

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 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	Gerald E. Loudenslager
Allen Balog	Robin Baker
Jerry Ware	Donald Eaton
John 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 supported by Commissioner Loudenslager that the agenda be approved as presented. Motion carried.

#### MINUTES APPROVED

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

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, December 9 and December 16, 2011.
2. Copy of letter to Governor Snyder from Tim Carls, RE: Road Commission.
3. Minutes of the Community Mental Health and Substance Abuse Services Board meeting of November 29, 2011.
4. Minutes of the Southwest Michigan Substance Abuse Advisory Council minutes of November 21, 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

Phyllis Bainbridge, St. Joseph County Treasurer, stated that she wanted the public to be made aware that Barry Miller will not be accepting the Treasurer's position due to the board changing the salary and training time that was discussed during his hiring by the Statutory Appointment Committee. Mrs. Bainbridge stated that Mr. Miller contacted her and stated that he would not be accepting the job because of the Commissioners changing what he had been promised. Mrs. Bainbridge further stated that she has a copy of the Attorney General's Opinion on salaries of elected officials that are replaced mid-term. She stated that the opinion reads that the individual coming into office maintains the salary of the outgoing elected official. Mrs. Bainbridge also stated that this is an embarrassment to the County and an excellent employee has been lost.

Commissioner Eaton stated that he was unaware of any of this and was removing himself from the conversation.

Judge Thomas Shumaker, Probate Judge, stated that he was unaware of anything until earlier in the day. Judge Shumaker stated that this is all political and the committee tried to keep the appointment from becoming

political. The committee selected Mr. Miller because he was a solid person and would do a great job. Judge Shumaker asked the Commissioners where this leaves the committee.

John McDonough, St. Joseph County Prosecutor, stated that he is saddened by what has happened and the fact that Mr. Miller will not be accepting the position. Mr. McDonough stated that Mr. Miller was by far the most qualified and came with impeccable credentials. Mr. McDonough reviewed the opinion by the Attorney General and said that Mrs. Bainbridge is correct. The salary stays in affect through the end of the term. Mr. McDonough wanted to publicly ask Mr. Miller to reconsider his decision.

Chairman Shaffer stated that the Commission was acting with the best information that they were given.

Commissioner Balog stated that at the Executive Committee meeting nothing was voted on only discussion regarding the step that Mr. Miller was promised. He further stated that he would like to publicly ask Mr. Miller to reconsider his decision.

Commissioner Loudenslager stated that he was also at the Executive Committee and there was no decision made with regards to pay only discussion. He also stated that he would like Mr. Miller to reconsider.

Commissioner Ware stated that he knows Mr. Miller and his family and knows that he would do a great job. Commissioner Ware was surprised when the minutes from the Executive Committee mentioned dropping Mr. Miller down a step. He stated that he too would like to publicly apologize for the Commissions' poor judgment.

Mr. McDonough addressed the Board with regards to the Register of Deeds pay being incorrect when she accepted the position as Register of Deeds.

It was moved by Commissioner Dobberteen and supported by Commissioner Eaton that Mr. Miller be asked to reconsider the job offer with the salary set at the current Treasurer's salary for 2012. Motion carried.

Chairman Shaffer stated that he would contact Mr. Miller and also would apologize for the lack of information the commission had. He also thanked Mrs. Bainbridge for her information.

#### LABOR AGREEMENT WITH DISTRICT COURT EMPLOYEES' ASSOCIATION

Ms. West-Wing stated that the Labor Agreement with the District Court Employees' Association has been settled. Highlights are as follows:

1. Contract Duration: 1 year – January 1, 2012 through December 31, 2012.
2. Wages: January 1, 2012 0% increase
3. Miscellaneous Language Changes:

Removed obsolete insurance language, sick leave language and re-opener language;  
Insert language from November 1, 2010 Letter of Understanding;  
Insert reference to "District" in every location where prior it just referenced "Court" – for future clarification purposes.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager 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, Balog, Baker, Dobberteen, Eaton, Loudenslager and Ware.

Nay votes cast: 0

Motion carried.

AFSCME

Ms. West-Wing stated that the AFSCME Contracts were ready for approval. The 4 contracts involve a total of 55 employees. The highlights are as follows:

1. Contract Duration: 1 year – January 1, 2012 through December 31, 2012.
2. Wages: January 1, 2012 No Wage Increase
3. Miscellaneous language changes:  
Insert September 6, 2011 Letter of Understanding Changes.

General Unit

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the AFSCME General Unit Contract be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

Circuit Court

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the AFSCME Circuit Court Contract be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

Family Division

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

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

Probate Court

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

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

LETTER OF UNDERSTANDING WITH FOP CORRECTIONS SERGEANTS

Ms. West-Wing stated that the Labor Agreement with the FOP Corrections Sergeants has been approved by the union.

The highlights are as follows:

1. Contract Duration: 1 year – January 1, 2012 through December 31, 2012
2. Wages: January 1, 2012 0% increase

It was moved by Commissioner Dobberteen and supported by Commissioner Balog that the Letter of Understanding with FOP Corrections Sergeant Division be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

INTERGOVERNMENTAL FUNDING AGREEMENT FOR 2010 HOMELAND SECURITY GRANT

Ms. West-Wing stated that this is a renewal of an agreement that we have had with Van Buren County.

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that the Intergovernmental Funding Agreement for the 2010 Homeland Security Grant be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

BLUE CROSS/BLUE SHIELD DENTAL PLAN OPTION

Ms. West-Wing stated that Blue Cross has a new dental plan option which has better benefits with less cost to the county and employee.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Dental Plan Option be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

SET DATE FOR JANUARY 2012 BOARD MEETING

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the organizational meeting of the Board of Commissioners be held on January 3, 2012 at 5:00 p.m. and the Executive Meeting be held on January 13, 2012 at 8:00 a.m. Motion carried.

## NOMINATIONS/APPOINTMENTS

### Workforce Development Board

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that Cathy Knapp, Virginia Kowalski and Barry Visel, be nominated and reappointed to the Workforce Development Board for a 2 year term to expire on December 31, 2013; Cindy Underwood and Patty Vanaman be nominated and appointed to the Workforce Development Board, for a 1 year term to expire December 31, 2012. Motion carried.

### Parks & Recreation Commission

It was moved by Commissioner Ware and supported by Commissioner Loudenslager that Vic Eichler be reappointed to the Parks & Recreation Commission for a 3 year term to expire on January 1, 2015. Motion carried.

## COMMITTEE REPORTS

### Law Enforcement

Commissioner Loudenslager stated that there was no report.

### Judiciary

Commissioner Loudenslager stated that they will meet in February.

### Physical Resources

Commissioner Ware stated that they have not met but the jail project is complete.

### Executive Committee

The Executive Committee met on December 2, 2011 and everyone has a copy of the minutes and Commissioner Dobberteen would answer any questions.

## PERSONNEL REPORT

Ms. West-Wing presented the following report:

### NEW HIRE:

Terry L. Baker, Jr. has been hired as full-time Road Patrol at \$20.08/hr. effective December 13, 2011.

Timothy R. Barnes has been hired at part-time Road Patrol at \$19.97/hr. effective December 28, 2011.

Linda K. Krauss has been hired as In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective December 12, 2011.

Kacey Nieman has been hired as In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective December 12, 2011.

### MISCELLANEOUS:

Jonathan J. Uribe, Central Dispatch Director, hire date will be January 3, 2012. (Board of Commissioners approved the hire on November 1, 2011 with a hire date to be determined.)

Patricia Kulikowski, Executive Secretary, is on intermittent medical leave commencing November 29, 2011 under the Family and Medical Leave Act of 1993.

Susan Cook, Central Dispatch Shift Supervisor, was on medical leave from November 23 to December 6, 2011 under the Family and Medical Leave Act of 1993.

Pattie Bender, County Clerk, is on medical leave commencing December 12, 2011.

SEASONAL/TEMPORARY EMPLOYMENT:

Bonnie Sachse has been hired as temporary, part-time for Animal Control at \$7.50/hr. effective January 3, 2012.

Rene Daniels has been hired as temporary, part-time for Animal Control at \$7.50/hr. effective January 3, 2012.

RESIGNATION:

Connie J. Roberts, COA Sub-Driver, has resigned effective November 29, 2011.

POSITION ELIMINATED:

One of the Extension Program Aide positions was eliminated in the 2012 budget. The employment of Deanna Mumby, Program Aide, will end effective December 29, 2011.

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

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS

MISCELLANEOUS:

Authorization to the Finance Director to make any line item transfers necessary after the final payroll of 2011 to ensure a balanced budget.

BUDGET AMENDMENTS:

BUDGET ADJUSTMENT FOR 2011 BUDGET AMENDMENTS FOLLOW.

FROM APPROPRIATION:

\$127,335.00 from Probate Child Care Appropriation to Probate Child Care Fund.

INCREASE EXPENDITURES – GENERAL FUND

<u>Sheriff Department</u>	
101-301-706.500 Wages-Drug Enforce	\$46,400
101-301-712.000 Wages-Overtime	5,600
101-301-712.020 OT Wages-Hwy Safe Grant	4,703
101-301-715.010 FICA-Hwy Safe Grant	360
101-301-716.110 Work Comp-Hwy Safe Grant	116
101-301-718.060 Retirement-Hwy Safe Grant	518
101-301-725.010 Salary-Accum. Sick & Vac	1,021
101-301-977.060 Equip-Hwy Safe Grant	<u>5,000</u>
	\$ 63,718
<u>Jail</u>	
101-351-707.000 Wages-Part Time	\$11,950
101-351-716.100 Health Insurance	<u>6,117</u>
	\$ 18,067
<u>Parks</u>	
208-751-725.010 Salary-Accum Sick & Vac	\$ <u>402</u>
	\$ 402
<u>Meyer Broadway Park</u>	
213-751-712.000 Wages-Overtime	\$ <u>18</u>
	\$ 18
<u>Cade Lake Park</u>	
217-751-860.000 Travel Expense	\$ <u>9</u>
	\$ 9
TOTAL GENERAL FUNDS	\$82,214

DECREASE EXPENDTIURES – GENERAL FUND

<u>Sheriff Department</u>	
101-301-706-130 Wages-Deputies	\$53,021
<u>INCREASE REVENUE:</u>	
101-301-539.000 MI State Police Hwy Grant	5,000
101-301-585.000 Traffic Hwy Safe Grant	<u>5,697</u>
	\$63,718
<u>Jail</u>	
<u>INCREASE REVENUE:</u>	
101-351-676-060 Reimbursed Wages & Fringe	<u>\$18,067</u>
	\$18,067
<u>Parks</u>	
208-751-706.250 Wages-Secretary	\$ <u>402</u>
	\$ 402
<u>Meyer Broadway Park</u>	
213-751-707.000 Wages-Part Time	\$ <u>18</u>
	\$ 18
<u>Cade Lake Park</u>	
217-751-900.000 Advertising	\$ <u>9</u>
	\$ 9
TOTAL GENERAL FUNDS	\$82,214

INCREASE EXPENDITURES – GENERAL FUND

<u>Economic Development</u>	
244-728-725.010 Salary-Accum Sick & Vac	\$ 789
	\$ 789
<u>Officer's Training Fund</u>	
264-351-999.000 Operating Transfer Out	\$8,067
	\$ 8,067
<u>District Court</u>	
101-136-706.080 Wages-Probation Officer	\$11,270
	\$11,270
<u>Friend of the Court</u>	
101-141-725.010 Salary-Accum Sick & Vac	\$ 3,928
	\$ 3,928
<u>Juvenile Branch</u>	
101-149-716.000 Health Insurance	\$16,578
101-149-716.010 Dental Insurance	747
101-149-725.010 Salary-Accum Sick & Vac	3,594
101-149-816.000 Contractual Services	200
101-149-862.000 Seminar & Employ Training	50
	\$21,169
<u>Prosecutor</u>	
101-229-816.000 Contractual Services	\$ 1,000
	\$ 1,000
<u>Register of Deeds</u>	
101-236-705.000 Wages-Elected Official	\$ 3,755
101-236-706.130 Wages-Deputies	\$28,821
	\$ 32,576
<u>Courts Building Security</u>	
101-266-712.000 Wages-Overtime	\$ 234
	\$ 234
<u>Drug Law Enforcement Fund</u>	
265-229-743.000 Other Supplies	\$ 25
265-229-743.060 Drug Buy Money	4,000
265-229-816.000 Contractual Services	6,500
265-229-977.000 Equipment General	1,900
	\$ 12,425
<u>Sheriff Reserves</u>	
266-306-707.020 Wages-Part Time Security	\$13,900
266-306-715.000 FICA	700
266-306-716.100 Worker's Compensation	135
	\$ 14,735
TOTAL GENERAL FUNDS	\$106,193

DECREASE EXPENDTIURES – GENERAL FUND

<u>Economic Development</u>	
244-728-721.010 Opt Out Waiver-Flex Plan	\$ 789
	\$ 789
<u>Officer's Training Fund</u>	
<u>INCREASE REVENUE:</u>	
264-351-676.000 Budgeted Use Fund Balance	\$ 8,067
	\$ 8,067
<u>District Court</u>	
101-136-706.070 Wages-Sr Probation Officer	\$11,270
	\$11,270
<u>Friend of the Court</u>	
101-141-706.250 Wages-Secretary	\$ 3,928
	\$ 3,928
<u>Juvenile Branch</u>	
101-149-706.110 Wages-Account Clerk	\$ 6,884
101-149-721.010 Opt Out Waiver Flex Plan	1,389
101-149-802.020 Court Appointed Attorney	12,646
101-149-860.000 Travel Expense	250
	\$21,169
<u>Prosecutor</u>	
101-229-865.000 Witness Travel	\$ 1,000
	\$ 1,000
<u>Register of Deeds</u>	
101-236-706.170 Wages-Chief Deputy	\$32,576
	\$32,576
<u>Courts Building Security</u>	
101-266-707.020 Wages-PartTime Security	\$ 234
	\$ 234
<u>Drug Law Enforcement Fund</u>	
<u>INCREASE REVENUE:</u>	
265-229-659.000 Drug Related Forfeitures	\$12,425
	\$12,425
<u>Sheriff Reserves</u>	
<u>INCREASE REVENUE:</u>	
266-306-580.500 Law Enforcement Fund	\$14,735
	\$14,735
TOTAL GENERAL FUNDS	\$106,193

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

FINANCE DIRECTOR'S REPORT

Ms. Smith presented the following report:

Per Diem

Robin Baker – 5 half days 11/16 x 2, 11/17, 12/7, 12/14 & 2 full days 11/28 & 12/8	\$ 440.00
Allen Balog – 5 half days 11/16, 11/22, 12/8, 12/13 & 12/16	250.00
John Dobberteen – 3 half days 11/17, 12/2 & 12/16	150.00
Don Eaton – 9 half days 9/8, 9/13 x 2, 9/14, 9/27, 10/18, 10/20, 10/24 & 11/8	500.00

Gerald Loudenslager – 4 half days 12/12, 12/13, 12/16, 12/20 & 1 full day 12/8	295.00
Rick Shaffer – 12 half days 10/3, 10/5, 10/11, 10/14, 10/18, 10/20, 10/27, 10/28 11/2, 11/16, 11/30 & 12/7	600.00
Jerry Ware – 1 half day 12/7	<u>50.00</u>
	\$2,285.00

Expenses

Robin Baker	\$ 252.53
Allen Balog	77.70
John Dobberteen	39.41
Don Eaton	61.05
Gerald Loudenslager	79.71
Rick Shaffer	135.42
Jerry Ware	<u>16.65</u>
	\$ 662.47

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

Financial Statement

	Revenues	Expenditures
November	\$ 1,132,479	\$ 1,064,470
Year to Date	12,907,036	13,137,140
Period Fund Balance	\$ 68,009	
Year to Date	\$(230,104)	
Percent of budget year elapsed year to date.	91.67%	
Percent of total budgeted funds earned year to date	86.02%	
Percent of total budgeted funds expended year to date	87.55%	

It was moved by Commissioner Loudenslager and supported by Commissioner Dobberteen that the financial statement be accepted. Motion carried.

Independent Contractor Agreement

Ms. Smith stated that the Board needed to approve the Independent Contractor Agreement with Jonathan Uribe for 4 days of training with the current Central Dispatch Director.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Independent Contractor Agreement with Jonathan Uribe be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

CHAIRMAN'S REPORT

Chairman Shaffer thanked all the staff for the great job that they do for the people of St. Joseph County. Chairman Shaffer stated that it has been a learning experience this year and went over the highlights for 2011:

- Elected Rick Shaffer as Chairman and John Dobberteen as Vice-Chairman.

- Approved the replacement of laptop computers in police cars for a total cost of \$245,231.25 (\$125,000 from Ticket Writing Fund, remainder from 911 Fund.)
- Pledged \$2,500 to Soil Conservation District for river clean-up project.
- Approved the expansion of Road Commission Board from 3 to 5 members.
- Approved the 2011 Housing Resource Fund application to MSHDA for \$275,000 for homeowner assistance related activities for low and very low income residents.
- Approved contracting with Landmark Design Group for Jail South Brick/Roof Project.
- Approved agreement with Sturgis Hospital so they can participate in a drug discount program.
- Approved agreement with Securus for jail inmate telephone service which includes 58% of revenue to be returned to the County along with a \$50,000 technology grant.
- Created an Animal Control Advisory Board and approved by-laws for said board.
- Approved establishment of a Citizens' Corps Program.
- Held public forum and public hearing on Trine Economic Growth Proposal.
- Held public hearings for combining County Clerk and Register of Deeds; adopted resolution for said combination.
- Approved Jail Roof/brick project and awarded the contract to Brussee/Brady for \$267,935.
- Approved study to provide an analysis of a MERS Hybrid Retirement Plan.
- Entered into a partnership with Kalamazoo Valley Enforcement Team for meth cleanup and disposal.
- Entered into a new agreement with Glen Oaks Community College to provide law enforcement services at the college.
- Held seventeenth annual employee service recognition.
- Approved Traffic Safety Grant to purchase 26 sets of stop sticks for each police department.
- Approved letter of understanding with AFSCME (4 units total) to resolve reopener for 2011.
- Approved letter of understanding with FOP (Corrections Sergeant Division) to resolve reopener for 2012.
- Approved three-year labor agreement with P.O.A.M. Corrections Unit (2010, 2011, 2012).
- Approved one-year labor agreement with District Court Employees' Association for 2012.
- Approved one-year labor agreement with AFSCME (4 units total) for 2012.

#### COMMISSIONER COMMENTS

Commissioner Eaton asked if a resolution could be done for the Constantine Football Team.

Commissioner Baker thanked both Mrs. Bainbridge and Mr. McDonough for bringing the correct information to the board.

Commissioner Ware wished everyone a Merry Christmas and publicly asked Mr. Miller to reconsider the Treasurer's position.

Chairman Shaffer thanked his fellow Commissioners for all their help and support throughout the year.

Commissioner Loudenslager wished everyone a Merry Christmas and a Happy New Year.

Commissioner Balog stated that after finishing his first year, it has been a learning experience and an honor and privilege. He also stated that there is a new bill that is being proposed that would require welfare recipients to pass a drug screen. Commissioner Balog would like the Commission to adopt a resolution approving this.

Commissioner Dobberteen apologized to Mr. Miller and stated that because of the Attorney General Opinion the Register of Deeds' salary will also need to be corrected.

ADJOURNMENT

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until January 3, 2012 at 5:00 p.m. Motion carried.

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Ladena M. Wyckoff, Deputy County Clerk

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Rick Shaffer, Chairman