

Commissioner Shaffer read the following resolution:

RESOLUTION NO. 7-2013  
ST. JOSEPH COUNTY BOARD OF COMMISSIONERS

IN HONOR OF THE 175<sup>th</sup> ANNIVERSARY OF  
THE FIRST PRESBYTERIAN CHURCH OF THREE RIVERS-CENTREVILLE

WHEREAS, the First Presbyterian Church was organized on August 12, 1838 by the dedicated efforts of nineteen settlers just two years after the Village of Three Rivers was platted; and

WHEREAS, the present sanctuary was dedicated in 1870 and the Westminster House was added in 1958; and

WHEREAS, in 1968 the Centreville First Presbyterian joined with Three Rivers forming the First Presbyterian Church of Three Rivers-Centreville; and

WHEREAS, the church continues to be a dynamic force in the community through its community assistance program for those in need and its support for PCUSA programs world-wide.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners congratulates the First Presbyterian Church in celebrating 175 years and expresses their sincere gratitude for all the services they provide to the community.

BE IT FURTHER RESOLVED, that we enter this proclamation into the record of the proceedings of the St. Joseph County Board of Commissioners this 6th day of August, 2013.

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that the resolution be adopted and 2nd reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Resolution adopted.

RESOLUTION 8-2013

MERS RETIREMENT  
EMPLOYEE CONTRIBUTION FOR  
SHERIFF'S ADMINISTRATION GROUP

Mrs. Arver introduced the following resolution for adoption stating that after the actuary report each year this needs to be adopted in order for the Sheriff's Administration to have their contribution rate capped at a particular rate based on the report so that it is the same as the remainder of the groups at the Sheriff's Department.

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 2014 employee contribution rate for the employees covered under the Police Department (2) division at 10.42%.

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 Eaton 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: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Commission on Aging

It was moved by Commissioner Eaton and supported by Commissioner Balog that Charles Thompson be appointed to the Commission on Aging for a term to expire June 30, 2015. Motion carried.

Solid Waste Management Planning Committee

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that Glenn Nissley, John Smits, Frank Kalasky, Carol Higgins, Mary Conklin-Craaybeek and Mark Ripplinger be reappointed to the SWMPC for terms to expire September 1, 2015. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Eaton stated that the committee had not met.

Judiciary

Commissioner Eaton stated that the committee will meet next week.

Physical Resources

Commissioner Balog stated that the committee met on July 26th, everyone has a copy of the minutes and there will be more information to follow.

Committee of the Whole

Chairman Dobberteen stated that the Committee of the Whole did not meet.

PERSONNEL REPORT

Mr. Yoder presented the following report:

NEW HIRE:

Joanne Mieras has been hired as Escort Driver at \$9.46/hr. (COA system, grade 3, minimum) effective July 12, 2013.

Jessica C. Bell has been hired as In-home Services Aide at \$10.25/hr. (COA system, grade 5, minimum) effective July 16, 2013.

Brenda D. Cutts has been hired as In-home Services Aide at \$10.25/hr. (COA system, grade 5, minimum) effective July 30, 2013.

Holly J. Seales has been hired as part-time Court Security Officer at \$13.46/hr. effective July 16, 2013.

John E. Ash has been hired as part-time Court Security Officer at \$13.46/hr. effective August 13, 2013.

RESIGNATION:

Karen Willis, Land Resource Services Clerk, has resigned effective July 17, 2013.

Holly Seales, part-time Court Security Officer, has resigned effective July 26, 2013.

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

BILLS

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State & Miscellaneous	\$ 1,456.77	\$
Appropriations	31,204.75	
County Commission	4,241.64	5,161.39
Circuit Court	147.25	14,630.60
District Court	1,426.84	55,299.76
Friend of the Court	662.47	37,707.82
Probate Court	3,491.67	17,823.98
Juvenile Branch	7,253.61	27,420.43
Appeals Court	402.95	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Public Defender	\$ 38,750.00	\$
Administration		10,389.98
Elections	7,193.82	
Finance Department	13,399.92	10,490.37
County Clerk	268.70	27,286.05
Equalization Department	11,916.71	3,765.22
Human Resources	2,981.15	9,493.81
Geographic Information Systems	423.60	7,719.51
Prosecutor's Office	4,063.10	33,704.66
Register of Deeds	188.83	8,450.02
County Treasurer	125.00	12,977.40
Cooperative Extension	19,222.25	5,219.76
Information Technology	5,499.65	12,787.30
Buildings & Grounds	11,095.48	12,577.19
Courts Building Security	218.00	7,550.97
Drain Commission		4,797.80
Soil Erosion		2,072.22
Sheriff Department	29,883.94	119,206.98
Sheriff Reserves	50.00	
Marine Safety Patrol	1,294.00	5,322.28
Jail & Turnkey	30,874.92	107,364.71
Planning Commission	250.00	
Emergency Services	722.19	5,178.37
Animal Control	1,041.42	8,162.22
Board of Public Works		522.50
Medical Examiners	825.00	
Child Care - Juvenile	2,729.41	
Veterans' Services	600.00	2,626.70
Grant Writer	26.00	4,338.58
Utilities & General Services	<u>3,296.62</u>	<u></u>
 Total General Fund	 \$ 237,227.66	 \$ 580,048.58
 <u>OTHER FUNDS</u>	 <u>EXPENDITURES</u>	 <u>PAYROLL</u>
Parks & Recreation	\$ 1,396.42	\$ 6,568.67
Emergency 911 Service	2,148.60	54,244.60
Central Dispatch - Wireless	179.95	4,729.70
Meyer Broadway/Coon Hollow Park	223.31	2,746.96
Family Counseling	420.00	
Cade Lake Park	2,359.49	3,895.99
Waste Management Fund	185.50	
Traffic Safety Program Fund	400.00	
Economic Development Fund	60.00	
County Survey & Remonumentation Fund	6,925.00	
Animal Shelter Donation Fund	54.74	
Victims' Rights Advocate Fund		3,298.34
Community Corrections Advisory Bd.	6,616.00	3,008.48
Community Corrections Program	1,080.00	
Local Corrections Officers Training Fund	3,967.23	
Drug Law Enforcement Fund	2,328.94	
Law Enforcement Fund	3,155.60	22,630.65

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Secondary Road Patrol	\$	\$ 11,885.93
Homeland Security Grant Fund	40.96	3,217.44
County Law Library	436.04	
Principal Residence Denial Fund		522.79
Commission on Aging	67,875.83	74,057.55
Community Development Block Grant Fund	35,621.00	
Sheriff's Justice Training Fund	600.00	
Child Care: Probate Court & DHS	32,470.35	11,973.79
Veterans' Trust Fund	1,314.78	
White Pigeon Sewer Project	232,435.94	
Forfeiture & Foreclosure Fund	20,394.24	
Tax Payment Fund	28,917.99	
Inmate Store Fund	770.30	1,085.38
Three Rivers Community Center	2,327.83	
Long Lake Revolving Fund	114.54	
Flexible Benefits Insurance Fund	186,857.04	
Trust & Agency	265,368.38	
Library Trust & Agenda Fund	166,923.59	
Revolving Drain Fund	230.38	
Total Other Funds	\$ 1,074,199.97	\$ 203,866.27
Grand Total	\$ 1,311,427.63	\$ 783,914.85

<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$237,227.66	\$1,074,199.97	\$1,311,427.63
Payroll	580,048.58	203,866.27	783,914.85
	\$817,276.24	\$1,278,066.24	\$2,095,342.48

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

#### CITIZENS' COMMENTS

Cheryl Strohm again spoke about Brooke Bingaman regarding the incident stated earlier in the meeting saying that she was out of line in her comments about charging Mrs. Strohm with trespassing.

Tom Miller, Animal Control Officer, stated that whenever they get a complaint they address it and alleviate the problem. They do investigations and in the incident mentioned on M-86, there were no dogs starving at that address; the puppies were relinquished and have been transported to an agency to find homes for them; and the fly bites that the other dogs have are being treated.

Mr. Miller further remarked that they are often unsubstantiated accusations. The Animal Control Officers follow through on all complaints and they educate the pet owners and enforce the ordinance.

If there are serious problems he will address them with the County Administrator. He treats all citizens fairly. He mentioned that there are different standards that pet owners use when caring for their pets. He said that everyone in this room including him treat their pets at a very high standard. Other pet owners may not treat them to such a high standard, but if they are not abusing them by not providing food, water and shelter then they are not violating the County Animal Control Ordinance and there is nothing that he can do.

COMMISSIONERS' COMMENTS

Commissioner Eaton stated that last Thursday he and a friend made and sold 175 chimichangas and raised \$600 for Pet Haven. He also remarked that the Administrator and Chairman Dobberteen were there and donated to the cause.

CITIZEN REQUEST

Rebecca Shank, 12320 Corey Lake Road, Three Rivers requested a copy of the Board's Rules. The Clerk handed her a copy.

ADJOURNMENT

At 5:28 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Eaton the St. Joseph County Board of Commissioners adjourn until August 20, 2013 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John Dobberteen, Chairman