

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 April 21, 2015, at 5:00 p.m.

Chairman 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:

Allen J. Balog  
Donald Eaton

Rick Shaffer  
John L. Dobberteen

Absent: Robin Baker

Also present: Pat Yoder, Administrator/Controller and Joni Smith, Finance Director.

#### AGENDA

Chairman Dobberteen stated that he will move the Resolution honoring Nancy Percival to the first item under new business.

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

#### MINUTES APPROVED

It was moved by Commissioner Eaton and supported by Commissioner Balog that the minutes for April 7, 2015 be approved. Motion carried.

#### COMMUNICATIONS

1. Copy of letter from Michigan Department of Treasury to Camoplast Crocker, LLC, Re: Revocation of Industrial Facilities Exemption Certificate No. 2005-642.
2. Copy of letter from Colon Village and Colon Township to Michigan Department of Agriculture, Re: Proposed Poultry Facility.
3. Letter from Michigan State Housing Development Authority, Re: St. Joseph County's 2012 CDBG Grant.
4. Letter from U.S. Fish and Wildlife Service, Re: Placement of northern long-eared bat as a threatened species.
5. Letter from Michigan Department of Environmental Quality, Re: Invitation to attend the Governor's Recycling Summit on May 5, 2015.
6. Minutes of the Commission on Aging Board meeting of March 18, 2015.

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

#### CITIZENS' COMMENTS

Kay Hokanson, 11242 Oak Avenue, Three Rivers stated that the County's roads and bridges need to be fixed. She said that the Road Commission wants to go to the voters to ask for 3 mills; the State wants to increase the sales tax by 1 cent which is on the May 2015 ballot; and Three Rivers Schools is asking for almost 2 mills on the May ballot and she believes that all of them will be defeated. She wants the Board of Commissioners to transfer one million dollars from the Tax Payment Fund for urgent needs for the Roads.

Rebecca Shank, 385 S. Washington, Constantine stated that the Board found out when they were investigating the idea of giving money to Trine University a few years ago that County funds must be used for the benefit of the whole County. The County has allocated \$2.6 (through the Building Authority) to building a South County Senior Center.

She suggests that the County match those funds to repair the roads which will benefit all of St. Joseph County as our roads continue to deteriorate.

Julie Pioch, MSU Interim Regional Administrator, gave an update on the Ag position in St. Joseph County. Candidates were interviewed on Monday and the committee travelled to 3 farms asking for feedback. She is hopeful that the search will be successful and maybe someone can be offered the position this week or next.

She also mentioned that she has some literature from MSU that explains the pros and cons of the State Ballot Proposition that is on the May 5th ballot that she will leave with Mr. Yoder.

Tony Meyaard reminded folks that the *Dancing with the Stars* event (he is a participant) will be held this Friday at the Three Rivers Middle School benefitting the CA/N Council.

RESOLUTION NO. 8-2015  
PROCLAMATION HONORING NANCY PERCIVAL

Commissioner Shaffer read the following resolution:

WHEREAS, Nancy Percival has been a resident of St. Joseph County since 1972; and

WHEREAS, Nancy Percival has been a Colon Village Trustee for fifteen years; and

WHEREAS, Nancy served as a Community Action Board Member for eight years; and

WHEREAS, Nancy has participated in the Community Action Walk for Warmth for twenty-five years, dedicating her time by attending local meetings to collect donations and spread the word about Walk for Warmth; and

WHEREAS, thanks to the efforts of Nancy Percival and other participants, the 2015 Nancy Percival Walk for Warmth raised over \$7,000 for St. Joseph County residents who need assistance paying their utility bills.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners recognizes and expresses grateful appreciation for the many, many years of devoted service that Nancy Percival has given to the citizens of St. Joseph County.

BE IT FURTHER RESOLVED, that this resolution be spread upon the proceedings of the St. Joseph County Board of Commissioners this 21st day of April and be presented to Nancy with sincere thanks.

Commissioner Shaffer and Chairman Dobberteen presented the resolution to Ms. Percival and thanked her for her service.

Michelle Williamson, Executive Director of the Community Action Agency, also presented Ms. Percival a Certificate of Appreciation for raising funds this year and Consumers Energy matched our funds so there is a total \$15,900 raised.

It was moved by Commissioner Shaffer and supported by Commissioner Balog that the resolution be adopted and second reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Resolution adopted.

## CENTRAL DISPATCH ANNUAL REPORT

Dennis Brandenburg, Central Dispatch Director, gave an overview of the combined 2013 and 2014 annual report. He mentioned that many dispatchers were in attendance and thanked them for all of their hard work.

He gave a timeline of all of the staff turnovers during 2013 and 2014. Mr. Brandenburg stated that he is retired from the Sheriff's Department and worked at Central Dispatch for 11 years and last year when the director's position was open he was strongly encouraged by many to apply. He was appointed Director on October 27, 2014 and they are not quite up to full capacity as far as Telecommunicators yet. They are down 3 full time Telecommunicators.

He also spoke to the difficulties that they have encountered with the new CAD Program which is working better now thanks to the County IT Department.

He had some statistics on the calls that they received and dispatched in 2014 and encouraged the Commissioners to look at them in the report.

He thanked the following for helping him through the transition: Joni Smith; Teresa Doehring; Pattie Bender; and Pat Yoder.

He again thanked staff for their dedication and desire to do their jobs well.

It was moved by Commissioner Eaton and supported by Commissioner Balog that the Central Dispatch Annual Report be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

## COMMUNITY ACTION AGENCY - UPDATE ON PROGRAMS

Ms. Williamson stated that the Community Action Agency serves the Counties of St. Joseph, Branch, Barry and Calhoun.

They manage many programs for those less fortunate: utility assistance; pre-school to 4 years old; food commodity boxes among many other programs one of them being the Community Development Block Grant Home Rehabilitation and home repair emergency programs. She mentioned Joni Smith has been very helpful in getting clients to participate in these programs.

Commissioner Shaffer, who is a Board member of CAA, stated that they have recently experienced growth pains in staff. He thanked Ms. Williamson for developing and realigning the staff and she has met the demands very well. He thanked the staff and stated that it was privilege to serve on the Board.

## CHILD CARE FUND - FY 2014-2015 BUDGET AMENDMENT

Tom Robertson, Juvenile Court Director/Referee, requested an amendment to the 2014-2015 Child Care Budget asking for an increase of \$245,000. They have had an inordinate amount of juveniles that have been institutionalized since October of 2014. He stated that it is a difficult number to predict how many will be detained and they do not detain them if they do not have to.

Don Happel, Juvenile Supervisor/Referee, and Probate Judge David Tomlinson, explained these unusual circumstances that have happened and how the juveniles needed immediate consequences. They have an arrangement with a facility in Calhoun County that gives us a discounted rate per day.

Mr. Robertson went on to explain that if the budget amendment is approved the expenditures are reimbursed at 50% by the State when the funds are used. If the funds are not needed they will not be used, but if they are needed and not approved in the budget by the County then the expenses are paid at 100% by the County.

Chairman Dobberteen remarked that this budget is at \$1,067,000 if this amendment is approved which puts the County on the hook for a half a million dollars. He then asked about foster care as he believes that the Board would rather give more money for this than to detain kids.

Judge Tomlinson stated that some of these kids are already on probation and when they violate that it gets their attention to detain them. He asked what message does it send not to punish them by detaining them, they have tried everything else and believes that there is no other alternative.

Mr. Robertson stated that he believes that this is an anomaly this year.

Mr. Happel stated that as of tomorrow they will only have two remaining in detention. Their goal is always to reunify the juveniles with their family.

Commissioner Eaton asked Mr. Robertson and Judge Tomlinson at the Executive Committee meeting last week to get some costs on building our own facility, manning and maintaining it. Mr. Robertson stated that he is expecting a call tomorrow from a facility that can give him some cost estimates.

After further discussion it was moved by Commissioner Shaffer and supported by Commissioner Eaton that this matter be tabled.

The motion was withdrawn.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the Child Care budget amendment be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

INTERGOVERNMENTAL FUNDING AGREEMENT WITH VAN BUREN COUNTY  
FOR 2014 HOMELAND SECURITY GRANT

Mr. Yoder requested approval of an Agreement with VanBuren County for them to act as our fiduciary for the 2014 Homeland Security Grant.

It was moved by Commissioner Shaffer and supported by Commissioner Balog that the Intergovernmental Funding Agreement with VanBuren County be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

REMONUMENTATION CONTRACT WITH SOUTHWEST SURVEY & ENGINEERING, LLC

Mr. Yoder presented a remonumentation contract for approval and it was subsequently moved by Commissioner Eaton and supported by Commissioner Balog that the Remonumentation Contract with Southwest Survey & Engineering, LLC be approved.

The aye and nay vote was called as follows:

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

CAMPGROUND ATTENDANT AGREEMENT WITH CHRISTOPHER O'ROURKE

It was moved by Commissioner Shaffer and supported by Commissioner Eaton that an Agreement with Christopher O'Rourke to be the Cade Lake Campground Attendant be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

CADE LAKE PROJECT  
WATER AND SEWER EXPANSION, ENGINEERING AND MAIN UPGRADE

Mr. Yoder requested approval to move forward with expanding water and sewer services at Cade Lake Park and connect to the Burr Oak force main which then flows to the City of Sturgis system for a cost of \$160,000.00 which includes the expansion, engineering and main upgrade.

It was moved by Commissioner Eaton and supported by Commissioner Balog that the Cade Lake Project as stated above be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

NOTTAWA PARK  
PROPOSAL FOR SEWAGE DISPOSAL SYSTEM DESIGN

Jaymes MacDonald, Parks and Recreation Director, requested approval for a proposal for an engineer to design a septic system at Nottawa Park and Campground for a cost of \$3,000.00. He saved over \$3,000.00 building the bridge at Hoshel Road Park.

It was moved by Commissioner Balog and supported by Commissioner Eaton that the request as stated above be approved. Motion carried.

Commissioner Eaton remarked on Mr. MacDonald's passion for the parks and that he is doing a great job.

INTERLOCAL AGREEMENT TO FORM A JOINT ENDEAVOR WITH BERRIEN COUNTY

The Clerk requested approval of an Interlocal Agreement with Berrien County to share their server for a new jury management system.

It was moved by Commissioner Eaton and supported by Commissioner Balog that the Interlocal Agreement with Berrien County as explained above be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

SOFTWARE SUBSCRIPTION AND SERVICE AGREEMENT WITH  
COURTHOUSE TECHNOLOGIES, LTD.

The Clerk requested approval of a software subscription and service agreement with Courthouse Technologies for a new jury management system that was approved in the 2015 budget.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the agreement stated above be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

PROPOSAL FROM NATIONAL CENTER FOR STATE COURT  
COURT FACILITY NEEDS ASSESSMENT AND SPACE PLANNING

Mr. Yoder requested approval to have the NCSC conduct a comprehensive planning, needs assessment and feasibility study of a proposed Courts Building addition. A small committee consisting of District Judge Pattison; Tab Wedge, District Court Administrator; and Kathy Griffin, Circuit Court Administrator has been appointed to work with NCSC. The cost is \$72,500 and they would begin soon and we would have a finished product in 6 months which would include a work plan and budget.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the County contract with NCSC as stated above.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Motion carried.

RESOLUTION NO. 9-2015

RESOLUTION SUPPORTING THE  
JONES REGIONAL CONSERVATION PLAN

Mr. Yoder requested approval of the following resolution:

WHEREAS, the St. Joseph County Board of Commissioners recognizes the importance of protecting groundwater and surface waters, preserving agriculture, open space, and rural character; promoting and attracting tourism, contributing to the local economy and providing recreational opportunities to meet the needs of St. Joseph County residents; and

WHEREAS, the State of Michigan's Department of Natural Resources Wildlife Division's Jones State Game Area (SGA) encompass 6,300 acres of natural area, which includes the Three Rivers State Game Area located in St. Joseph County and the broader project area that includes Constantine, Fabius, and Flowerfield Townships; and

WHEREAS, the Jones SGA is an incredible asset for outdoor recreational uses including hunting, fishing, mushroom-hunting, bird-watching and many others; and is situated in close proximity to other recreational amenities including Swiss Valley Ski Area, Cass County's T.K. Lawless Park and numerous camps and campgrounds; and

WHEREAS, the greater Jones Region provides significant recharge to groundwater resources, and contains wetlands and other surface waters that form five separate watersheds in a region with highly productive agricultural areas, and more than twenty-five lakes and thirty headwater streams; and

WHEREAS, the Southwest Michigan Land Conservancy and regional conservation partners seek to enhance the Jones Region by protecting additional wildlife habitat, identifying a regional system of greenways; buffer protected wildlife areas with beneficial habitat on private lands; expand habitat for state-threatened, native grassland birds and the federally-endangered Mitchell's satyr butterfly; and protect and buffer important regional waterways such as Curtis Creek, one of the few recognized Brown trout fisheries supported by natural production; and

WHEREAS, to further conserve the natural resources of this region, the Southwest Michigan Land Conservancy, a nonprofit 501(c)(3) land conservancy established in 1991 to conserve the natural, cultural and historical resources in nine counties of southwest Michigan has convened regional conservation partners including governmental and non-governmental conservation groups, business owners, farmers, and landowners to create a Conservation Plan to identify and implement land conservation and restoration activities for the greater Jones Region.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners endorses the Jones Regional Conservation Plan and the further protection of the unique and critical natural resources within and around the Jones State Game Area to ensure the long term viability and health of this significant open space resource in St. Joseph and Cass Counties.

Mr. Yoder explained that the County is a partner regarding the Regional Conservation Plan and by adopting this resolution grants will be easier to obtain.

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

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Balog, Eaton, Shaffer and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Baker.

Resolution adopted.

#### PERSONNEL REPORT

Mrs. Doehring presented the following report:

#### RESIGNATION:

Lorin Padgurskis, Telecommunicator Trainee, has resigned effective April 8, 2015.

Lea Lackey, Central Dispatch Supervisor, has resigned effective May 4, 2015.

#### TEMPORARY/SEASONAL EMPLOYMENT:

Edward Chupp has been hired as seasonal Cade Lake Park Maintenance at \$9.00/hr. effective April 29, 2015.

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

FINANCE DIRECTOR'S REPORTS

Mrs. Smith presented the following reports:

Budget Amendments

COUNTY FACILITIES MAINTENANCE FUND:

Increase Budgeted Use of Fund Balance (406-253-676.000)	\$ 15,000.00
Increase Land Improvements (406-253-974.000)	\$ 15,000.00

GENERAL FUND:

Increase Information Technology Seminar & Employee Training (101-258-862.000)	\$ 1,200.00
Increase Budgeted Use of Fund Balance (101-390-676.000)	\$ 1,200.00

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

Per Diem

Robin Baker - 6 half days 3/18, 3/26, 4/1, 4/15 x 2 & 4/16/15	\$ 300.00
Allen Balog - 10 half days 3/18 x 2, 3/19, 3/26, 3/31, 4/9, 4/14, 4/15 x 2 & 4/16/15	500.00
John Dobberteen - 10 half days 3/23, 3/24 x 3, 3/26, 4/2, 4/7 x 2, 4/10 & 4/15/15	500.00
Rick Shaffer - 6 half days 3/18, 3/19, 3/25, 3/31, 4/1, 4/6 & 1 full day 3/23/15	<u>395.00</u>
	\$ 1,695.00

Expenses

Robin Baker	\$ 111.55
Allen Balog	81.08
John Dobberteen	57.50
Rick Shaffer	<u>148.35</u>
	\$ 398.48

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

Financial Statement

	Revenues	Expenditures
Year to Date - March 31, 2015	\$ 3,186,787.46	\$ 3,895,360.03
Available Balance - Revenues & Expenditures	\$ 13,268,719.54	\$ 12,560,146.97
Percent of total budgeted funds earned year to date	19.37%	
Percent of total budgeted funds expended year to date		23.67%

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

COMMITTEE REPORTS

Law Enforcement

Commissioner Eaton stated that the Committee had not met.

Judiciary

Commissioner Eaton stated that the Committee had not met.

Physical Resources

Commissioner Balog stated that the Committee had not met.

Executive/Committee of the Whole

Chairman Dobberteen stated that the Committee met on April 16, 2015 and everyone has a copy of the minutes.

Animal Advisory Committee

Commissioner Shaffer stated that there has been a lot of discussion behind the scenes by the Animal Advisory Committee on whether there should be a new Animal Control facility built or whether the current facility should be remodeled.

On May 13, 2015 at 5:00 p.m. in the History Room, Melissa Fitzgerald, Animal Control Officer in Otsego County will give a presentation to the Committee and Commissioner Shaffer is encouraging all the Commissioners to attend as well.

COMMISSIONERS' COMMENT

Commissioner Eaton stated that he has strong opinions regarding the Community Mental Health and Substance Abuse Services (CMHSAS) Board's budgeting and board interactions. He made a motion to hire a consultant that is familiar with Community Mental Health to let us know what the statutory obligations are. The motion died for lack of support.

Commissioner Balog stated that he needs more information but he does have concerns.

Commissioner Eaton said that he would like the consultant to look at empire building and board interactions. CMHSAS has a 17 million dollar operating budget and it makes sense to take a look at it.

Commissioner Shaffer stated that he agrees with where Commissioner Eaton is coming from but would rather have this issue come to the Committee of the Whole.

Chairman Dobberteen stated that the State has combined Community Health and the Department of Human Services and he appointed a Committee of Commissioners Balog and Shaffer to look at the possible combination of the Community Health and CMHSAS and maybe it's time that that Committee gets going.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that Mr. Yoder seek out a consultant that would assist in defining the operations including the financials of both the Community Health and CMHSAS agencies. Motion carried.

Chairman Dobberteen stated that another item that may be looked into is dissolving the authority status of the CMHSAS realizing that that may take up to a year.

ADJOURNMENT

At 6:09 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Eaton that the St. Joseph County Board of Commissioners adjourn until May 19, 2015 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John L. Dobberteen, Chairman