

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 November 3, 2008, at 5:00 p.m.

Chairman Robin Baker called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

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

- |                    |                        |
|--------------------|------------------------|
| Eric Shafer        | Gerald E. Loudenslager |
| Michael D. Dunlap  | Robin Baker            |
| Monte Bordner      | David J. Pueschel      |
| John L. Dobberteen |                        |

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

AGENDA

Ms. West-Wing stated that the Clerk would like to have a couple of fees approved and this should be added to the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the minutes for October 21, 2008 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, October 31, 2008.
2. Letter from the Village of White Pigeon, Re: Notice of public hearing on October 15 to consider an Industrial Facilities Exemption Certificate to Silver Crown, LLC.
3. Resolution from Lake County, Re: Support of E-911 funding as proposed by the Michigan Association of Counties.
4. Resolution from Lake County, Re: Opposing House Bill 4454-4455 and Senate Bill 607- 608 (Right-to-Work.)
5. Resolution from Ottawa County, Re: Opposing House Joint Resolution III/Senate Joint Resolution P (limiting the increase in taxable values.)
6. Minutes of the Community Action Agency's Board meeting of July 28 and September 22, 2008.

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

RATIFY COMMUNITY MENTAL HEALTH LOAN GUARANTEE

The following resolution was presented:

RESOLUTION 18-2008  
ST JOSEPH COUNTY, MICHIGAN

RESOLUTION RATIFYING THE EXECUTION AND DELIVERY OF GUARANTY RELATED TO THE ACQUISITION OF THE COMMUNITY MENTAL HEALTH SERVICES FACILITY IN CENTREVILLE

WHEREAS, by virtue of Resolution No. 22-2007, the County Board of Commissioners agreed to guaranty certain obligations of Community Mental Health Services of St. Joseph County in connection with the construction of a new facility in Centreville, Michigan; and

WHEREAS, Resolution No. 22-2007 authorized the Chairperson of the Board and the County Clerk to execute documents necessary to implement the guarantee of payment approved by the resolution; and

WHEREAS, the Chairperson of the Board was unavailable on the closing date to execute the Guaranty on behalf of the County requiring that it be executed by Vice-Chair of the Board, John Dobberteen.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby approves and ratifies the execution of the attached Guaranty by John Dobberteen, Vice-Chair of the Board and by Pattie S. Bender, County Clerk.

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

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioner Shafer, Loudenslager, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 1 - Commissioner Dunlap.

Resolution adopted.

#### LEASE AGREEMENT WITH 911/CENTRAL DISPATCH

Ms. West-Wing recommended approval of a renewal of the Lease Agreement with 911/Central Dispatch for the property that the 911 Center is on for 5 years at a cost of \$788 per year.

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that the Lease Agreement with 911/Central Dispatch be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioner Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

#### COUNTY CLERK'S FEES

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the County Clerk be authorized to charge \$12.00 for pro per divorce without children packets and an additional \$2.80 if they mail the packets.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioner Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

## COMMITTEE REPORTS

### Law Enforcement

Commissioner Dobberteen stated that the Law Enforcement Committee should be meeting soon.

### Judiciary

Commissioner Loudenslager stated that there was no report.

### Physical Resources

Commissioner Shafer stated that a Physical Resources Committee meeting should be scheduled soon.

### Executive Committee

There was no Executive Committee Meeting prior to this meeting.

### Investment Advisory

Commissioner Dunlap stated that the Investment Advisory Committee met today and our current yields on our investments are low.

## PERSONNEL REPORT

Ms. West-Wing presented the following report:

### MISCELLANEOUS:

Suann Knauss, District Court Probation Clerk, is on medical leave commencing October 27, 2008 under the Family and Medical Leave Act of 1993.

Cheri Bouterse, Deputy Drain Commissioner, is on medical leave commencing October 31, 2008 under the Family and Medical Leave Act of 1993.

James Jacobs, Family Division Caseworker, will be on intermittent leave commencing November 3, 2008 under the Family and Medical Leave Act of 1993.

### NEW HIRE:

Maria Olivares has been hired as COA Administrative Secretary at \$12.55/hr. (COA, grade 9, minimum) effective October 31, 2008.

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

## BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 5,785.93	\$
Due from Employees	476.00	
Appropriations	54,555.75	
County Commission	3,518.75	12,853.84
Circuit Court	1,543.50	20,066.10
District Court	815.54	92,090.91
Friend of the Court	2,681.64	59,209.48
Probate Court	1,967.10	26,925.54

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Juvenile Branch	\$ 17,753.21	\$ 61,947.11
Appeals Court	4,935.21	
Administration		15,276.51
Elections	627.13	
Finance Department	1,199.74	19,713.32
County Clerk		33,533.95
Equalization Department	41,716.28	23,619.84
Human Resources	51.00	3,476.34
Geographic Information Systems	2,812.50	11,337.05
Prosecutor's Office	2,718.93	57,708.77
Central Services	7,575.91	8,156.91
Register of Deeds	12,915.60	19,848.26
County Treasurer		22,559.84
Cooperative Extension	1,207.59	14,841.00
Information Technology	1,313.35	17,885.58
Buildings & Grounds	6,421.10	21,237.82
Courts Building Security		12,768.05
Drain Commission		8,576.23
Sheriff Department	33,559.98	140,479.06
Sheriff Reserves	1,005.50	276.13
Marine Patrol	19,612.15	48.44
Jail & Turnkey		144,583.86
Emergency Services	256.13	8,219.28
Animal Control	1,014.41	13,990.40
Board of Public Works		1,012.11
Medical Examiners	450.00	
Child Care - Probate	6,350.38	
Department of Veterans' Affairs	900.00	
Veterans' Services	659.10	2,377.68
Utilities & General Services	20,470.62	
Total	\$ 256,870.03	\$ 874,619.41
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 454,796.98	\$
Parks & Recreation	3,941.03	12,876.45
Emergency 911 Service	3,853.34	79,914.12
Central Dispatch - Wireless	5,114.51	6,061.23
Meyer Broadway/Coon Hollow Park	2,112.68	3,745.43
Family Counseling	910.00	
Cade Lake Park	1,944.49	3,437.41
Waste Management Fund		
County Commission	105.00	
Traffic Safety Program Fund	775.91	
Economic Development Fund	38,003.81	12,529.34
Register of Deeds Automation Fund	8,393.50	77.50
Victims' Rights Advocate Fund		4,849.15
Community Corrections Advisory Board	6,771.63	4,394.14
Community Corrections Program	5,509.89	
Drug Law Enforcement Fund	706.28	
Law Enforcement Fund	437.93	20,177.46
Secondary Road Patrol		13,787.06

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Homeland Security Grant Fund	\$ 7,099.40	\$
Law Library Fund	3,046.50	
Principal Residence Denial Fund		1,012.09
Commission on Aging	55,418.16	86,337.36
Community Development Block Grant	2,500.00	
Sheriff's Justice Training Fund	882.60	
Child Care - Probate Court	23,587.46	6,023.57
Veterans' Trust Fund	2,720.05	
Facilities Maintenance Fund	100,820.35	
Tax Payment Fund	6,906.34	
Inmate Store	1,308.28	
Three Rivers Community Center	1,523.37	1,280.89
Flexible Benefits Insurance Fund	162,443.45	
Total	\$ 901,632.94	\$ 256,503.20
Grand Total	\$ 1,158,502.97	\$ 1,131,122.61
General Fund Operating Expenditures		
Pre-Authorized	\$223,866.95	
Accounts Payable	33,003.08	
	\$ 256,870.03	
General Fund Payroll Expenditures	\$ 874,619.41	
Other Funds Operating Expenditures		
Pre-authorized	\$868,922.03	
Accounts Payable	32,710.91	
	\$ 901,632.94	
Other Funds Payroll Expenditures	\$ 256,503.20	
Total Recorded for the Month	\$ 2,289,625.58	

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

INDEPENDENT CONTRACTOR'S AGREEMENT

Mr. Carey recommended approval of an Independent Contractor's Agreement between the 45th Circuit Court, Family Division and Debra Steinman as an Interpreter in Juvenile and Probate Court hearings.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Independent Contractor's Agreement be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioner Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

## CHAIRMAN'S REPORT

Chairman Baker reminded everyone to vote tomorrow. He asked Jerry Ware, Candidate for 5th District Commissioner, to step to the podium and introduce himself.

Mr. Ware stated that he has lived in Fawn River Township all his life and would appreciate support tomorrow in the election.

## RECESS

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the Board go into recess.

## PUBLIC HEARING ON THE 2009 BUDGET

After a time the Board resumed business and Chairman Baker declared the public hearing open on the 2009 budget.

John McDonough, 59142 Shafer Bros. Road, Fabius Township stated that tomorrow he would be elected as the County's new Prosecuting Attorney. He stated that he understands that his salary beginning in 2009 will be significantly lower than current Prosecutor, Doug Fisher's. He said that it would be 85% of what Mr. Fisher's is currently. He has a list of salaries from Counties our size that he obtained from the Prosecuting Attorneys' Association of Michigan and the average is \$85,000. He added that in Branch County, the same thing happened that happened here and that was that the Assistant Prosecutor filed to run against the incumbent, she was fired and then subsequently won the primary. Her salary in 2009 will be the same as the current Prosecutor.

Mr. McDonough is asking the Board to reconsider, but at any rate tomorrow will be the best day of his life and he is looking forward to serving the people of St. Joseph County.

Dave Ritzer, 14731 Stears Road, Constantine, stated that he concurs with Mr. McDonough. The economy is such that he believes that there will be more crime and the Prosecutor may be overburdened. When he voted for Mr. McDonough he voted for a Prosecutor that he thought would be making the same pay as the current Prosecutor. It is an insult to lower Mr. McDonough's pay.

Brad Balk, stated that hopefully tomorrow he will be the new Sheriff. He does not have any information concerning the pay that he will have beginning in 2009. He thought that he would be participating in the discussion with the Board members when they discussed this issue. He cannot make any comments because he does not have any information.

Ms. West-Wing responded by saying that the tentative budget documents were given to the Sheriff, Matt Lori in October.

Chairman Baker stated that the wages were discussed at the budget work session last Thursday.

Mr. Balk would like to discuss this issue with the Board sometime.

Kevin Roberts, 11100 Coon Hollow Road, Three Rivers stated that if the wages for Mr. McDonough and Mr. Balk go the way that the Board of Commissioners is proposing will their job performance be evaluated? He suggested that if a new administrator would be hired that the wages would not decrease.

Commissioner Shafer stated that the Administrator's wages would decrease if there were a new one. He further stated that there was much discussion regarding these wages at the work session last week. They thought it out and established that there would be a learning curve with newly elected officials and these individuals were placed on the Rye system according to their experience.

Commissioner Dunlap stated that this is the first time that he has been through this and he believes that it is important that we be consistent. He has confidence in the new elected officials and he feels that the Board is being fair. They took a lot of things into consideration.

Commissioner Bordner apologized for not being at the work session last week and he wondered if the Board had comparables from other counties and how many counties place their elected officials onto a step system.

Ms. West-Wing stated that there has not been a complete re-study done since the study in 2002, however, annual across the board increases of 3% or 2% have been done with consideration of what the comparable counties also gave each year.

Commissioner Bordner stated that it was only common sense that the system be reviewed.

Commissioner Shafer stated that in the 6 years that he has been a Commissioner they have worked hard at making sure that the salaries are fair. He stated that we need to keep good people here and their pay needs to be comparable.

Commissioner Dunlap stated that we need to do due diligence first to make sure that the Rye System is functioning.

Commissioner Pueschel stated that in regards to the District Health Department, we are the only county of the 3 that can afford to increase our contribution to the department, therefore that proves that this county has been careful with our budget.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the public hearing on the 2009 budget be closed. Motion carried.

#### MISCELLANEOUS

Commissioner Pueschel commented on the repairs that have been done to the Commission Room.

Commissioner Loudenslager reminded everyone to vote tomorrow.

Commissioner Bordner thanked everyone for coming to the public hearing; he believes that discussion is healthy.

Commissioner Dobberteen stated that long time Sturgis City Commissioner and County Solid Waste Committee Member, Michael McCarthy, passed away last Friday and asked that a letter of condolence be sent to his family.

#### ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the St. Joseph County Board of Commissioners adjourn until November 18, 2008 at 5:00 p.m. Motion carried.

-----  
Pattie S. Bender, County Clerk

-----  
Robin Baker, Chairman