

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 24, 2004, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Loudenslager.

The Pledge to the American Flag was given.

The Chief Deputy Clerk, Sandra K. Bowen, called the roll and the following Commissioners were present:

Eric Shafer	Gerald E. Loudenslager
Robin Baker	Monte Bordner
David J. Pueschel	John L. Dobberteen

Absent: John W. Bippus

Also present were Judy West-Wing, Administrator/Controller, Dan Carey, Finance Director and Charles Cleaver, Human Resources Director.

AGENDA

Judy West-Wing requested that the Comprehensive Traffic Safety Grant – Project 131 be added to the agenda. It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the agenda be approved as amended. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the minutes for August 2, 2004 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, August 6, August 13 and August 24, 2004.
2. Letter from the Michigan Department of Treasury, Re: Revocation of Industrial Facilities Tax Exemption Certificates to Peterson Spring and Surfino.
3. Letter from Annette Ashby, Re: Resignation from Board of Public Works.
4. Resolution from Antrim County, Re: State public transportation funding.
5. Resolution from Antrim County, Re: State revenue sharing.
6. Resolution from Lake County, Re: Privacy of library cardholder information.
7. Resolution from Lake County, Re: Opposing postponement of Election Day on November 2, 2004.
8. Resolution from Lake County, Re: Supporting the Drug Fair Pricing Act and the Great Lakes Alliance for Affordable Drugs Act.
9. Resolution from Lake County, Re: State revenue sharing.
10. Resolution from Lake County, Re: Opposing the July property tax collection proposal.
11. Resolution from Ottawa County, Re: State revenue sharing.
12. Resolution from VanBuren County, Re: Opposing the July property tax collection proposal.
13. Resolution from Oceana County, Re: Support of Governor Granholm's proposal to establish an advanced property tax collection plan with conditions.
14. Resolution from Baraga County, Re: Opposing the removal of armed guards from the gun towers at the Baraga Maximum Security Prison.
15. Resolution from Roscommon County, Re: State revenue sharing.
16. Minutes of Community Action Agency Board meeting of July 19, 2004.
17. Minutes of Commission on Aging Board meeting of July 21, 2004.
18. Southwest Michigan Land Conservancy's Newsletter – Summer/Autumn 2004.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the Communications be accepted and placed on file. Motion carried.

CITIZENS COMMENTS

Tim Carls, Centreville, thanked the Administrator for the letter that she sent him and provided the Board with a copy of the Sherman Township Zoning Board and the Sherman Township Board minutes for their general knowledge.

Mr. Carls asked who was on the Judiciary Committee and if Commissioner Loudenslager's situation would have been discussed at that committee meeting. Commissioner Bordner responded that that was not a court issue.

Mr. Carls expressed concerns with the zoning maps presented to the Land Resource Centre by Sherman Township.

Ms. West-Wing stated that zoning issues are the responsibility of the township and the County Board of Commissioners does not have jurisdiction. She further stated that the Land Resource Centre took the information from the township and put it together as requested and that they do not pass judgment as to whether it falls within the townships appropriate zoning requirements.

Chairman Dobberteen suggested to Mr. Carls that he contact an attorney.

JAIL CHANGE ORDER

Ms. West-Wing requested approval of the Jail Renovation Change Order Number 4 consisting of 3 deductions and 5 additions, for a total of \$8,795.00.

It was moved by Commissioner Shafer and supported by Commissioner Bordner that the Jail Change Order Number 4 in the amount of \$8,795.00 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shafer, Loudenslager, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast:

Absent: 1 - Commissioner Bippus.

Motion carried.

E-911 CENTRAL DISPATCH 2003 ANNUAL REPORT

Andrew Goldberger, presented the E-911 Central Dispatch 2003 Annual Report. He stated that the employees deal with over 340 calls per day and do a terrific job. Mr. Goldberger stated that 2004 would be even busier than 2003 because the City of Sturgis closed their dispatch center. The transfer has gone as well as can be expected.

Mr. Goldberger stated that they have a good working relationship with all the agencies that they dispatch for and with Emergency Services.

Mr. Goldberger thanked the Board for their support. He also thanked Dan Wing and the IT department, the G.I.S. Department and the County Administrator for their assistance and hard work.

In response to a question by Commissioner Baker, Mr. Goldberger explained the automated ticket writing process which involves the use of laptop computers and printers in the cars. The ticket information would be transmitted to the Sheriff's Department and also to the Court. The project will be built onto the radio automatic vehicle location project that is being worked on with the five counties.

Commissioner Bippus was present at this time.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that the Central Dispatch 2003 Annual Report be accepted. Motion carried.

JUVENILE BRANCH 2003 ANNUAL REPORT

Judge Shumaker presented the Circuit Court, Family Division, Juvenile Branch 2003 Annual Report. He stated that a large portion of the report was the work product of Dennis DeVore prior to his retirement.

Judge Shumaker gave an overview of the report and stated that the report contains a list of the participants at the Juvenile Day Treatment Center which is used in lieu of placement, and that they have had no institutional placements for 2 1/2 years and no Foster Care placements for 2003. He stated that the success is in making the family change, making the parents take responsibility and making people accountable.

He stated that the employees work hard, going out and working with families and schools and the support staff gets the work done.

Scott Ryder, Juvenile Court Director, commented on the transition from working in Kalamazoo County to St. Joseph County. He stated that he has a great staff, they are a veteran staff that know their jobs and have been a great help to him.

Mr. Ryder pledged to do the very best that he can to be as fiscally and otherwise responsible as Dennis was.

Commissioner Loudenslager stated that the State Wide Adoption Day which he attended was very moving and also thanked Judge Shumaker for his fiscal responsibility in managing the court.

Commissioner Bordner thanked Judge Shumaker and Mr. Ryder for their report and for the hard work and the cooperative relationship within the courts during these unusual times.

Commissioner Shafer thanked them for the report and stated that when he read the report, both this year and last year, he was astonished at the variety and depth of the programs that the Juvenile Branch provides. He also welcomed Mr. Ryder to the County.

Commissioner Pueschel stated that he was glad that the plans for the Day Treatment Center and the other programs are working.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the Circuit Court Family Division, Juvenile Branch 2003 Annual report be accepted. Motion carried.

TRAFFIC SAFETY GRANT APPLICATION

CHILD SAFETY SEAT INSPECTION CLINIC

Ms. West-Wing requested approval of the Child Safety Seat Inspection Clinic grant application from the Sheriff in the amount of \$15,905.00 with an in-kind match of \$2,580.00.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Comprehensive Traffic Safety Grant – Child Safety Seat Inspection application be approved.

Commissioner Bordner stated that he thought this was a really good use of the funds.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

TRAFFIC SAFETY GRANT APPLICATION

PROJECT 131

Ms. West-Wing requested approval of the Traffic Safety Grant - Project 131 grant application from the Sheriff in the amount of \$12,566.00 with an in-kind match of \$2,498.00.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Comprehensive Traffic Safety Grant – Project 131 grant application be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

LABOR AGREEMENT WITH F.O.P. – CORRECTIONS SERGEANTS DIVISION

Ms. West-Wing presented the highlights of the labor agreement with the F.O.P. – Corrections Sergeants Division.

1. Change all references to Police Officers Association of Michigan (POAM) to Michigan Fraternal Order of Police Labor Council (FOPLC).
2. CONTRACT DURATION. 3 years - January 1, 2004 through December 31, 2006.
3. WAGES.

January 1, 2004	3% increase – includes retroactive pay
January 1, 2005	3% increase
January 1, 2006	3% increase

Change reference to correction officers wage from “\$1.30/hour more than the 8 year correction officer step” to “at least \$1.30/hour more than the 8 year correction officer step”.

4. CLASSIFICATION TITLE. Change title from Corporal to Jail Sergeant.
5. TRADE DAYS. Increase trade days from 2 per 4 month schedule to 3 per 4 month schedule.
6. SICKNESS & ACCIDENT INSURANCE PLAN AND SICK/PERSONAL ACCRUAL PLAN:

Eliminate current sick leave/personal leave accrual language.
Replace with new sick/personal leave language and provide short term and long term insurance coverage as identified on the attached (page 3).
Cash out sick leave banks of all current corporals based on the formula on the attached spreadsheet (page 4) and allow funds to be placed in a VEMA account (Variable Employee Medical Account tax free medical expenses account).

7. HEALTH & DENTAL INSURANCE.

Effective as soon after ratification of the contract as possible

 - a. Prescription co-pay shall increase from \$10.00 to \$10.00 generic/\$40.00 brand;
 - b. Community Blue office call co-pays shall increase from \$10.00 to \$20.00;
 - c. Community Blue chiropractic office call from \$10.00 to \$20.00;
 - d. Community Blue wellness coverage from \$250 to \$500/year.

Effective January 1, 2005 – Employees pay 7% of annual premium via pretax payroll deduction.

Effective January 1, 2006 – Employees pay 10% of annual premium via pretax payroll deduction.

Effective upon ratification – Annual opt out payment shall increase from \$2,000 to \$3,000, prorata.

8. Clarify shift premium language – no shift premiums while under a 12 hour schedule.

F.O.P. SHORT TERM AND LONG TERM DISABILITY INSURANCE PROPOSAL

1. Employer will provide a short-term disability policy starting on the 7th day of disability as a result of illness or accident and payable for up to a maximum of 52 weeks. Benefit amount of 66.7% of weekly wage to a maximum of \$500.
2. Employer will provide a long-term disability policy starting after the end of the short-term disability policy and payable during the duration of the disability or until other disability benefits (i.e. social security) and/or retirement benefits are received by the employee. Benefit amount of 60% of weekly wage up to a monthly maximum of \$5,000.
3. Employees will be credited with 6 sick days and 3 personal days each year. Unused sick days will be paid at the end of each year at the employee’s current straight time rate of pay. Personal days shall not accumulate from year to year and will have no monetary value.
4. Current employees will be cashed out for their current sick leave accrual banks based on the following schedule, leaving a maximum of 48 hours (6 days) for each employee for the first year.

YEARS OF SERVICE AS OF ANNIVERSARY DATE IN 2004:

20 yrs or more	Current rate of pay x (accrued bank or maximum of 720 hrs – 48 hrs)
14 yrs up to 19 yrs	(Current rate of pay x 80%) x (accrued bank or maximum of 720 hrs – 48 hrs)
7 yrs up to 13 yrs	(Current rate of pay x 60%) x (accrued bank or maximum of 720 hrs – 48 hrs)
0 yrs up to 6 yrs	(Current rate of pay x 40%) x (accrued bank or maximum of 720 hrs – 48 hrs)

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel to ratify the Labor Agreement with F.O.P. – Corrections Sergeants Division.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

HUMAN SERVICES COMMISSION – REQUEST FOR FUNDS

Ms. West-Wing stated that the Human Services Commission is requesting \$5,000.00 from their allocation for the cost of the Leadership Academy.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner to approve the request for \$5,000.00 for the Human Services Commission. Motion carried.

INCREASED FEES FOR ANIMAL CONTROL

Ms. West-Wing stated that Tom Miller has indicated that there are 2 fees that could be adjusted for Animal Control, which would be to increase the delinquent dog licenses from \$20.00 to \$30.00 or \$40.00 and to increase the kennel licenses by \$10.00 for each category.

It was moved by Commissioner Pueschel and supported by Commissioner Bippus that the Delinquent Dog License fee be increased from \$20.00 to \$40.00.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

In response to a question by Commissioner Bordner, Ms. West-Wing stated that she does not believe that Animal Control is required to inspect the kennels facilities. After discussion it was decided that Ms. West-Wing would get more information regarding the kennel licenses.

ECONOMIC DEVELOPMENT CORPORATION EMPLOYMENT AGREEMENT

Dave Allen, EDC Director, stated that the search committee had conducted interviews for the position of St. Joseph County EDC Project Manager and is recommending that the Board approve Cathy Annis for the position. Mr. Allen gave a brief summary of her background and qualifications.

Commissioner Baker asked if now would be a better time to address the sick leave portion of the agreement rather than going back and revisit the issue later.

It was moved by Commissioner Bordner and supported by Commissioner Bippus that Cathy Annis be approved to fill the position of EDC Project Manager.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shafer, Loudenslager, Bippus, Bordner, Pueschel and Dobberteen.

Nay votes cast: 1 – Commissioner Baker

Motion carried.

Dave Allen introduced Cathy to the Board.

NOMINATIONS/APPOINTMENTS

Workforce Development Board

It was moved by Commissioner Bippus and supported by Commissioner Baker that Erv Heidbrink be appointed to the Workforce Development Board replacing Steve DeKilder, term to expire December 31, 2004. Motion carried.

Solid Waste Management Planning Committee

Chairman Dobberteen placed the following names into nomination to the Solid Waste Management Planning Committee: Eric Shafer, Aaron Cullifer, Robert L. Robinson, John Dobberteen and Carl Holsinger.

COMMITTEE REPORTS

Law Enforcement

Commissioner Bippus stated that there was no report

Judiciary

Commissioner Bordner stated that there was no report.

Physical Resources

Next meeting is Thursday, August 26th.

Executive Committee

Chairman Dobberteen stated that there was no meeting therefore there was no report.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

Melissa Dean, Friend of the Court Enforcement Caseworker, has resigned effective August 16, 2004.

MISCELLANEOUS:

Karla Andaverde, Deputy District Court Clerk, is on medical leave effective August 16, 2004 under the Family and Medical Leave Act of 1993.

NEW HIRE:

Joshua David Shook has been hired as part-time Telecommunicator at \$7.50/hr. effective September 8, 2004.

Nancy Menaul Schultz has been hired as Friend of the Court Enforcement Caseworker at \$15.14/hr. (Soltysiak system, grade 9, minimum) effective September 7, 2004.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS

INCREASE FACILITIES MAINTENANCE FUND 406:

Line Item 406-253-676.000 (Use of Fund Balance)	\$56,600.00
Line Item 406-253-999.000 (Operating Transfers Out)	\$56,600.00

INCREASE REVENUE CADE LAKE FUND 217:

Line Item 217-751-699.000 (Operating Transfers In)	\$56,600.00
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INCREASE EXPENDITURE CADE LAKE FUND 217:

Line Item 217-751-974.000 (Land Improvement)	\$22,600.00
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DECREASE REVENUE CADE LAKE FUND 217:

Line Item 217-751-627.000 (Sservices Provided to Public)	\$34,000.00
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INCREASE CADE LAKE FUND 217:

Line Item 217-751-976.030 (Signage)	\$ 2,100.00
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DECREASE CADE LAKE FUND 217:

Line Item 217-751-976.000 (Buildings)	\$ 1,000.00
Line Item 217-751-977.000 (Equipment General)	\$ 1,000.00

FROM APPROPRIATION

\$20,000.00 from Probate Child Care Appropriation to Probate Child Care Fund

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

FINANCE DIRECTOR'S REPORT

Dan Carey presented the following reports:

Per Diem

Robin Baker – 8 half days 7/26, 7/27, 7/31, 8/4, 8/10, 8/11 & 8/18/04 x 2 & 3 full days 8/15, 8/16 & 8/17/04	\$ 685.00
Monte Bordner – 8 half days 7/22, 7/26, 7/30, 8/3, 8/4, 8/7, 8/10 & 8/19/04 & 3 full days 8/15, 8/16 & 8/17/04	685.00
John Dobberteen – 10 half days 7/22 x 2, 7/23, 7/25, 7/26, 7/28, 7/30, 8/10, 8/11, & 8/26/04 & 3 full days 8/15, 8/16 & 8/17/04	\$ 785.00
Gerald Loudenslager – 4 half days 7/27, 8/9 x 2, & 8/10/04 & 1 full day 7/21/04	295.00
David Pueschel – 14 half days 7/22, 7/23, 7/26, 8/3, 8/5, 8/9, 8/10, 8/12, 8/16 x 2, 8/17, 8/18 x 2, & 8/19/04	700.00
Eric Shafer – 7 half days 7/21, 7/26, 7/28, 8/4, 8/18 x 2 & 8/20/04	<u>350.00</u>
	\$ 3,500.00

Expenses

Robin Baker	\$ 393.69
Monte Bordner	418.31
John Dobberteen	369.75
Gerald Loudenslager	274.50
David Pueschel	111.38
Eric Shafer	<u>25.88</u>
	\$1,593.51

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

Financial Statements

	Revenues	Expenditures
July	\$ 1,081,840.00	\$ 947,539.00
Year to Date	7,116,563.00	7,325,265.00
Period Fund Balance	\$134,301.00	
Percent of budget year elapsed year to date.	58.33%	
Percent of total budgeted funds earned year to date	55.02%	
Percent of total budgeted funds expended year to date	56.63%	

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

CHAIRMAN'S REPORT

Chairman Dobberteen stated that three of the Commissioners had attended the MAC Conference and that he had found it to be very enlightening. MAC has nominated a new chairman from West Michigan which will be helpful, since he seems to be very enlightened with the problems of our area.

MISCELLANEOUS

Commissioner Baker stated that he enjoyed himself at the MAC Conference.

Commissioner Pueschel stated that he went to almost all of the budget hearings and learned a lot.

Commissioner Loudenslager stated that he was sorry that he was not able to join the others at the MAC Conference.

Commissioner Bordner stated that he attended the Revenue Sharing sessions at MAC and could not get any firm numbers for 2005, but he believes that the early tax collection is going to happen, and he brought back some information to share. Lynn Harvey from MSU Extension will be putting together some formulas for each county to try to determine where we are.

Commissioner Bordner further stated that he attended a couple of the Mental Health sessions and found it interesting how some of the other parts of the state operate relative to substance abuse and their ability to get Medicaid funds without any hassle. He may have some new ideas in that arena.

Commissioner Bordner stated that Captain Barnes had shown him the new Mobile Command Center, and it is phenomenal. The trailer will be used when the disaster command center needs to be away from Centreville. The trailer was manufactured in Mottville and it is good to see the Homeland Defense dollars being spent in the County.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until September 7, 2004 at 5:00 p.m. Motion carried.

Sandra K. Bowen, Deputy County Clerk

John L. Dobberteen, Chairman