

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 19, 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.

Deputy County Clerk, Phyllis Lung, called the roll and the following Commissioners were present:

Allen J. Balog	Rick Shaffer
Robin Baker	Donald Eaton
John L. Dobberteen	

Also present were: Elishia Arver, Deputy Administrator/Human Resources Director and Joni Smith, Finance Director.

#### AGENDA

Mrs. Arver asked that a request to fill a vacant Probation Officer position for District Court be added to the agenda. It was moved by Commissioner Baker and supported by Commissioner Balog that the agenda be approved as amended. Motion carried.

#### MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the minutes for July 15, 2014 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the City of Sturgis, Re: Notice of public hearing on August 13 to consider an Industrial Facilities Exemption Certificate to Burr Oak Tool, Inc.; Morgan Olson, LLC; and Midwest Plastic Engineering, Inc.
2. Letter from County Treasurer Judith Ratering, Re: Quarterly investment reports for April, May and June 2014.
3. Letter from Community Action, Re: Copy of audit report for the program year ended December 31, 2013 for Community Action Agency of South Central Michigan.
4. Copy of the 2012/13 Annual Report for Branch-Hillsdale-St. Joseph Community Health Agency.
5. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on September 9 to consider Indiana Michigan Power Company's application to reconcile its renewable energy plan surcharge revenues and incremental costs for 2013.
6. Resolution from Antrim County, Re: Opposing House Bill 5097 and Senate Bill 850.
7. Resolution from Eaton County, Re: Opposing the development of an underground nuclear waste facility near Kincardine, Ontario.
8. Resolution from Alpena County, Re: Opposing the development of an underground nuclear waste facility near Kincardine, Ontario.
9. Minutes of the Animal Control Advisory Board meeting of April 16 and June 18, 2014.

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 and that the funding for the College Access Network Coordinator was going to come from the Waste Management fund. He was surprised to hear that was possible as the County had said there was no money available for County use.

Dan Lucas, Constantine, also commented about the Board of Commissioners approving the use of County funds for the funding for College Access Network Coordinator. He brought up the Attorney General's opinion that he had received a couple of years ago, which he had spoken about in a previous meeting. He reminded everyone that according to the opinion, the County could not spend money on education. Mr. Lucas feels very strongly that County money should benefit everyone, not just a few.

Lynn Coursey, Commission on Aging Director, invited the Commissioners to the Annual "Farm to Table" festivities on August 22nd at Kline's Resort. She commented on how all the food that will be provided is 100% from this County.

COMMISSION ON AGING 2015 BUDGET

Lynn Coursey, Commission on Aging Director, presented the drafted Commission on Aging 2015 budget for approval. The budget uses \$161,259 of fund balance. The COA is looking at pay for service structures for the calendar year 2015 that will increase revenues.

Following is the proposed budget:

St. Joseph County Commission on Aging (Fund 273)

Estimated Revenues

Charges for Services	38,659
Tax Revenue	1,427,624
Federal Grants	251,283
State Grants	116,082
Prog Inc., Fines, Forfeits	252,366
Other Revenue	4,801
Use of Fund Balance	161,259
Other Financing Sources	<u>515</u>
 Total Estimated Revenues	 2,252,589

Expenses

Personnel Services	1,152,568
Operating Expenditures	1,095,371
Capital Expenditures	<u>4,650</u>
 Total Appropriations	 2,252,589

Three Rivers Community Center (Fund 593)

Estimated Revenues

Local Unit Contributions	58,773
Interest & Rents	<u>8,059</u>
 Total Estimated Revenues	 66,832

Expenses

Personnel Services	17,209
Capital Expenditures	4,965
Operating Expenditures	<u>44,658</u>
 Total Appropriations	 66,832

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that the Commission on Aging 2015 budget 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

Budget adopted.

#### THREE RIVERS AREA CHAMBER OF COMMERCE

Mrs. Arver presented a request from the Three Rivers Area Chamber of Commerce for use of the historic Courthouse in the summer of 2015 for a Murder Mystery Dinner event. The only concern was having appropriate security which will have to be discussed along with insurance coverage for incidentals.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the request by the Three Rivers Area Chamber of Commerce to use the historic Courthouse for their dinner event 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.

#### MEMORANDUM OF UNDERSTANDING WITH AFSCME GENERAL UNIT

Mrs. Arver presented the Memorandum of Understanding with AFSCME General Unit for a 90 calendar day trial period for a part-time Finance Clerk and a part-time Register of Deeds Clerk. If by choice by either the Employer or the Employee that the shared position does not work, the position will be posted and the Finance Department will proceed through the appropriate procedure.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the 90 calendar day trial period for a part-time Finance Clerk and a part-time Register of Deeds Clerk 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.

#### AGREEMENT WITH MDOT FOR TRANSFER OF OWNERSHIP OF CORS

Mrs. Arver presented the agreement with Michigan Department of Transportation (MDOT) and St. Joseph County for the transfer of ownership of the Continuously Operating Reference Station (CORS) located by the Central Dispatch Center from the County to MDOT. This will allow MDOT to upgrade and maintain the system going forward.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the ownership of CORS be transferred to MDOT.

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.

## TRANSFER OF OWNERSHIP OF CORS

The following resolution was presented:

### RESOLUTION NO. 11-2014

WHEREAS, St. Joseph County has determined it would be beneficial to transfer ownership of the Continuously Operating Reference Stations (CORS) to the Michigan Department of Transportation (MDOT); and

WHEREAS, St. Joseph County and MDOT have entered into an agreement, specifically MDOT contract 14-5261;

THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners approves MDOT contract 14-5261 between St. Joseph County and the Michigan Department of Transportation; and

BE IT FURTHER RESOLVED, that the St. Joseph County Board of Commissioners authorizes Chairman John L. Dobberteen to sign the contract on behalf of St. Joseph County.

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

Nay votes cast: 0

Resolution adopted.

### Employee Handbook

Mrs. Arver presented the final version of the new Employee Handbook that will be provided to the employees. It was moved by Commissioner Baker and supported by Commissioner Eaton that the new Employee Handbook be accepted. Motion carried.

### Employee Arbitration Agreement

Mrs. Arver presented an Employee Arbitration Agreement which will be provided to the employees. It was moved by Commissioner Eaton and supported by Commissioner Baker that the Employee Arbitration Agreement be accepted. Motion carried.

## LETTER REGARDING VICTIM RIGHTS GRANT APPLICATION

Mrs. Arver presented a letter Regarding the Authorization for Signing of the Victim Rights Grant Application. The State of Michigan Electronic Grants Administration and Management System requires that the person designated as the "Authorized Official" is the person that signs contracts on behalf of the County. We have also been advised the E-Grams System has the same rule for grant submissions to the State. This letter gives the Prosecuting Attorney the authorization to be listed in the E-Grams System as the Authorized Official of the County for the purpose of submitting grant applications to the State.

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the Prosecuting Attorney be the Authorized Official for the submission of grant applications for victim rights to the State.

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.

COUNTY TREASURER'S LIST OF AUTHORIZED EMPLOYEES FOR FINANCIAL  
TRANSACTIONS

Mrs. Arver presented the following list from the County Treasurer of Authorized Employees for Financial Transactions:

Authorized to make and approve deposits and investments of County Funds

Judith L. Ratering, County Treasurer  
Kathy S. Humphreys, Chief Deputy Treasurer  
Mary E. Ives, Deputy Treasurer

Current list of employees authorized to withdraw, wire or transfer funds on line

Judith L. Ratering  
Kathy Humphries  
Mary E. Ives

Current list of authorized check signers on all bank accounts

Judith L. Ratering	Pattie S. Bender
Kathy S. Humphreys	Sandy Bowen
Mary E. Ives	Phyllis Lung

It was moved by Commissioner Shaffer and supported by Commissioner Balog that the foregoing lists 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 GIS CARTOGRAPHER POSITION

Mrs. Arver presented the request from Andrew Hartwick, GIS Director, to fill the vacant GIS Cartographer position.

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the vacant GIS Cartographer position be filled. Motion carried.

CONTRACT WITH C. L. MAHONEY COMPANY

Mrs. Arver presented a proposal from C. L. Mahoney Co. to provide operational verification of an existing multi zone system for a cost of \$2,316.00. This is the first step in determining what needs to be done to correct the current humidity problems in the Courts building.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the proposal from C. L. Mahoney Co. in the amount of \$2,316.00 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.

CONTRACT WITH TOWER/PINKSTER

Mrs. Arver presented a proposal from TowerPinkster to do work on the Courts HVAC system to eliminate the humidity problems. The quote is for \$13,000.00. Commissioner Shaffer asked what the timeline looked like. The response from Tim Hochstetler was that it was contingent on the findings of C.L. Mahoney Co., but only about 2 weeks before the company would be arriving to do the work and only about 2 days in which to complete the project.

It was moved by Commissioner Baker and supported by Commissioner Balog that the proposal from TowerPinkster in the amount of \$13,000.00 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 DISTRICT COURT PROBATION OFFICER POSITION

Mrs. Arver presented a request from Tabitha Wedge, District Court Administrator/Magistrate, to fill the vacant District Court Probation Officer position.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the vacant District Court Probation Officer position be filled. Motion carried.

CHANGE OF FISCAL YEAR END

Mrs. Smith requested that the Board approve moving four funds to the same fiscal year as the County. These funds are Secondary Road Patrol, two Community Correction Funds and the Victim Rights Advocate Fund. They will have a 15 month fiscal year until January of 2015, when they will have a regular 12 month fiscal period.

The following resolution was presented:

RESOLUTION NO. 12-2014

APPROVING THE CHANGE OF FISCAL YEAR END

WHEREAS, St. Joseph County's fiscal year end, for the vast majority of its funds, is December 31; and

WHEREAS, St. Joseph County has six funds with a fiscal year ending September 30; and

WHEREAS, four of these six funds no longer need to have a fiscal year end of September 30. These four funds are the Secondary Road Patrol Fund, Community Corrections Advisory Board Fund, Community Corrections Program Fund and Victim Rights Advocate Fund; and

WHEREAS, the County Finance Director has discussed this fiscal year end change with the County's audit firm and with the applicable authorizing agency for each fund; and

WHEREAS, with the change of the fiscal year end date, the above mentioned four funds will have a fifteen-month year (October 1 to December 31, 2014) for fiscal year 2014.

THEREFORE BE IT RESOLVED, that St. Joseph County change the fiscal year end for the above mentioned four funds from September 30 to December 31 effective with the year ended December 31, 2014.

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the authorizing agency for the applicable four funds.

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 follows:

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

Nay votes cast: 0

Resolution adopted.

#### NOMINATIONS AND APPOINTMENTS

##### Solid Waste Management Planning Committee

It was moved by Commissioner Shaffer and supported by Commissioner Baker that Eric Shafer, Aaron Cullifer, Robert L. Robinson and John L. Dobberteen be reappointed to the Solid Waste Management Planning Committee for 2 year terms that will expire September 1, 2016. Motion carried.

#### PERSONNEL REPORT

Mrs. Arver presented the following report:

##### NEW HIRE:

Tracy Harker has been hired as College Access Network Coordinator at \$50,000.00/yr. effective August 5, 2014.

##### DISMISSAL:

Jonathan Uribe, Central Dispatch Director, has been dismissed effective July 23, 2014.

##### RESIGNATION:

Douglas Kuhlman, Telecommunicator, has resigned effective August 27, 2014.

Jessica Bell, COA Home Care Aide, has resigned effective August 8, 2014.

Kenneth Syers, Cartographer, has resigned effective August 22, 2014.

Jonathan Marcus, District Court Probation Officer, has resigned effective August 29, 2014.

##### RETIREMENT:

Carolyn Beardsley, COA Home Care Aide, has retired effective August 18, 2014.

##### TEMPORARY/SEASONAL EMPLOYMENT:

Nicole Eichorn has been hired as seasonal Cade Lake Park Office at \$8.00/hr. effective August 15, 2014.

Dennis R. Brock has been hired as seasonal Cake Lake Park Maintenance at \$8.25/hr. effective August 18, 2014.

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

#### FINANCE DIRECTOR'S REPORT

Mrs. Smith presented the following reports:

Budget Amendments

BUDGET AMENDMENTS:

COUNTY FACILITIES MAINTENANCE FUND:

Building Additions & Improvements - New Door (406-253-976.000)	\$ 12,520.00
Budgeted Use of Fund Balance (406-253-676.000)	\$ 12,520.00

COUNTY FACILITIES MAINTENANCE FUND:

Building Additions & Improvements - Air Handling Project (406-253-976.000)	\$ 15,316.00
Budgeted Use of Fund Balance (406-253-676.000)	\$ 15,316.00

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

Bills

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State & Miscellaneous	\$ 3,961.82	\$
Appropriations	149,848.93	
County Commission	1,325.36	4,911.26
Circuit Court	14,042.41	14,814.72
District Court	2,178.86	56,742.13
Friend of the Court	1,884.02	40,350.21
Probate Court	3,177.56	17,698.89
Juvenile Branch	11,300.72	30,186.49
Appeals Court	1,432.93	
Public Defender	39,166.67	
Administration		12,647.54
Elections	700.49	
Finance Department	55,464.41	19,446.66
County Clerk	1,097.06	26,323.49
Equalization Department	10,476.57	8,590.25
Human Resources	1,999.27	10,864.16
Geographic Information Systems	193.62	8,494.49
Prosecutor's Office	10,421.58	35,254.36
Register of Deeds	67.20	8,262.69
County Treasurer	144.33	15,833.38
Cooperative Extension		6,067.10
Information Technology	3,912.03	12,988.04
Buildings & Grounds	15,246.61	12,880.27
Courts Building Security	28.00	7,221.51
Drain Commission		7,090.90
Sheriff Department	22,713.34	97,971.48
Sheriff Reserves	50.00	
Marine Patrol		2,112.12
Jail & Turnkey	39,470.15	113,639.57
Planning Commission	364.80	
Animal Control	1,266.61	8,619.66
Medical Examiners	5,009.65	
Child Care - Juvenile	312.54	
Veterans' Services		1,971.76
Grant Writer	62.72	4,421.28
Utilities & General Services	<u>32,396.29</u>	

Total General Fund	\$ 429,716.55	\$ 585,404.41
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Parks & Recreation	\$ 6,853.96	\$ 6,419.73
Emergency 911 Service	21,417.59	67,768.60
Central Dispatch - Wireless		2,765.90
Meyer Broadway/Coon Hollow Park	297.98	3,674.08
Family Counseling	292.50	
Cade Lake Park	2,212.24	3,014.75
Traffic Safety Program Fund	400.00	
Victims' Rights Advocate Fund		3,377.98
Community Corrections Advisory Board	6,548.00	3,068.76
Community Corrections Program	750.00	
Local Corrections Officer's Training Fund	10.00	
Drug Law Enforcement Fund	2,725.72	
Law Enforcement Fund	1,033.62	9,322.27
Secondary Road Patrol		10,409.84
Homeland Security Grant Fund	34.64	
County Law Library	1,461.34	
Commission on Aging	51,021.86	65,524.55
SCAO Swift & Sure Grant	15,282.32	
Child Care: Probate Court & DHS	23,240.86	12,011.94
Forfeiture & Foreclosure Fund	19,091.13	
Tax Payment Fund	14,213.70	
Inmate Store Fund	229.69	
Three Rivers Community Center	2,815.23	658.04
Long Lake Level Revolving - Fabius	29.16	
Information Technology Imp. Fund	686.36	
Flexible Benefits Insurance Fund	191,752.82	
Trust & Agency	283,973.22	
Library Trust and Agency Fund	172,270.97	
Drain Fund	1,014.89	
Drain Debt Service Fund	43,100.65	
	<hr/>	<hr/>
Total Other Funds	\$ 862,760.45	\$ 188,016.44
Grand Total	\$ 1,292,477.00	\$ 773,420.85

<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$429,716.55	\$862,760.45	\$1,292,477.00
Payroll	<u>585,404.41</u>	<u>188,016.44</u>	<u>773,420.85</u>
	\$1,015,120.96	\$1,050,776.89	\$2,065,897.85

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

Per Diems

Robin Baker - 5 half days 7/24, 8/4, 8/5, 8/6 & 8/13/14	\$ 250.00
Allen Balog - 6 half days 7/16 x 2, 7/24, 8/12, 8/13 & 8/18/14	300.00
John Dobberteen - 11 half days 7/21, 7/22 x 2, 7/24, 7/29, 8/8, 8/11, 8/13 x 2, 8/18 & 8/25/14	550.00
Rick Shaffer - 3 half days 7/16, 7/30 & 8/6/14	<u>150.00</u>
	\$ 1,250.00

Expenses

Robin Baker	\$ 100.24
Allen Balog	27.44
John Dobberteen	34.72
Rick Shaffer	<u>26.88</u>
	\$ 189.28

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 - July 31, 2014	\$ 10,230,859.88	\$ 12,442,843.44
Available Balance - Revenues & Expenditures	\$ 8,183,800.12	\$ 5,971,816.56
Percent of total budgeted funds earned year to date	55.56%	
Percent of total budgeted funds expended year to date	67.57%	

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 August 13, 2014 and everyone has a copy of the minutes.

CITIZENS COMMENTS

Becky Shank, 285 S. Constantine, Constantine, stated that she feels that it is inappropriate use of County funds to provide money to the College Access Network Director as it is very specific by State statute that County money cannot be used or the use of County money to 2 Fish Co. LLC to market St. Joseph County. She said the bottom line is that County money should be spent on St. Joseph County.

COMMISSIONER COMMENT

Commissioner Eaton commented on the earlier comments about the misuse of County money in regard to the College Access Network Director. He said in retrospect, he has not received any phone calls in regard to the matter even though he is easily accessible. There has been support from several area entities and there has been criticism from others.

ADJOURNMENT

At 5:28 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Balog that the St. Joseph County Board of Commissioners adjourn until September 2, 2014 at 5:00 p.m. Motion carried.

-----  
Phyllis Lung, Deputy Clerk

-----  
John L. Dobberteen, Chairman