

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 December 15, 2009, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Michael D. Dunlap	Robin Baker
Jerry Ware	David J. Pueschel
John L. Dobberteen	

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that the minutes for December 1, 2009 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, December 4 and December 11, 2009.
2. Southwest Michigan Land Conservancy's Newsletter - Winter 2009-2010.

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

CITIZENS' COMMENTS

Robert Magness, 1412 Kent Street, Sturgis asked the following questions:

- 1 - Why is the Tri-County Health Department using my tax dollars to provide space to Planned Parenthood so that they can pimp their abortion services?
- 2 - If, as the Health Department claims, they are so short of Title Ten funds, why do they operate out of Sturgis and Three Rivers? Why not just a single facility in Centreville for family planning services.
- 3 - Are RU 487 morning after abortion pills distributed or sold at the County Health Department facility in Sturgis by Planned Parenthood? If so, how many pills are sold or distributed?
- 4 - The St. Joseph County Commissioners should understand that they are not going away. The Right to Life of St. Joseph County as well as area churches intends to picket the Grobhisor Building every Monday afternoon until hell freezes over or until Planned Parenthood vacates the space so generously contributed to them by the Tri-County Health Department.

Chairman Dobberteen stated that these questions will be forwarded to the Health Department through the Administrator.

Tim Carls, 63044 Klinger Lake Road, Centreville asked, with all the cuts made in the 2010, how much was put into the County's savings account.

Ms. West-Wing responded that the budget is a projection of revenues and expenditures with no funds designated to a "savings account."

Mr. Carls stated that the Taxable Value increased for 2010 and Ms. West-Wing stated that the TV was an increase for 2009, not 2010.

VILLA-MILLER FARMS AGRICULTURAL CONSERVATION EASEMENT DONATIONS

Brad Neumann, Land Policy Educator, requested approval of the Villa-Miller Farms Agricultural Conservation Easement Donations. The property consists of a total of 953 acres and is owned by Henry and Martha Miller and is located in Florence and Lockport Townships. There are 7 separate Agricultural Easements and also 7 Baseline Documentation Reports.

He stated that this is an historic night. The Millers are making a personal financial decision that will affect them, their children and their neighbors.

Mr. Neumann added that this is significant for zoning and Master Plans for Florence and Lockport Townships and the County. It promotes agribusiness and this donation is believed to be the largest ever in the State of Michigan.

Mr. Neumann further stated that we are the only County in the State that has 100% of the townships approving the St. Joseph County Land Preservation Ordinance and he attributes that to the leadership in St. Joseph County as well as an informed and committed citizenry.

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the 953 acres donated by owners Henry and Martha Miller be accepted into the Farmland Preservation Program.

Chairman Dobberteen thanked the Millers for this outstanding gift that will be appreciated by future generations.

Commissioner Pueschel asked what the County's responsibilities are.

Mr. Neumann stated that when the County accepts land into this program they must monitor it for its use and complete an Annual Monitoring Report which is a minor responsibility.

Commissioner Loudenslager asked whose responsibility it would be to file this report.

Mr. Neumann stated that as long as he is still employed here, he would take care of this Annual Report. He said that if he is not employed here another department could take care of it or for a nominal cost probably the Southwest Michigan Land Conservancy would file the report.

Commissioner Loudenslager thanked Mr. Neumann for taking the lead on this donation and thanked the Millers, who were in attendance, for making the generous donation.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

LEASE AGREEMENT FOR ANTENNA SPACE WITH THE CITY OF STURGIS

Ms. West-Wing stated that this agreement is for the final antenna site for 911 services. The 57 foot antenna will be placed upon the water tower in Sturgis and costs \$7,000 for the first 7 years and will be paid for with Central Dispatch funds. There will also be equipment placed inside the base of the tower and the generator will be placed on the ground on the outside of the tower.

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the Lease Agreement for antenna space with the City of Sturgis be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

FIRST BOARD MEETING SET FOR JANUARY

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the first board meeting in January be scheduled for January 5, 2010 at 5:00 p.m. Motion carried.

NOMINATIONS/APPOINTMENTS

Planning Commission

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that Edward Bell, Lon Huffman and Dennis Wilson be nominated and appointed to the Planning Commission for 3 year terms that will expire January 1, 2013. Motion carried.

Parks and Recreation Commission

It was moved by Commissioner Dunlap and supported by Commissioner Ware that David Ludders and Steve Zarza be nominated and appointed to the Parks and Recreation Commission for 3 year terms that will expire January 1, 2013. Motion carried.

Comprehensive Traffic Safety Commission

It was moved by Commissioner Baker and supported by Commissioner Dunlap that Wendy Shank be nominated and appointed to the Comprehensive Traffic Safety Commission, representing the City of Three Rivers, for a term to expire November 30, 2010. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the Law Enforcement Committee had not met.

Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet on January 14, 2009.

Physical Resources

Commissioner Dunlap stated that the Physical Resources Committee had not met.

Executive Committee

Commissioner Baker stated that everyone has a copy of the Executive Committee minutes of December 11, 2009 and would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Pamela Armstrong, FOC Enforcement Clerk, is on intermittent medical leave commencing November 19, 2009 under the Family and Medical Leave Act of 1993.

Jacquilyn Wells, Deputy County Clerk, is on intermittent family leave commencing November 12, 2009 under the Family and Medical Leave Act of 1993.

Larry Diekman, Corrections Officer, is on medical leave commencing December 10, 2009 under the Family and Medical Leave Act of 1993.

Julie Mitchell, Family Court Coordinator, will be working forty (40) hours per week instead of the current thirty-five (35) hours effective December 8, 2009. Katherine Fair will no longer be working in the Family Court Coordinator’s Office but will continue to work part-time as needed in the Probate Court Office.

POSITIONS ELIMINATED:

The position of Purchasing Coordinator has been eliminated in the 2010 budget. The employment of Rose Even, Purchasing Coordinator, will end effective December 30, 2009

The position of Collections Clerk has been eliminated in the 2010 budget. The employment of Jeannine Hire, Collections Clerk, will end effective December 30, 2009.

The position of Parks & Recreation Ranger has been eliminated in the 2010 budget. The employment of Mark Harter, Parks & Recreation Ranger, will end effective December 30, 2009.

The position of Deputy District Court Clerk has been eliminated in the 2010 budget. The employment of Suann Knauss, Deputy District Court Clerk, will end effective December 30, 2009.

The position of Juvenile Diversion Caseload Coordinator has been eliminated in the 2010 budget. The employment of Joanne Larimer, Juvenile Diversion Caseload Coordinator, will end effective December 30, 2009.

The 2010 budget has a reduction of building security hours. The employment of Philip Campbell, Donald Hovevar, and Terry Koehl, part-time Building Security Guards, will end effective December 30, 2009.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

<u>DECREASE INMATE STORE FUND #546:</u>	
Line item 546-301-744.00 (Clothing & Bedding)	\$ 520.00
<u>INCREASE INMATE STORE FUND #546:</u>	
Line item 546-301-977.000 (Equipment General)	\$ 520.00
 <u>DECREASE DRUG UNIT FUND #265:</u>	
Line item 265-229-727.000 (Office Supplies)	\$ 405.06
Line item 265-229-743.000 (Other Supplies)	140.07
Line item 265-229-743.020 (Patrol Supplies)	940.02
Line item 265-229-746.000 (Gas and Oil)	<u>77.85</u>
	\$ 1,563.00
 <u>INCREASE DRUG UNIT FUND #265:</u>	
Line item 265-229-977.010 (Communications Equipment)	\$ 1,563.00

MISCELLANEOUS:

Authorization to the Finance Director to make any line item transfers necessary after the final payroll of 2009 to ensure a balanced budget.

INCREASE EXPENDITURES – GENERAL FUND

DECREASE EXPENDITURES - GENERAL FUND

District Court

136-716.000 Health Insurance \$ 250 \$ 250

District Court

136-706.070 Wages-Sr. Prob. Off. \$ 250 \$ 250

Friend of the Court

141-716.000 Health Insurance \$ 3,600
 141-716.010 Dental Insurance 175
 \$ 3,775

Friend of the Court

141-816.000 Contractual Services \$ 3,775
 \$ 3,775

Juvenile

149-721.010 Opt Out Waiver \$ 2,500
 149-982.000 Library 1,000
 \$ 3,500

Juvenile

149-816.000 Health Insurance \$ 3,500
 \$ 3,500

Register of Deeds

236-707.000 Wages - Part Time \$ 800 \$ 800

Register of Deeds

236-960.000 Land Corners \$ 800 \$ 800

Cooperative Extension

257-706.250 Wages - Secretary \$ 270
 257-716.000 Health Insurance 1,330
 257-716.010 Dental Insurance 60
 \$ 1,660

Cooperative Extension

257-860.000 Travel \$ 800
 257-861.000 Convention 860
 \$ 1,660

Sheriff Department

301-721.010 Opt Out Waiver \$ 6,300
 301-977.000 Equipment General 150
 301-981.000 Vehicles 3,600
 \$10,050

Sheriff Department

301-716.000 Health Insurance \$10,050
 \$10,050

Jail & Turnkey

INCREASE EXPENDITURE

351-706.380 Wages - Corr. Off. \$ 9,672
 351-712.000 Wages -Overtime 2,313
 351-715.000 FICA 917
 351-718.050 MERS 1,319
 351-716.100 Workers' Comp. 326
 351-721.010 Opt Out Waiver 100
 \$14,647

Jail & Turnkey

DECREASE EXPENDITURE

351-716.000 Health Insurance \$ 100
INCREASE REVENUE
 301-676.060 Reim. Wages/Fringes 14,547
 \$14,647

Animal Control

430-721.010 Opt Out Waiver \$ 2,100
 \$ 2,100

Animal Control

430-716.000 Health Insurance \$ 2,100
 \$ 2,100

Veterans' Services

682-984.000 Computer Hardware \$ 25
 \$ 25

Veterans' Services

682-985.000 Computer Software \$ 25
 \$ 25

TOTAL GENERAL FUND \$36,807

TOTAL GENERAL FUND \$36,807

Central Dispatch - 211

INCREASE EXPENDITURE

911-716.000 Health Insurance \$10,000
 911-716.010 Dental Insurance 415

Central Dispatch - 211

DECREASE EXPENDITURE

922-706.520 Wages - Dispatchers \$10,415
INCREASE REVENUE

911-980.000 Equipment	2,250		911-674.000 General Donations	2,250	
		\$12,665			\$12,665
<u>Law Enforcement Fund - 266</u>			<u>Law Enforcement Fund - 266</u>		
<u>INCREASE EXPENDITURE</u>			<u>INCREASE REVENUE</u>		
301-977.000 Equipment - General	\$ 2,500		301-580.100 Fabius Twp. Reim.	\$ 2,500	
301-977.010 Comm. Equip	768		301-580.000 Cent. Vill. Reim.	768	
		\$ 3,268			\$ 3,268
<u>Local Corrections Officer's Training Fund - 264</u>			<u>Local Corrections Officer's Training Fund - 264</u>		
<u>INCREASE EXPENDITURE</u>			<u>INCREASE REVENUE</u>		
351-862.000 Seminar	\$ 4,300		351-609.030 Sheriff Booking Fees	\$ 8,900	
351-999.000 Oper. Transfers Out	4,600				\$ 8,900
		\$ 8,900			
<u>Sheriff's Justice Training Fund - 285</u>			<u>Sheriff's Justice Training Fund - 285</u>		
<u>INCREASE EXPENDITURE</u>			<u>INCREASE REVENUE</u>		
301-862.000 Seminar	\$ 4,000		301-676.000 Bud. Use of Fund Bal.	\$ 4,000	
		\$ 4,000			\$ 4,000
<u>Veterans' Trust Fund - 294</u>			<u>Veterans' Trust Fund - 294</u>		
<u>INCREASE EXPENDITURE</u>			<u>INCREASE REVENUE</u>		
683-817.000 Vet. Emergent Needs	\$10,000		683-570.050 St. Vet. Trust Grants	\$11,000	
683-860.000 Travel Expense	1,000				\$11,000
		\$11,000			
<u>County Facilities Maintenance Fund - 406</u>			<u>County Facilities Maintenance Fund - 406</u>		
<u>INCREASE EXPENDITURE</u>			<u>DECREASE EXPENDITURE</u>		
253-976.000 Build. Add. & Imp.	\$302,000		253-974.000 Land Improvement	\$ 50,000	
		\$302,000	253-977.000 Equipment General	190,000	
			<u>INCREASE REVENUE</u>		
			253-676.000 Bud. Use of Fund Bal.	62,000	
					\$302,000
TOTAL OTHER FUNDS		\$341,833	TOTAL OTHER FUNDS		\$341,833

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

FINANCE DIRECTOR'S REPORT

Dan Carey, Finance Director, presented the following reports:

Per Diem

Robin Baker - 5 half days – 11/17, 11/20, 11/24, 11/25 & 12/11/09 & 3 full days 11/19, 12/3 & 12/11/09	\$ 535.00
John Dobberteen - 10 half days 10/14, 10/27 x 2, 10/29, 11/5, 12/3, 12/8, 12/9, 12/11 & 12/14/09	500.00
Michael Dunlap - 4 half days 11/25, 12/2, 12/8 & 12/14/09 & 1 full day 12/3/09	295.00
Gerald Loudenslager - 4 half days 11/18, 11/24 & 12/14/09 x 2	200.00
David Pueschel - 4 half days 11/18, 11/25, 12/3 & 12/11/09	200.00
Rick Shaffer - 2 half days 12/2 & 12/9/09 & 1 full day 11/30/09	195.00
Jerry Ware - 1 half day 12/2/09	50.00
	<u>1,975.00</u>

Expenses

Robin Baker	\$ 165.00
John Dobberteen	58.30
Michael Dunlap	85.80
Gerald Loudenslager	23.65
David Pueschel	26.40
Rick Shaffer	66.00
Jerry Ware	<u>16.50</u>

\$ 441.65

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

Financial Statement

	Revenues	Expenditures
November	\$ 1,262,949	\$ 961,273
Year to Date	13,135,259	126,030,777
Period Fund Balance	\$12,677.00	
Year to Date	\$223,182.00	
Percent of budget year elapsed year to date.	91.67%	
Percent of total budgeted funds earned year to date	87.97%	
Percent of total budgeted funds expended year to date	86.47%	

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the Financial Statement be approved. Motion carried.

INDEPENDENT CONTRACTOR’S AGREEMENTS

Adams Excavating, Inc.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Independent Contractor’s Agreement with Adams Excavating, Inc., for snow plowing be approved.

The snow plowing will commence at 3” instead of a 2” snowfall.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

Eugene Alli

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Independent Contractor’s Agreement with Eugene Alli as a Homeland Security Regional Planner be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

Steven Barnell

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Independent Contractor’s Agreement with Steven Barnell as a Homeland Security Regional Planner be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

Glendora Greene, M.D.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Independent Contractor's Agreement with Glendora Greene, M.D. as the Jail Mental Healthcare Consultant be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

CHAIRMAN'S REPORT

Chairman Dobberteen stated that a work session needed to be set for the 2011 budget. It was the consensus that the meeting be held on January 12, 2010 at 3:45 p.m.

Chairman Dobberteen presented a list of highlights for 2009:

- Elected John Dobberteen as Chairman and Robin Baker as Vice-Chairman.
- Welcomed new Commissioner Jerry Ware and returning Commissioner Rick Shaffer.
- Welcomed new elected positions: Brad Balk, Sheriff; John McDonough, Prosecuting Attorney; Jeff Wenzel, Drain Commissioner.
- Adopted an Enhanced Access to Public Records Policy.
- Approved CommTech Design as the consultant for telephone systems design, bid and project oversight.
- Incorporated Central Services into the Human Resource Department.
- Revised Pre-employment physical policy and worker's compensation procedure.
- Approved \$45,000 for the Healthy Families Program per the request of HSC.
- Participated in the "Passport Day in the U.S.A." on Saturday, March 28.
- Supreme Court held a session in Commission Room on May 13.
- Approved labor contracts for four units of A.F.S.C.M.E. (General Unit, Circuit Court, Family Division and Probate Court.)
- Approved a Memorandum of Understanding to continue the Grant Writer Position.
- Approved Letters of Understanding for Sheriff's Department employees to work at the fair.
- In September, converted to new county-wide radio system for Central Dispatch.
- Held fifteenth annual employee service recognition.
- Increased license fees for intact dogs and kennel fee increases effective 12/01/2010.
- Purchased 11.5 acres of property adjacent to Meyer-Broadway Park.
- Accepted the donation of 2.5 acres of land on Pleasant Lake in Three Rivers from Robert and Patricia Roberts and Linda Johnston for the Parks system.
- Approved construction of a seawall at Palmer Lake Beach.
- Approved land acquisition agreement with Department of Natural Resources for the expansion of Cade Lake Park for the purchase of 45 acres of adjacent land.
- Accepted the first donation to Farmland Preservation Program from Villa-Miller Farms (Henry and Martha Miller) for a total of 953 acres.

CLOSED SESSION

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Board go into closed session to discuss property acquisition and contract negotiations.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

OPEN SESSION

The Board resumed business in open session.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Administrator be instructed to proceed as directed in the closed session. Motion carried.

MISCELLANEOUS

Commissioner Ware wished everyone a Merry Christmas.

Commissioner Shaffer stated that he will be leaving on December 24th and coming back on January 4th for his 20th annual medical mission trip to the Dominican Republic.

Commissioner Shaffer recommended that the Chairman write a letter, with the Administrator, to each employee, that will not be employed beginning in 2010 because of budgets cuts, to thank them for their service to the County. He wished everyone a Merry Christmas.

Chairman Dobberteen wished everyone a Merry Christmas.

Commissioner Loudenslager wished Commissioner Shaffer a safe trip and wished every one a Merry Christmas and a Happy New Year.

Commissioner Dunlap wished the same as Commissioner Loudenslager.

Commissioner Baker wished everyone a Merry Christmas and a prosperous New Year.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until January 5, 2010 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman