

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 20, 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 Deputy County Clerk, Ladena M. Wyckoff, called the roll and the following Commissioners were present:

Rick Shaffer  
 Jerry Ware  
 Allen Balog

Robin Baker  
 Donald Eaton

Absent: John L. Dobberteen and Gerald E. Loudenslager

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

AGENDA

Ms. West-Wing stated that the County Investment Policy Revision should be removed from the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Balog and supported by Commissioner Baker that the minutes for September 6, 2011 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, September 16, 2011.
2. Letter from the City of Sturgis, Re: Notice of public hearing on September 14 to consider an Industrial Facilities Exemption Certificate to Parma Tube Corporation.
3. Letter from Michigan Works!, Re: Workforce Investment Act Five-Year Plans for Adults, Dislocated Workers and Youth are available for public review and comment.
4. Letter from Community Mental Health & Substance Abuse Services, Re: Notice of annual public hearing on September 28, 2011.
5. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on October 3, 2011 to review Indiana Michigan Power Company's amended renewable energy plan application.
6. Resolution from Lake County, Re: Supporting Employee Freedom to Work Act.
7. Resolution from Lapeer County, Re: Supporting Employee Freedom to Work Act.
8. Minutes of the Commission on Aging Board meeting of August 17, 2011.

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

CITIZENS' COMMENTS

Michael Schultz, 316 Palmer Avenue, Colon, proposed that the Commission adopt a program that is a win-win situation and costs the County nothing. The program is for the homeowners of St. Joseph County. It allows the homeowner to remodel with no up-charge on their taxes for a certain length of time. The County would keep the tax rate the same for the time designated, and then after the time has expired; the taxes would be adjusted according to the improvements that took place. It gives the homeowners an opportunity to think long term, to stay

in their homes, improve them and put people to work. This would also keep people from leaving the County. This would give a persona to the people that the County is trying to help.

Commissioner Eaton stated that he sees merit in the idea and asked if Mr. Schultz knew of any counties in Michigan that were participating in this.

Mr. Schultz stated that the program he participated in was through the State of Illinois, he did not know of any in Michigan. This program spurred improvement within the community.

Commissioner Shaffer stated that this was good proactive thinking. Commissioner Shaffer asked Mr. Schultz if he could bullet point some of the things that were just shared and either get the information to him or email it to the County Administrator.

Commissioner Balog added that when he was Mayor of Three Rivers, he checked into this in Lansing. He did not have much success obtaining information. He stated that his position was that this is done for businesses every day why not homeowners. He stated that he loves the idea and if it can be done then the County should do it.

Dan Lucas, 67608 Maple, Constantine stated that he believes there is a law called the Gast Law that stated that if you are a homeowner and you rebuild or remodel you can't be taxed until you sell the home.

#### ANNUAL CHILD CARE FUND PLAN AND BUDGET

Probate Judge Thomas Shumaker stated that he has been judge for twenty-three years and this is the twenty-third year he has presented the Child Care Fund Plan and Budget. This is a joint plan between the Court and Department of Human Services. Judge Shumaker stated that they are on the cutting edge due to impeccable bookkeeping both at DHS and the Juvenile Court. The new bookkeeper in Juvenile Court has been very successful in getting the State to accept everything that has been spent so that we are reimbursed fifty percent. Judge Shumaker addressed the privatization of foster care and stated that counties cannot afford it and the State cannot afford it.

Commissioner Shaffer stated that Judge Shumaker should be proud of his team.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Annual Child Care Fund Plan and Budget be approved as presented.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2-Commissioners Loudenslager and Dobberteen.

Motion carried.

#### VICTIM RIGHTS GRANT AGREEMENT

Ms. West-Wing stated that this is an annual grant agreement with the State of Michigan which runs from October 1, 2011 through September 2012. This grant is in the amount of \$62,820 and that funds one full-time employee and one part-time employee.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Victim Rights Grant Agreement be approved as presented.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

AGREEMENT WITH GLEN OAKS COMMUNITY COLLEGE

Ms. West-Wing stated that this is a new agreement for law enforcement services at the college. This is for one forty hour a week deputy who will help assist the college in establishing policies in law enforcement, security and public safety. This deputy would help create an emergency action plan and to provide a security presence there for the benefit of the students as well as the faculty. This agreement is similar to the ones that the County has with Fabius Township and the Village of Centreville. The college will pay all of the expenses related to the provision of the employee for forty hours a week. It is estimated in the first year to be about \$82,000. They are billed for actual expenses so it will vary depending on whether there are overtime issues or holiday pay. This is a three year agreement. The agreement does have a provision that either party can cancel this agreement with a ninety day notice to the other. The college would pay all unemployment expenses incurred by the County as a result of the termination of the agreement.

Commissioner Eaton asked if this coverage is for normal business hours.

Ms. West-Wing stated no, they will work out a schedule.

Commissioner Eaton asked if this is a three hundred and sixty-five day position.

Ms. West-Wing stated yes but the college is open more than eight hours a day so there will be times each and every day where there is not security present.

Commissioner Shaffer asked if scheduling would be done by the college and the Sheriff's Department.

Ms. West-Wing stated that scheduling would be done through both parties.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the agreement with Glen Oaks Community College for law enforcement services be approved as presented.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

REQUEST TO FILL ROAD PATROL POSITION

Ms. West-Wing stated that as a result of approving the agreement with Glen Oaks there is now a vacant position at the Sheriff's Department.

It was moved by Commissioner Balog and supported by Commissioner Baker that the road patrol position be filled. Motion carried.

VENDOR AGREEMENT WITH MICHAEL KING

Ms. West-Wing stated that we have approved this agreement in the past. We would allow Mr. King to set up his stand at both the Cade Lake Park and Meyer Broadway Park in September and October when they have the two fall fests.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the vendor agreement with Michael King be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

NOMINATIONS/APPOINTMENTS

Animal Control Shelter Advisory Board

It was moved by Commissioner Baker and supported by Commissioner Eaton that Suzanne Lee representing Veterinarians, term to expire on December 31, 2014, Lynda Molter representing Animal Rescue, term to expire on December 31, 2012, Marcia Saunders representing Grant Writer, term to expire on December 31, 2014, Bev Levett representing Citizen-at-Large, term to expire on December 31, 2013, Sharon Lindamond representing Citizen-at-Large, term to expire on December 31, 2012, and Rick Shaffer representing County Commission, term to expire on December 31, 2014, be appointed to the Animal Control Shelter Advisory Board. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the committee had not met.

Judiciary

Commissioner Balog stated that there was nothing to report.

Physical Resources

Commissioner Ware stated that the committee had not met.

Executive Committee

Commissioner Shaffer stated that most of the items that we discussed have been acted upon tonight. Everyone has a copy of the minutes from the meeting held on September 16, 2011 and he would answer any questions that anyone may have.

PERSONNEL COMMITTEE

Ms. West-Wing presented the following report:

TEMPORARY/SEASONAL EMPLOYMENT:

Meghan Prescott to work temporary, part-time for Parks and Recreation at \$10.35/hr. effective September 13, 2011.

NEW HIRE:

Ashley Brewer has been hired as Deputy District Court Clerk at \$13.20/hr. (Soltysiak system, grade 5, minimum) effective September 27, 2011.

April Wells has been hired as In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective September 9, 2011.

RESIGNATION:

Sally Rockelein, part-time Telecommunicator, has resigned effective August 24, 2011.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENT:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 500.00

INCREASE DRAIN COMMISSIONS BUDGET:

Line item 101-275-860.000 (Travel Expense) \$ 500.00

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith gave the following report:

Per Diem

Robin Baker - 11 half days 8/17, 8/22, 8/23 x 2, 8/25, 8/31, 9/1, 9/7, 9/8, 9/15 & 9/16/11 & 5 full days 8/29, 8/30, 9/18/ 9/19 & 9/20/11	\$1,025.00
Allen Balog - 7 half days 8/17, 8/23 x 2, 8/30, 9/1, 9/14 & 9/16/11	350.00
Gerald Loudenslager - 8 half days 8/22, 8/23 x 2, 9/2, 9/10, 9/12, 9/13 & 9/16/11 & 2 full days 8/17/11 & 8/30/11	590.00
Rick Shaffer-9 half days 7/27, 7/29, 8/3, 8/12, 8/23, 9/1, 9/2, 9/13 & 9/16/11	450.00
Jerry Ware - 2 half days 8/22, & 9/7/11	<u>100.00</u>

\$2,515.00

Expenses

Robin Baker	\$ 676.58
Allen Balog	67.71
Gerald Loudenslager	344.10
Rick Shaffer	78.81
Jerry Ware	<u>33.30</u>

\$1,200.50

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

Financial Statements

	Revenues	Expenditures
August	\$ 1,189,422	\$ 1,448,565
Year to Date	9,053,411	9,416,928

Period Fund Balance (\$259,143)  
 Year to Date (\$363,517)

It was moved by Commissioner Ware and supported by Commissioner Eaton that the financial statements be accepted and placed on file. Motion carried.

ADOPT SPECIAL REVENUE FUNDS BUDGET

	2008/2009 ACTUAL YTD	2009/2010 ACTUAL YTD	2010/2011 BUDGET	2011/2012 REQUEST	VARIANCE INCREASE (DECREASE)	2011/2012 RECOMMEND
<b>Victims Rights Advocates Fund (Fund #260)</b>						
Operating Revenues	\$53,702	\$58,863	\$60,663	\$60,663	0	\$62,820
Budgeted Use of Fund Bal.	0	0	1,529	0	(1,529)	0
Total Revenues	\$53,702	\$58,863	\$62,192	\$60,663	(\$1,529)	\$62,820
Payroll Expenditures	\$53,433	\$59,184	\$60,041	\$60,413	\$ 372	\$61,919
Operating Expenditures	1,214	209	324	250	(74)	901
Capital Expenditures	0	0	1,827	0	(1,827)	0
Total Exp.	\$54,647	\$59,393	\$62,192	\$60,663	(\$1,529)	\$62,820
<b>Community Corrections Advisory Board (Fund #261)</b>						
Operating Revenues	\$100,095	\$104,100	\$104,100	\$ 86,428	(\$17,672)	\$ 86,428
Comm. Corrections	15,842	16,641	16,540	16,441	(99)	16,441
Total Revenues	\$115,937	\$120,741	\$120,640	\$102,869	(\$17,771)	\$120,869
Payroll Expenditures	\$ 41,394	\$ 41,713	\$ 42,540	\$ 42,369	(171)	\$ 42,369
Operating Expenditures	74,095	78,100	78,100	60,500	(\$17,600)	60,500
Total Exp.	\$115,489	\$119,813	\$120,640	\$102,869	(\$17,771)	\$102,869
<b>Community Corrections Program (Fund #263)</b>						
Operating Revenues	\$51,507	\$40,229	\$61,503	\$50,496	(\$11,007)	\$50,496
Total Revenues	\$51,507	\$40,229	\$61,503	\$50,496	(\$11,007)	\$50,496
Payroll Expenditures	\$ 12	\$ 31	\$ 50	\$ 50	0	\$ 50
Operating Expenditures	30,627	31,529	42,893	34,005	(8,888)	34,005
Capital Expenditures	0	0	2,020	0	(2,020)	0
Comm. Corr. Adv. Bd.	15,842	16,641	16,540	16,441	(99)	16,441
Total Exp.	\$46,481	\$48,201	\$61,503	\$50,496	(\$11,007)	\$50,496
<b>Secondary Road Patrol (Fund #267)</b>						
Operating Revenues	\$ 90,000	\$ 90,513	\$ 80,100	\$ 72,090	(\$8,010)	\$ 72,090
COUNTY APPROPRIATION	40,000	60,000	90,208	101,578	11,370	101,578
Total Revenues	\$130,000	\$150,513	\$170,308	\$173,668	\$ 3,360	\$173,668
Payroll Expenditures	\$143,441	\$160,547	\$169,208	\$173,168	\$ 3,960	\$173,168
Operating Expenditures	1,137	1,161	1,100	500	(600)	500
Total Exp.	\$144,578	\$161,708	\$170,308	\$173,668	\$ 3,360	\$173,668
<b>Commission on Aging (Fund #273)</b>						

Operating Revenues	\$2,101,610	\$2,180,915	\$2,257,471	\$2,420,735	\$163,264	\$2,392,231
Total Revenues	\$2,101,610	\$2,180,915	\$2,257,471	\$2,420,735	\$163,264	\$2,392,231
Payroll Expenditures	\$ 878,103	\$ 962,634	\$1,036,004	\$1,108,842	\$ 72,838	\$1,080,403
Operating Expenditures	803,553	846,276	1,078,074	1,147,805	69,731	1,147,740
Capital Expenditures	93,943	110,411	143,393	164,088	20,695	164,088
Total Exp.	\$1,775,599	\$1,919,321	\$2,257,471	\$2,420,735	\$163,264	\$2,392,231

Three Rivers Community Center (Fund #593)

Operating Revenues	\$63,111	\$52,822	\$60,291	\$58,441	(\$1,850)	\$58,441
Budgeted use of Retained Earnings	0	0	4,700	0	(4,700)	0
Total Revenues	\$63,111	\$52,822	\$64,991	\$58,441	(\$6,550)	\$58,441

Payroll Expenditures	\$13,248	\$16,996	\$17,766	\$17,960	\$ 194	\$17,534
Operating Expenditures	31,276	32,652	34,875	40,131	5,256	40,557
Capital Expenditures	1,378	1,069	12,350	350	(12,000)	350
Total Exp.	\$45,902	\$50,717	\$64,991	\$58,441	(6,550)	\$58,441

It was moved by Commissioner Ware and supported by Commissioner Baker that the Special Revenue Funds Budget be adopted.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

CHAIRMAN'S REPORT

Chairman Shaffer reminded the Commissioners of the upcoming work session on October 3, 2011 at 4:00 p.m. in the History Room.

CITIZENS COMMENTS

Vincent Mifsud, 24785 Sauger Lake Road, Sturgis asked if there was anything happening with economic development.

CLOSED SESSION

It was moved by Commissioner Balog and supported by Commissioner Ware that the Board go into closed session to discuss contract negotiations.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

OPEN SESSION

The Board resumed business in open session.

PUBLIC DEFENDER CONTRACT

It was moved by Commissioner Balog and supported by Commissioner Ware that the Public Defender Contract for 2012 - 2014 be approved as presented.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 2-Commissioners Loudenslager and Dobberteen.

Motion carried.

COMMISSIONER(S) COMMENTS

Commissioner Shaffer reminded everyone that Brad Neumann will be doing a walk of the fair at 6:00 p.m. tomorrow.

ADJOURNMENT

It was moved by Commissioner Baker and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until October 4, 2011. Motion carried.

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Ladena M. Wyckoff, Deputy County Clerk

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Rick Shaffer, Chairman