

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 September 6, 2011 at 5:00 p.m.

Chairman Rick Shaffer called the meeting to order.

The Invocation was given by Chairman Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Allen Balog	Robin Baker
Jerry Ware	Donald Eaton
John L. Dobberteen	

Also present were Joni Smith, Finance Director and Judy West-Wing, Administrator/Controller.

AGENDA

Ms. West-Wing stated that the Secondary Road Patrol Grant should be added to the agenda and so should the request from the Parks and Recreation Director to fill a vacant position. Chairman Shaffer stated that the update on the Sweder Nature Preserve Easement Dispute should be removed from the agenda.

It was moved by Commissioner Dobberteen 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 Dobberteen that the minutes for August 16, 2011 be approved. Motion carried.

CLOSED SESSION MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the minutes for the Closed Session held on August 16, 2011 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, August 19 and August 26, 2011.
2. Letter from Huron County Economic Development, Re: Invitation to attend State Wind Tax Coalition meeting on September 21 in Bay City.
3. Letter from Enbridge, Re: Update on Enbridge's Line 6B 2012 Maintenance and Rehabilitation Program.
4. Minutes of the Community Mental Health and Substance Abuse Services Board meeting of July 26, 2011.
5. Minutes of the Community Action Board meeting of June 27, 2011.
6. Minutes of the Department of Human Services Board meeting of June 28 and July 26, 2011.
7. Minutes of the St. Joseph River Basin Commission meeting of June 7, 2011.

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

CITIZENS' COMMENTS

Dan Lucas, 67608 Maple, Constantine, stated that he would like to see the Economic Development discussion go slowly. He also had a question for the Law Enforcement Committee. He stated that according to P.A. 129 of 2005, effective in 2007 every teacher has to be in compliance with this law by having a background check and being fingerprinted and wondered if all the school districts in the County are compliant with this law.

Carol Higgins, Chair of the Conservation District Board, stated that the Conservation District has had a presence in the County since the 1940s. She thanked the press for the articles regarding their ongoing river cleanup project. When finished there will be 3 rivers in the County that will be more accessible. She invited all to attend to assist in this project on Wednesdays and Saturdays in the next few weeks.

Mrs. Higgins also mentioned that the Conservation District can connect with the County's focus on Economic Development. They preserve what we have whether it is the farm soil for our next generation of farmers; or forests for shade and oxygen and lumber for the future; and the water. This is the basic bottom line for Economic Development for this County and anywhere else.

She said that they would want to do more to help farmers and those that want to plant trees and to educate people to see the importance of all that they do. They have limited funds and she went on to say that they do not have a forester and would welcome any funds that the County could give them as they would use it to the best of their ability.

Cindy Underwood, Acting Director of the Department of Human Services, introduced herself to the Board.

Commissioner Loudenslager prompted Judy Nelson to speak to the talk in Lansing that the personal property tax may be eliminated. She spoke about her calculations on how much money would be lost if there is no replacement revenue to counteract this possible tax loss.

REQUEST TO CLOSE COUNTY OFFICES FOR THE ANNUAL CHRISTMAS LUNCHEON

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the offices be allowed to close on December 13, 2011 for those that want to attend the Christmas Luncheon from noon to 1:00 p.m. Motion carried.

LETTER OF UNDERSTANDING WITH THE FAIR BOARD FOR SECURITY THROUGH THE SHERIFFS DEPARTMENT

Ms. West-Wing presented for approval a LOU between the Fair Board and the County for security through the Sheriff's Department at the fair with the same terms and conditions as last year.

It was moved by Commissioner Baker and supported by Commissioner Dobberteen that the Letter of Understanding between the Fair Board and the County for security through the Sheriff's Department be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

CANTEEN SERVICES INMATE MEALS PRICE INCREASE

Ms. West-Wing stated that Canteen Services is proposing a 3% increase in meals effective November 1, 2011. The last increase was in 2004.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the 3% increase in meals by Canteen Services effective November 1, 2011 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

METH PARTNERSHIP WITH KALAMAZOO VALLEY ENFORCEMENT TEAM

Ms. West-Wing stated that the Sheriff is requesting a partnership with the Kalamazoo Valley Enforcement Team for meth cleanup. If approved, 5 Sheriff Deputies will get 40 hours of training to be able to transport neutralized meth wastes from meth labs to a container stored at the Kalamazoo City water treatment facility. The total amount requested from the County is \$10,488 and it is being requested from the General Fund rather than the Drug Enforcement Fund. This will eliminate using the Drug & Lab Disposal, Inc., to come to the scene to remove the material. By forming the partnership with KVET we would be transporting the waste ourselves and the container allows mass packaging which will further save money.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the County join the meth partnership with the Kalamazoo Valley Enforcement Team for up to \$10,488 with the funds coming from the Drug Forfeiture Fund.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

EMERGENCY MANAGEMENT GRANT AGREEMENT - 2010/2011

Ms. West-Wing stated that this agreement expires at the end of this month but pays a reimbursement of 36.8% or \$18,324 for the salary and fringes of Jim Barnes.

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that the Emergency Management Grant Agreement for 2010/2011 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

LETTER OF UNDERSTANDING WITH AFSCME UNITS

Ms. West-Wing stated that the AFSCME Units have now settled their contracts for 2011. The terms of the contract are the same as was proposed by the County in December 2010.

General Unit

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the AFSCME General Unit contract be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

Probate Court

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the AFSCME Probate Court Unit contract be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

Circuit/Friend of the Court

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the AFSCME Circuit/Friend of the Court Unit contract be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

Family Division

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the AFSCME Family Division contract be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

MERS SERVICE CREDIT PURCHASE

Ms. West-Wing stated that Laura G. Roberts-Chupp is requesting that she be allowed to purchase 5 years of credited service for \$23,118.00.

It was moved by Commissioner Loudenslager and supported by Commissioner Balog that Laura G. Roberts-Chupp be allowed to purchase 5 years of credited service for \$23,118.00.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

SECONDARY ROAD PATROL GRANT APPLICATION

Ms. West-Wing stated that the Sheriff is requesting approval of the Secondary Road Patrol and Traffic Accident Prevention Program Grant Application for 2012 in the amount of \$72,090 for 2 officers.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Secondary Road Patrol Grant Application be approved in the amount of \$72,090.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

REQUEST TO FILL VACANT PARKS AND RECREATION SECRETARY POSITION

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the Parks and Recreation vacant Secretary position be filled. Motion carried.

WHITE PIGEON SANITARY SEWER PROPERTY CONVEYANCE

Commissioner Loudenslager read the following resolution:

RESOLUTION NO. 16-2011

WHEREAS, St. Joseph County by and through its Board of Public Works entered into an agreement on November 26, 1979 with the Village of White Pigeon and the Township of White Pigeon for financing the Klinger Lake Sanitary System; and

WHEREAS, in this agreement the County stated they would pass ownership of the real property commonly known as 16220 Indian Prairie Road, White Pigeon, Michigan, (which is the location of the White Pigeon Sanitary System plant) to the Village of White Pigeon and the Township of White Pigeon upon payment in full; and

WHEREAS, according to the County Treasurer the Wastewater System Bonds dated February 1, 1997 for \$1,400,000 were paid in full on October 29, 2009; and

WHEREAS, through the attached Warranty Deed the County of St. Joseph is conveying all interests of said property to the Village of White Pigeon and the Township of White Pigeon.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners hereby approves the attached warranty deed and authorizes the Chairman of the Board and the County Administrator to sign said document.

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

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Resolution adopted.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that everyone has a copy of the minutes of the last Law Enforcement Meeting which was held on August 22, 2011 and he would answer any questions that anyone may have.

Judiciary

Commissioner Loudenslager stated that there was no report.

Physical Resources

Commissioner Ware stated that there was no report.

Executive Committee

Commissioner Dobberteen stated that everyone has a copy of the minutes of the Executive Committee Meeting held September 2, 2011 and someone would answer any questions that they had as he was not in attendance.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Julie Wirtz changed from FOC Receptionist/Clerk to FOC Secretary at \$12.10/hr. (Soltysiak system, grade 4, minimum) effective August 26, 2011.

Donna Schrock, Land Resource Services Clerk, is on intermittent family leave commencing August 2, 2011 under the Family and Medical Leave Act of 1993.

Maria Ridenour, FOC Enforcement Clerk, is on intermittent family leave commencing August 12, 2011 under the Family and Medical Leave Act of 1993.

Linda Jones, Deputy District Court Clerk, is on intermittent family leave commencing August 24, 2011 under the Family and Medical Leave Act of 1993.

Rachael France will change from part-time Parks & Recreation Secretary to full-time FOC Receptionist/Clerk at \$10.13/hr. (Soltysiak system, grade 1, minimum) effective September 13, 2011.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 6,000.00

INCREASE COUNTY COMMISSION'S BUDGET:

Line item 101-101-802.000 (Legal Attorney) \$ 6,000.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$55,000.00

INCREASE SHERIFFS BUDGET:

Line item 101-301-746.000 (Gasoline and Oil) \$55,000.00

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that the budget adjustments be approved.

Commissioner Loudenslager asked for clarification on the \$6,000 for the attorney. Ms. West-Wing responded that is was for the legal opinion that we received from a local attorney regarding the Trine University discussion concerning economic development. Motion carried.

BILLS

Mrs. Smith presented the following bills for payment.

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 2,465.48	\$
Appropriations	135,454.50	
County Commission	1,560.66	6,401.87
Circuit Court	372.55	14,060.70
District Court	1,255.18	49,106.35
Friend of the Court	\$ 87.22	\$ 46,356.88
Jury Commission	91.32	
Probate Court	2,305.83	18,656.47
Juvenile Branch	12,397.96	29,499.04
Appeals Court	8,381.60	
Administration		9,967.08
Finance Department	2,264.96	34,716.27
County Clerk		23,149.74
Equalization Department	18,850.00	14,155.59
Human Resources	8,551.93	9,071.53
Geographic Information Systems		7,851.82
Prosecutor's Office	1,941.00	35,229.77
Register of Deeds	42.00	9,078.15
County Treasurer		15,591.75
Cooperative Extension	2,270.14	7,872.81
Information Technology	927.02	12,994.72
Buildings & Grounds	4,333.13	11,188.22
Courts Building Security		6,484.44
Drain Commission	225.00	5,166.88
Sheriff Department	18,931.30	102,194.52
Sheriff Reserves	45.00	
Marine Patrol	590.66	3,729.83
Jail & Turnkey	23,305.96	97,903.54
Emergency Services	314.94	4,136.83
Animal Control	549.58	9,507.04
Board of Public Works		733.42
Medical Examiners	800.00	
Child Care - Probate	310.33	
Veterans' Services	50.00	2,489.24
Utilities & General Services	90,288.10	
Total	\$ 338,963.35	\$ 587,294.50
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 528,494.52	\$
Parks & Recreation	1,415.97	7,311.17
Emergency 911 Service	11,662.63	54,394.74
Central Dispatch - Wireless	1,551.65	4,187.44
Meyer Broadway/Coon Hollow Park	1,488.05	3,243.82
Family Counseling	480.00	
Cade Lake Park	1,163.81	3,530.92
Waste Management	12,000.00	
Traffic Safety Program Fund	375.00	
Economic Development Fund	17,123.92	4,562.16
Register of Deeds Automation Fund	30,110.64	
Victims' Rights Advocate Fund	257.07	2,215.55
Community Corrections Advisory Bd.	4,526.00	3,009.02

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Community Corrections Program	\$ 2,617.00	\$
Drug Law Enforcement Fund	5,308.51	
Law Enforcement Fund	4,477.20	15,822.14
Secondary Road Patrol	33.00	8,920.26
Homeland Security Grant Fund	1,978.22	3,942.56
Law Library Fund	479.65	
Principal Residence Denial Fund	50.00	733.39
Commission on Aging	117,302.91	64,876.35
Child Care: Probate Court	17,523.85	11,432.48
Facilities Maintenance Fund	5,029.17	
Forfeiture & Foreclosure Fund	23,075.19	
Tax Payment Fund	48,077.36	
Inmate Store	1,664.70	
Three Rivers Community Center	2,047.19	999.16
Flexible Benefits Insurance Fund	178,892.26	
Total	\$ 1,019,205.47	\$ 189,181.16
 Grand Total	 \$ 1,358,168.82	 \$ 776,475.66
 General Fund Operating Expenditures		
Pre-Authorized	\$229,996.61	
Accounts Payable	<u>108,966.74</u>	
	\$ 338,963.35	
 General Fund Payroll Expenditures	 \$ 587,294.50	
 Other Funds Operating Expenditures		
Pre-Authorized	\$970,752.30	
Accounts Payable	<u>48,453.17</u>	
	\$ 1,019,205.47	
 Other Funds Payroll Expenditures	 \$ 189,181.16	
Total Recorded for the Month	\$ 2,134,644.48	

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

CHAIRMAN'S REPORT

Chairman Shaffer stated that he would like to set a work session before the budget work sessions to discuss economic development and other subjects. The consensus was to set the date for October 3, 2011 at 4:00 p.m.

CITIZENS' COMMENTS

Becky Shank, 12302 Corey Lake Road, Three Rivers mentioned an opinion that she saw in the Kalamazoo Gazette last Sunday that said that we need leaders with vision, not new fangled ideas. She complimented the four Commissioners that had ties on tonight. In January the New York Times ran an article about image. She stated that one thing that bothered her about the meeting on August 23rd in the History room was that the 2 people from Southwest Michigan First were appropriately dressed for a business meeting but our 2 city managers from Sturgis and Three Rivers appeared in what she questioned were their best jeans. It was embarrassing to her. If a meeting is called regarding economic development we need to put on a better look for the people that may be helping us out. A visit was made to the Fabius Township Board by the County's EDC Director; she gave her presentation and asked the Board to continue to support the County EDC. When they asked her how much, she did not have her letter of request and she could not tell them the amount. Mrs. Shank believes that we need support from SW Michigan First and economic development is good for the whole county no matter where something might be built.

COMMISSIONER(S) COMMENTS

Commissioner Eaton stated that he knows of attorneys, bankers and brokers that have shared and studied with SW Michigan First. Commissioner Eaton stated that public opinion is welcomed and encouraged, as that is where some of the greatest ideas come from, but he has noticed some skepticism and also that some people are looking for skullduggery and it does not build, it tears apart. He went on to say that he would like to have some people that have positive ideas on economic development to help out. He has looked at trend lines with the nation and we are rolling right along with the nation. 2006-2007 was a period of over-exuberation and for us to depend on times of over-exuberation to meet our growth achievements and what we need for taxation, building roads, paying wages, etc. is like what is coming along right now. Taxes are a catastrophe and there will be those types of items that attack us.

Commissioner Loudenslager referred to the \$6,000 attorney bill and hoped that the Board looked at this as a learning lesson. We already have an attorney on retainer.

Chairman Shaffer reminded everyone of the special remembrance ceremony that will be held on Sunday, September 11th at the fairgrounds from 2-5 p.m. He knows that this will be a wonderful event even though we memorialize in sadness as we recognize the dedication of the men and women who served so valiantly on that tragic day 10 years ago.

Commissioner Eaton stated that he was 100% in total disagreement with Commissioner Loudenslager's comment. It was total rhetoric and he also hoped they found that it was a good experience in economic opportunity and awareness and that he learned something along the way.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until September 20, 2011 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Rick Shaffer, Chairman