

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 October 2, 2012 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	Larry Walton
Allen Balog	Robin Baker
Jerry Ware	Donald Eaton
John L. Dobberteen	

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Balog and supported by Commissioner Eaton that the minutes for September 18, 2012 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the City of Three Rivers, Re: Notice of public hearing on October 2 to consider an Industrial Facilities Tax Exemption Certificate to Tamara Tool, Inc.
2. Letter from the City of Three Rivers, Re: Notice of public hearing on December 4 concerning the adoption of an Update to the Three Rivers Area Enterprise Park Development and Tax Increment Financing Plan.
3. Copy of letter to Kelly Hostetler from State Department of Human Services; Notification that Kelly was appointed as the state's representative to the SJC Department of Human Services Board commencing November 1, 2012.
4. Notice from the Port of Battle Creek-Foreign Trade Zone 43, Re: Invite to presentation on October 23, 2012 in Allegan County.
5. Resolution from Allegan County, Re: Support of House Bill 5768 (Liberty Preservation).

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

CITIZENS' COMMENTS

John McDonough, Prosecuting Attorney, stated that 4 years ago an award was created called the Mike Scott Award that epitomizes what a police officer/investigator is. It is awarded to an Outstanding Police Officer that goes above and beyond the call of duty. In 2009 the first award went to Mike Scott, Detective, with the Michigan State Police; in 2010 it was for the group of investigators that assisted in the Venus Stewart case; and in 2011 it went to T.J. Baker for his work on drug investigations.

Mr. McDonough stated that this year's recipient is Bill Lentz, Sturgis Police Officer. Officer Lentz played an integral role in investigating sexual abuse cases that perpetrators plea bargained saving children the ordeal of testifying in court. He has done a tremendous job at the Department for the past 25 years that he has been employed there.

Officer Lentz thanked everyone for the award.

Chairman Shaffer thanked Mr. McDonough for making the presentation honoring Officer Lentz.

MEMORANDUM OF UNDERSTANDING WITH THE CITY OF STURGIS

Undersheriff Lillywhite stated that he presented to the Board and they approved in concept, the restructuring of the S.C.A.N. Unit in conjunction with the Cities of Sturgis and Three Rivers. Now he is requesting approval of the Memorandum of Understanding with each City to move forward with this plan.

The SCAN Unit will now consist of 4 officers dedicated to investigating drug offenders, with specificity to methamphetamines. There will be 2 County officers and 1 from each City dedicated to this Unit. The County will subsidize the officers from the 2 cities. Also, part of the plan is to promote the County Detective Officer to Detective Sergeant.

Chairman Shaffer asked Mr. Lillywhite if they had any tentative goals.

Mr. Lillywhite responded by saying that this is enhanced enforcement and they want to nab the mid-level dealers.

He mentioned that there are some treatment programs in place and they have talked about maybe having a drug court similar to the Sobriety Court that is currently in place. He did admit that there are a lot of unknowns. They will know more as everything progresses.

He went on to say that there is an educational piece as well so that the public is aware of the program.

Commissioner Walton asked if there is a measuring stick so we know if this is successful.

Undersheriff Lillywhite said that they want to do the best that they can to eliminate meth and just not have it available for anyone to use. He said that they will evaluate what they are doing and they also realize that this will have an impact on other departments when arrests increase.

He remarked that they are not adding officers just restructuring their duties.

Commissioner Balog stated that there was an incident last week in Three Rivers and someone died and he believes that we have to do whatever it takes to solve this problem.

Commissioner Eaton echoed Commissioner Balog's comments and went on to say that over 70% of other crimes are committed because of the meth addicts. He would rather go forward with some unknowns than do nothing.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Memorandum of Understanding between the County and the City of Sturgis with the County providing \$35,000 to the City beginning October 2, 2012 and that there will be a Sturgis Police Officer assigned to the S.C.A.N. unit; with an additional \$35,000 in 12 months; and \$35,000 again in 24 months be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shaffer, Walton, Balog, Baker, Ware, Eaton and Dobberteen.

Nay votes cast: 0

Motion carried.

MEMORANDUM OF UNTERSTANDING WITH THE CITY OF THREE RIVERS

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the Memorandum of Understanding between the County and the City of Three Rivers with the County providing \$35,000 to the City beginning October 2, 2012 and that there will be a Three Rivers Police Officer assigned to the S.C.A.N. unit; with an additional \$35,000 in 12 months; and \$35,000 again in 24 months be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

PROSECUTOR'S REQUEST FOR ADDITIONAL FUNDS TO HIRE
ASSISTANT PROSECUTING ATTORNEY

Mr. McDonough stated that he was in total support of Undersheriff Lillywhite's proposal to restructure the S.C.A.N. Unit.

He stated that T.J. Reed, Assistant Prosecutor, is resigning in December to enter private practice. He would like to pay Natasha Pattanshetti, who has been working as an intern since April, on a part time basis until December 4, 2012 when she will go full time filling Reed's position. She has passed the bar and would work no more than 25 hours/week between now and December 4th.

It was moved by Commissioner Balog and supported by Commissioner Ware that Natasha Pattanshetti be hired on a part time basis, not more than 25 hours per week, in the Prosecutor's Office until December 4, 2012. Motion carried.

LABOR AGREEMENT WITH DISTRICT COURT EMPLOYEES' ASSOCIATION

Ms. West-Wing stated that the following are the highlights of the contract that has been approved by the District Court Association:

1. CONTRACT DURATION. 3 years - January 1, 2013 through December 31, 2015.

2. WAGES.

January 1, 2013	2.0% increase
January 1, 2014	2.0% increase
January 1, 2015	3.0% increase

3. HEALTH INSURANCE.

Effective January 1, 2013 the Employer will provide up to 3 health plans for employees to pick from. The Employer will follow PA 152 of 2011 and pay the premium up to the maximum annual cap as determined by the state treasurer by October 1 for the succeeding calendar year.

4. PENSION.

Effective January 1, 2013 all new hires eligible for inclusion in the pension plan will be included in the Hybrid plan with a defined benefit multiplier of 1%, FAC 3, six (6) year vesting period and a defined contribution (DC) from the Employer of 1%, six (6) year vesting period. Current employees will have a window of six (6) months from January 1, 2013 to move from the current DB plan to this Hybrid plan. Thereafter employees will not be able to change to the Hybrid plan.

5. Miscellaneous Language Changes.

Added Chief Judge Stutesman signature line;
Added "Chief" District Judge in various places;
Revised grievance language in several places.

It was moved by Commissioner Dobberteen and supported by Commissioner Walton that the Labor Agreement with the District Court Employees' Association be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

LABOR AGREEMENT WITH FOP - CORRECTIONS SERGEANTS DIVISION

Ms. West-Wing stated that the following are the highlights of the contract that has been approved by the FOP - Corrections Sergeants Division:

1. CONTRACT DURATION. 3 years - January 1, 2013 through December 31, 2015.
2. WAGES.

January 1, 2013	2.0% increase
January 1, 2014	2.0% increase
January 1, 2015	3.0% increase

3. HEALTH INSURANCE.

Effective January 1, 2013 the Employer will provide up to 3 health plans for employees to pick from. The Employer will follow PA 152 of 2011 and pay the premium up to the maximum annual cap as determined by the state treasurer by October 1 for the succeeding calendar year.

4. Miscellaneous Language Changes.

Personal and Sick Paid Leave – Change minimum usage from “not less than 2 hour increments” to “not less than 1 hour increments”.

Personal and Sick Paid Leave – Remove reference to “days” and maintain reference to “hours” consistently through contract.

Added boot reimbursement up to \$50 every 12 months for corrections officers.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the Labor Agreement with the FOP Corrections Sergeants Division be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

Commissioner Eaton left the meeting.

REQUEST FOR MODIFICATIONS TO LAND UNDER AGRICULTURAL CONSERVATION EASEMENT

Ms. West-Wing stated that the County previously approved a Land Conservation Easement with Henry and Martha Miller. They are asking permission of the board to make land modifications in excess of 1 acre for the purposes of replacing 2 irrigation systems and removing the woods in the southwest corner of the parcel. These requests are in accordance with the original Easement approved by the Board effective December 16, 2009.

It was moved by Commissioner Walton and supported by Commissioner Balog that the request for modifications to the Miller Agricultural Conservation Easement be approved.

Commissioner Walton stated that this was discussed at the Executive Committee meeting and he also talked to the District Conservation Office and everything is in order.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Walton, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

2010 CITIZEN CORPS INTERGOVERNMENTAL FUNDING AGREEMENT WITH VAN BUREN COUNTY

Ms. West-Wing stated that the Citizen Corps Program award to St. Joseph County is \$3,803.80 and this agreement is to allow VanBuren County to be the fiduciary for the funds.

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that the 2010 Citizen Corps Intergovernmental Funding Agreement with Van Buren County be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Walton, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

EMERGENCY MANAGEMENT 2013 GRANT APPLICATION

Ms. West-Wing recommended approval of the Emergency Management 2013 Grant Application which pays for 36% - 37% of the wages and fringes for the Emergency Management Coordinator.

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that the Emergency Management 2013 Grant Application be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Walton, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

VENDOR AGREEMENT WITH MICHAEL KING

Ms. West-Wing stated that the Parks and Recreation Commission would like the Board to approve a Vendor Agreement with Michael King to put his food wagon at Cade Lake Park and Meyer-Broadway Park beginning October 6, 2012 and ending October 14, 2012.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the Vendor Agreement with Michael King be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Walton, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the committee had not met.

Judiciary

Commissioner Baker stated that the committee had not met.

Physical Resources

Commissioner Ware stated that the committee had not met.

Executive Committee

Commissioner Balog stated that most of the Commissioners were at the Executive Committee meeting held on September 28, 2012 and all have the minutes and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

Gilbert Mootz, COA In-home Services Chore Worker, has resigned effective September 11, 2012.

Martha J. Yoder, COA In-home Services Aide, has resigned effective September 6, 2012.

Kacey Nieman, COA In-home Services Aide, has resigned effective September 3, 2012.

Alesha Klein, Nutrition Data Assistant, has resigned effective September 25, 2012.

NEW HIRE:

Mary Yoder has been hired as COA In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective September 7, 2012.

Nancy Randazzo has been hired as COA in-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective September 7, 2012.

MISCELLANEOUS:

Approve new job description of Marketing Outreach Coordinator, pay grade 11 (960 points) under the COA System.

Approve changing the HDM Route Driver Working Supervisor position from part-time to full-time with benefits (rate of pay and pay grade remains the same). Arthur Fox, HDM Working Supervisor, to assume the full-time position effective October 1, 2012.

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

REQUISITIONS

Ms. West-Wing presented the following report:

One Fuji Digital Passport System, 5 boxes of Fujifilm and printing ribbons for County Clerk \$ 1,300.00

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

BUDGET ADJUSTMENTS

BUDGET AMENDMENTS:

DECREASE INFORMATION TECHNOLOGY'S BUDGET:

Line item 101-258-931.020 (Computer Maint/Service Contract) \$ 400.00

INCREASE INFORMATION TECHNOLOGY'S BUDGET:

Line item 101-258-860.000 (Travel Expense) \$ 400.00

INCREASE VETERANS' MEMORIAL FUND #255 REVENUE:

Line item 255-682-676.000 (Use of Fund Balance) \$ 600.00

INCREASE VETERANS' MEMORIAL FUND #255 EXPENDITURE:

Line item 255-682-816.000 (Contractual Services) \$ 600.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 1,300.00

INCREASE COUNTY CLERK'S BUDGET:

Line item 101-215-980.000 (Equipment) \$ 1,300.00

DECREASE PROBATE COURT'S BUDGET:

Line item 101-148-861.000 (Convention) \$ 120.00

INCREASE PROBATE COURT'S BUDGET:

Line item 101-148-980.000 (Equipment) \$ 120.00

DECREASE SHERIFF'S DEPARTMENT BUDGET:

Line item 101-301-862.000 (Seminars) \$ 233.00

INCREASE SHERIFF'S DEPARTMENT BUDGET:

Line item 101-301-863.000 (Extradition) \$ 233.00

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith gave the following report:

Bills

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 3,306.09	\$
County Commission	1,349.83	5,411.51
Circuit Court	870.23	13,607.60
District Court	702.13	55,296.05
Friend of the Court	3,936.26	39,089.00
Probate Court	2,964.08	19,448.86
Juvenile Branch	10,148.56	32,027.79
Appeals Court	2,358.95	
Public Defender	38,750.00	
Administration		9,946.22
Finance Department	509.58	10,923.33
County Clerk		23,406.37
Equalization Department	16,809.29	13,912.52
Human Resources	5,156.89	9,271.05
Geographic Information Systems	294.12	7,717.04
Prosecutor's Office	1,501.63	37,218.18
Register of Deeds		9,722.76
County Treasurer		15,676.56
Cooperative Extension		8,463.31

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Information Technology	\$ 2,176.01	\$ 12,764.05
Buildings & Grounds	31,766.82	11,307.47
Courts Building Security		6,121.06
Drain Commission		6,556.11
Sheriff Department	13,806.47	117,790.69
Sheriff Reserves	126.50	
Marine Safety Patrol	500.00	1,093.73
Jail & Turnkey	23,040.64	106,580.78
Planning Commission	1,200.00	
Emergency Services	275.40	3,985.85
Animal Control	209.51	7,955.30
Board of Public Works		539.90
Medical Examiners	825.00	
Child Care - Juvenile	1,901.78	
Veterans' Services		2,542.05
Utilities & General Services	<u>47,949.04</u>	
Total	\$ 212,434.81	\$ 588,375.14
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 829,988.72	\$
Parks & Recreation	2,616.14	6,437.26
Emergency 911 Service	59,329.86	54,708.05
Central Dispatch - Wireless	1,317.10	4,179.52
Meyer Broadway/Coon Hollow Park	1,235.40	3,260.15
Cade Lake Park	6,019.36	3,497.68
Economic Development Fund	1,870.56	
Register of Deeds Automation Fund	2,369.46	
Victims' Rights Advocate Fund	123.23	3,287.24
Community Corrections Advisory Bd.	2,895.00	3,009.02
Community Corrections Program	1,563.76	106.02
Local Corrections Officers' Training Fund	12.00	
Drug Law Enforcement Fund	3,479.88	
Law Enforcement Fund	472.80	39,079.29
Secondary Road Patrol	33.00	10,529.11
Homeland Security Grant Fund	2,938.52	3,820.72
County Law Library	559.53	
Principal Residence Denial Fund	1,004.26	539.90
Commission on Aging	85,268.79	73,269.85
Community Development Block Grant Fund	55,202.00	
Child Care: Probate Court	28,562.55	11,592.83
BPW #17 White Pigeon Sewer Project	481,128.15	
Forfeiture & Foreclosure Fund	3,108.85	
Tax Payment Fund	75,295.43	
Inmate Store	728.11	
Three Rivers Community Center	1,324.16	1,000.78
Long Lake Level Revolving	29.40	
Information Technology Improvement Fund	2,956.25	
Flexible Benefits Insurance Fund	<u>178,198.04</u>	
Total	\$ 1,829,630.31	\$ 218,317.42
Grand Total	\$ 2,042,065.12	\$ 806,692.56

General Fund Operating Expenditures		
Pre-Authorized	\$203,362.49	
Accounts Payable	<u>9,072.32</u>	
	\$212,434.81	
General Fund Payroll Expenditures	<u>\$588,375.14</u>	
	\$800,809.95	
Other Funds Operating Expenditures		
Pre-Authorized	\$1,826,154.91	
Accounts Payable	<u>3,475.40</u>	
	\$1,829,630.31	
Other Funds Payroll Expenditures	<u>\$218,317.42</u>	
	\$2,047,947.73	
Total Recorded for the Month		\$2,848,757.68

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

CHAIRMAN’S REPORT

Chairman Shaffer stated that another budget work session was needed. It was the consensus that it be scheduled for October 10th at 2:00 p.m.

CITIZENS’ COMMENTS

Jon Zirkle, MSU Ag Agent gave an update to the Board. There have been a number of events one of them a “Fall and Winter Progress Event” that was held on September 6th. They discussed corn and soybean yields.

Another event is scheduled for October 12th to discuss late planting of grasses in response to this summer’s drought.

Commissioner Ware thanked Mr. Zirkle for the fantastic job that he is doing.

ADJOURNMENT

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until October 16, 2012 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Rick Shaffer, Chairman