

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 June 3, 2014, at 5:00 p.m.

Chairman Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge of Allegiance to the flag was given.

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

Allen J. Balog
Robin Baker

Rick Shaffer
John L. Dobberteen

Absent: Donald Eaton

Also present were Pat Yoder, Administrator/Controller; Elishia Arver, Deputy Administrator/Human Resources Director; and Joni Smith, Finance Director.

AGENDA

Commissioner Eaton was present at this time.

Chairman Dobberteen stated that the Cade Lake Agreement would be added to the agenda along with a one-time allocation to Community Mental Health in the amount of \$168,311.46. Commissioner Baker asked that an appointment of Edith Doenges to the Parks and Recreation Commission be added to the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the minutes for May 20, 2014 be approved. Motion carried.

COMMUNICATIONS

1. Letter from U.S. Environmental Protection Agency, Re: Congratulations on St. Joseph County being selected for Brownfields Assessment Grant.
2. MAC Legislative Update of May 30, Re: St. Joseph County awarded \$200,000 for community-wide assessment of petroleum brownfields sites.
3. Letter from Michigan Public Service Commission, Re: Notice of public hearing on June 4, 2014 to consider Indiana Michigan Power Company's application to reconcile its Energy Optimization Plan costs and revenues.
4. Resolution from Alger County, Re: Opposing the development of an underground nuclear waste facility near Kincardine, Ontario.
5. Minutes of the Community Action Board meeting of April 28, 2014.
6. Minutes of the St. Joseph River Basin Commission meeting of March 4, 2014.

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

CITIZENS COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville asked if the Board has a rule against someone being on the agenda and said that he wanted to be on the agenda of a Board Meeting and asked how he could do that.

Chairman Dobberteen stated that he should contact his Commissioner and let him know why he wanted to be on the agenda and the Board will determine if the reason is worthy.

Mr. Carls went on to say that pit bulls killed two of his hogs and two more pit bulls killed some rabbits down the road from where he lives.

He stated that the Road Commission must be involved in a Ponzi scheme and likened it to the Board of Commissioners discussion from a few years ago saying that they were ready to hand money to a college that was not even in this State.

2013 AUDIT

Dave Fisher, Auditor from the firm of Rehmann Robson, gave an overview of the 2013 Audit. He stated that they audited all of the significant systems i.e. payroll; accounts payable; purchasing; Treasurer's office. He stated that the County's Fund Balance was \$8.2 million at the end of 2013 which is 56% of our budget which is very, very good. He stated that real and personal property taxes make up 61% of the revenue for the County.

Mr. Fisher further stated that the County has no long term debt and all other funds, including Special Revenue Funds, have a positive fund balance which is very good.

He went on to say that when the County receives over \$500,000, which we do, in Federal funds; a Single Audit of those funds must be completed that meets 14 federal compliance areas. There were no findings; no costs were questioned; and all reports were clean.

Mr. Fisher stated that the County is in very good shape. The records are also in good shape and we comply with the Chart of Accounts and we had minimal journal entries. They had no difficulties in performing the audit.

One recommendation that they are making is that a written manual of Policies and Procedures should be developed which will be a federal requirement in 2015.

After comments from Commissioner Eaton he made a motion to accept the County's Audit and the Single Audit, Commissioner Shaffer supported the motion and it carried.

Mr. Fisher thanked all of the department managers for their assistance in conducting the audit.

COUNTY TREASURER'S ANNUAL REPORT FOR 2013

Judith Ratering, County Treasurer, introduced her staff saying that they are the best especially over the last two years as they have worked through some issues. She spoke on the following topics: General Duties; Highlights; Step Forward Michigan; Delinquent Taxes; Foreclosure Report; and Auction Proceeds.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the County Treasurer's Annual Report for 2013 be accepted. Motion carried.

COUNTY MILLAGE RATE REQUEST

Tony Meyaard, Equalization Director, requested approval of the following 2014 millage rates. He stated that it is the same as last year, but will have to be amended depending on whether or not the three proposals on the ballot pass or fail. There are no units that have fractions.

- Allocated - Operating 4.5482
- Extra Voted - Roads 0.9932
- Extra Voted - 911 0.5000
- Extra Voted - COA 0.7500
- Extra Voted - Transportation 0.3300

It was moved by Commissioner Eaton and supported by Commissioner Baker that the County Millage Rate Request by the Equalization Director be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton, Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

INTERGOVERNMENTAL AGREEMENT WITH KALAMAZOO COUNTY
FOR ADMINISTRATION OF MICHIGAN WORKS!

Mr. Yoder recommended that the following resolution be adopted stating that this is a renewal of a resolution that we currently have with Kalamazoo County.

RESOLUTION NO. 9-2014

WHEREAS, the State of Michigan (hereinafter known as the State) set forth guidelines establishing Michigan Works! Areas (MWA's), and

WHEREAS, the State of Michigan has established a system of Workforce Development Boards to carry out workforce development programs and other workforce development initiatives at the local level for the purpose of providing policy direction, and

WHEREAS, the Governor of the State of Michigan has designated the County of Kalamazoo and the County of St. Joseph, to be the Kalamazoo-St. Joseph Michigan Works! Area, and

WHEREAS, the State of Michigan policy is for each Michigan Works! Area to identify a Grant Recipient and an Administrative Agency and Fiscal Agency, (also referred to as the Michigan Works! Agency or "Administrative and Fiscal Agent), and

WHEREAS, the State of Michigan, or its designated department, policy requires that at a minimum, Interlocal Agreements address the liability for disallowed costs relating to all state and federal workforce development funds received from the State, and

WHEREAS, Public Act No. 8 of 1967, Ex. Sess., permits two "political subdivisions" to enter into a contract providing for the transfer of certain functions and responsibilities to one another as a means of implementing state and federal workforce development programs, and

WHEREAS, the specific functions and responsibilities of these entities are established in accordance with this agreement between the Workforce Development Board (WDB), the Kalamazoo County Board of Commissioners and the St. Joseph County Board of Commissioners, so

NOW THEREFORE LET IT BE RESOLVED, that the Board of Commissioners of Kalamazoo County and the Board of Commissioners of St. Joseph County by concurrent resolution enter into this agreement for the purpose of identifying the Grant Recipient and Administrative and Fiscal Agent for the Kalamazoo-St. Joseph Michigan Works! Area and transfer of functions and responsibilities delineated as follows:

1. FUNCTIONS/RESPONSIBILITIES TRANSFERRED

The St. Joseph County Board of Commissioners (for the County of St. Joseph) transfers to the Kalamazoo County Board of Commissioners (for the County of Kalamazoo) the functions and responsibilities assigned to the entity termed "Grant Recipient" as defined in Section 117(c)(1)(B) of the Workforce Investment Act of 1998 and further clarified in State of Michigan policy issuances.

For purposes set forth, herein, the Kalamazoo County Board of Commissioners shall be designated as the Grant Recipient for the Kalamazoo-St. Joseph Michigan Works! Area. As Grant Recipient, the County of Kalamazoo

- a. is responsible for the administration of workforce development plans and grants assigned to the Kalamazoo-St. Joseph Michigan Works! Area in such a manner as determined to be most advantageous to the Kalamazoo-St. Joseph Michigan Works! Area;

- b. is the legal entity which will receive funds directly from the State of Michigan for purposes of carrying out functions described in the approved workforce development grants, plans and/or contracts; and
- c. is held ultimately liable for federal and state funds expended and, as a general purpose political subdivision of the State, has sufficient assets to offset any future liabilities/debts which may arise from operations within the Kalamazoo-St. Joseph Michigan Works! Area.

2. DURATION OF OPERATION

This agreement is entered into for the period July 1, 2014 through June 30, 2016, by and between the County of Kalamazoo and the County of St. Joseph. This agreement shall be reviewed at least every two (2) years.

3. AMENDMENTS TO THIS AGREEMENT

Revisions, amendments or alterations to this agreement may be executed at any time by written notice of one party to the other specifying: the basis of the revision, amendment or alteration; substitute language to be added, changed, or deleted; and the effective date for such revision, amendment or alteration. Under normal procedures it is agreed however, that revisions, amendments or alterations be initiated and acted upon during the biennial planning process and that such changes would be effective with the beginning date of the next biennial agreement.

4. EMPLOYEE TRANSFER, REASSIGNMENT OR BENEFIT ADJUSTMENTS

This agreement is executed solely for the purpose of establishing the entities that will be responsible as the Grant Recipient and Administrative and Fiscal Agent and will not result in the transfer, reassignment or other treatment of individuals employed with the County of Kalamazoo or the County of St. Joseph for the purpose of fulfilling obligations set forth in this agreement.

5. PROPERTY

Properties, as defined by the U.S. Department of Labor, real or personal, acquired through the operation of the Kalamazoo/St. Joseph Michigan Works! System shall be vested with the Grant Recipient except where title is vested with the State of Michigan or U.S. Department of Labor. All procurement and/or disposition of property used in the administration of programs and activities for the Kalamazoo-St. Joseph MWA shall proceed in accordance with the Michigan Works! Area procurement procedures as required by the State.

6. FINANCING

Unless otherwise noted, responsibilities and functions transferred or reassigned as a result of this agreement are done so without any financial contribution or other remuneration of one party to the other.

7. OTHER LEGAL, FINANCIAL AND ADMINISTRATIVE ARRANGEMENTS

Except as defined below there are no other legal, financial or administrative arrangements required to effectuate the terms and conditions of this agreement.

- a. **Administrative and Fiscal Agent** (also known as the Michigan Works! Agency) - The organization designated by this agreement to be responsible for staffing the Kalamazoo-St. Joseph Workforce Development Board, committees of the Board and the conduct of the day-to-day administrative operations of local programs, as required by the State of Michigan, shall be the W.E. Upjohn Institute for Employment Research, Employment Management and Services Division.

The Director, or designee, for the Michigan Works! Agency shall, by this agreement, be authorized to sign legal documents not otherwise required to be signed by the Grant Recipient's Chief Elected Official.

- b. **Chief Elected Official** - The Chief Elected Official (A.K.A. Local Elected Official - LEO) is the individual authorized to sign legal documents on behalf of the Kalamazoo-St. Joseph Michigan Works! Area. The Chairman of the Kalamazoo County Board of Commissioners is the Chief Elected Official for the Kalamazoo-St. Joseph Michigan Works! Area.
- c. **Reporting** - Copies of official documents relating to workforce development programs and activities conducted for the Michigan Works! System, will be provided to the Grant Recipient. In addition, the Administrative and Fiscal Agent will provide periodic status reports to the Kalamazoo and St. Joseph Counties Boards of Commissioners.

- d. **Resource Distribution** - Unless specifically designated by a program or funding source, resources made available to the Kalamazoo-St. Joseph WDB shall be allocated to each county consistent with each county's share of the economically disadvantaged population within the Kalamazoo-St. Joseph Michigan Works! Area.
- e. **Monitoring of Resource Distribution** - Resource distribution will be monitored based on the percentage of participants served from each county unless the source of program funds dictates another basis for distribution.
- f. **Conflicting Statutory Provision** - If any provision of this agreement conflicts with any statute of the State of Michigan providing for the authorization or performance of joint undertakings between public agencies of this State, the provision of such statutes shall control.
- g. **Severability** - If any sections, subsections, sentence, clause, phrase or portion of this agreement is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.
- h. **WDB Nominations** - Nominations to fill vacancies on the Kalamazoo-St. Joseph Workforce Development Board will be solicited from representative organizations by the WDB. The WDB will review and recommend appointments to the respective County Board of Commissioners. Final certification of WDB membership rests with the State of Michigan. Composition of the Kalamazoo-St. Joseph WDB is as follows:
 - i.
 - (1) A majority of the seats will be filled by private sector representatives.
 - (2) Non-private sector seats will be filled to comply with legislation or to ensure representation of significant segments within the Michigan Works! Area.
 - (3) The Board will consist of no more than 31 members of which approximately 25% will be representative of St. Joseph County.

- 8. **JOINT BOARD OF COMMISSION**
 - a. This agreement does not establish any such board or commission, or establish duties or memberships for the purpose of executing the terms and conditions of this agreement beyond those specified in this agreement. The member body established for oversight responsibilities for workforce development programs and activities for the Kalamazoo-St. Joseph Michigan Works! Area shall be the **Kalamazoo-St. Joseph Workforce Development Board** (WDB).
 - b. Establishment of the Workforce Development Board, and WDB Bylaws for the execution of responsibilities for the Grant Recipient, Workforce Development Board and Administrative and Fiscal Agent shall be in written form and confirmed at least biennially by the Kalamazoo County Board of Commissioners, the St. Joseph County Board of Commissioners and the Workforce Development Board.

- 9. **SIGNATURES**
The effective date of this agreement shall be July 1, 2014.

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

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton, Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Resolution adopted.

WORKFORCE DEVELOPMENT BOARD AGREEMENT AND BYLAWS

Mr. Yoder recommended approval of the Workforce Development Board Agreement and Bylaws.

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the Workforce Development Board Agreement and Bylaws be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton, Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

OUT-OF-STATE TRAVEL REQUEST FROM CIRCUIT COURT

Mr. Yoder stated that a request has been received from Circuit Judge Statesman for Circuit Court Administrator, Kathryn Griffin, to attend the National Association of Court Management's Annual Conference in Scottsdale, Arizona from July 12, 2014 to July 18, 2014. She is the President of the State Association and her expenses up to \$1,500 are paid by the Association. He is asking for funds to pay for a possible few meals and cost of transportation to and from the airport.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the out-of-state travel request made by the Circuit Judge be approved. Motion carried.

REQUEST TO FILL VACANT FRIEND OF THE COURT POSITION

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the request to fill a vacant Friend of the Court position be approved. Motion carried.

CADE LAKE

Mrs. Arver presented for approval an agreement with Richard Dell who will be the campground attendant at Cade Lake.

It was moved by Commissioner Shaffer and supported by Commissioner Baker that the agreement with Richard Dell to be the attendant at Cade Lake be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton, Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

COMMUNITY MENTAL HEALTH APPROPRIATION

Mr. Yoder stated that CMH is requesting an appropriation from the County in the amount of \$168,311.46 because of the lack of State funding.

Much discussion followed and it was pointed out that St. Joseph County is the 2nd lowest in receiving State funding for Mental Health Services. We receive \$10.32 per capita funding while Cass County receives \$86 and Branch County \$136.00. The Counties that have an excess can no longer give it to the counties that have a shortage of funds. We do have one patient that requires \$400,000 per year for their care.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the \$168,311.46 appropriation to CMH be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Balog, Eaton, Shaffer, Baker and Dobberteen.

Nay votes cast: 0

Motion carried.

Liz O'Dell, Executive Director of CMH, will be asked to come to the next Commission meeting.

Commissioner Eaton was excused at this time.

NOMINATIONS/APPOINTMENTS

Parks and Recreation Commission

It was moved by Commissioner Baker and supported by Commissioner Shaffer that Edith Doenges be nominated and appointed to the Parks and Recreation Commission to fill a vacancy and her term will expire January 1, 2016. Motion carried.

ADMINISTRATOR'S REPORT

Mr. Yoder stated that he has been communicating with Kevin McDonough from WGN in Chicago regarding potential ads and marketing tools that we could possibly use to attract people to this area. He is waiting to receive more information from him.

Mr. Yoder also stated that he is working with Matt Wolf from Cornerstone Construction regarding developing RFPs for Architects and Engineers for the Commission on Aging Building in Sturgis.

PERSONNEL REPORT

Mrs. Arver presented the following report:

RETIREMENT:

Terry Hammond, Corrections Sergeant, will retire effective May 31, 2014.

RESIGNATION:

Renea Edson, COA In-home Services Assistant, has resigned effective June 6, 2014.

NEW HIRE:

Randy Fall has been hired as Sub Meals Driver at \$9.09/hr. (COA system, grade 1, step 1) effective May 27, 2014.

TEMPORARY/SEASONAL EMPLOYMENT:

Andrew S. Whitmyer has been hired as seasonal Park Maintenance at \$8.00/hr. effective May 23, 2014.

DECEASED:

Tracey L. Butler, FOC Child Support Paternity Investigator, deceased May 27, 2014.

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith presented the following report:

Budget Amendment

REGISTER OF DEEDS AUTOMATION FUND:

Increase Computer Software (256-236-985.000)	\$ 3,000.00
Increase Budgeted Use of Fund Balance (256-236-676.000)	\$ 3,000.00

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

Bills

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State & Miscellaneous	\$ 1,341.68	\$
Appropriations	29,426.39	
County Commission		3,097.36
Circuit Court	2,343.24	14,814.72
District Court	2,460.38	56,640.48
Friend of the Court	45.92	38,254.25
Jury Commission	92.92	
Probate Court	147.90	17,774.24
Juvenile Branch	4,800.41	34,331.67
Appeals Court	51.70	
Public Defender	39,166.67	
Administration	-10.03	12,647.54
Elections	1,114.05	
Finance Department	11,957.79	10,901.67
County Clerk	25,966.72	27,680.94
Equalization Department	1,557.81	8,590.26
Human Resources	2,279.19	10,864.16
Geographic Information Systems	220.64	8,494.49
Prosecutor's Office	11,001.55	34,964.85
Register of Deeds	244.18	8,685.36
County Treasurer	147.20	16,081.97
Cooperative Extension	28.46	6,067.10
Information Technology	1,552.29	13,037.71
Buildings & Grounds	4,960.06	12,607.28
Courts Building Security	137.00	7,196.04
Drain Commission	360.26	7,090.90
Sheriff Department	7,647.93	96,217.68
Sheriff Reserves	370.60	
Marine Patrol		212.62
Jail & Turnkey	9,008.64	107,746.46
Animal Control	476.48	8,500.45
Medical Examiners	3,257.16	
Child Care - Juvenile	2,070.86	
Veterans' Services	21.28	1,971.76
Grant Writer	53.76	4,418.76
Utilities & General Services	21,194.54	
Total General Fund	\$ 185,495.63	\$ 568,890.72

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Parks & Recreation	\$ 760.73	\$ 5,906.66
Emergency 911 Service	5,238.05	72,247.65
Central Dispatch - Wireless	1,411.24	7,076.59
Meyer Broadway/Coon Hollow Park	744.62	3,674.08
Family Counseling	25.00	
Cade Lake Park	6,524.20	2,025.97
Waste Management Fund	8,017.50	
Register of Deeds Automation Fund	3,000.00	
Victims' Rights Advocate Fund	48.72	3,377.98
Community Corrections Advisory Board	2,625.00	3,068.76
Community Corrections Program	558.00	75.81
Drug Law Enforcement Fund	3,799.96	
Law Enforcement Fund		7,718.11
Secondary Road Patrol		9,643.05
Homeland Security Grant Fund		1,608.72
County Law Library	457.84	
Commission on Aging	37,209.56	72,442.93
SCAO Swift & Sure Grant	11,518.46	
Child Care: Probate Court & DHS	27,617.50	17,028.14
Veterans' Trust Fund	7,473.78	
County Facilities Maintenance Fund	3,808.00	
Forfeiture & Foreclosure Fund	3,195.93	
Tax Payment Fund	86,501.45	
Inmate Store Fund	338.39	
Three Rivers Community Center	1,552.07	658.03
Long Lake Level Revolving - Fabius	29.16	
Flexible Benefits Insurance Fund	207,362.61	
Trust & Agency	<u>4,337,119.23</u>	
 Total Other Funds	 \$ 4,756,937.00	 \$ 206,552.48
 Grand Total	 \$ 4,942,432.63	 \$ 775,443.20

<u>Expenditure Type</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating	\$185,495.63	\$4,756,937.00	\$4,942,432.63
Payroll	<u>568,890.72</u>	<u>206,552.48</u>	<u>775,443.20</u>
	\$754,386.35	\$4,963,489.48	\$5,717,875.83

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the bills be approved for payment. 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 Balog stated that the Committee had not met.

Executive/Committee of the Whole

Chairman Dobberteen stated that the Committee had not met.

CITIZENS COMMENTS

Del Martin, Fabius Township, stated that he was here a month or so ago and asked about the \$10 million in the Delinquent Tax Fund and why it could not be used to fix the roads and received no answers from the Commissioners. The Administrator sent him a letter regarding road funding and bumped him off too.

He did get a letter from the State that answered his question. Mr. Martin added that the taxpayers pay the Commissioners' salaries and he does not know why they will not answer questions.

Rebecca Shank, 12320 Corey Lake Road, Fabius Township, stated that the observation platform has recently been installed in the Coon Hollow Preserve and expects it to attract tourists to the area.

She stated that the Silliman historical museum at 116 S. Main Street in Three Rivers will be open during the Three Rivers Water Festival on June 13th and June 14th and the blacksmith will be at the forge on those days. She invited all to attend. She then referred to a letter that was in the Sturgis Journal last Saturday from the *Holland Sentinel* regarding the differing opinions of politicians and the voters. The voters believe that the top priority should be roads. She also mentioned the Road Summit that was held last week and the Board of Commissioners were missed. They distributed a brochure that was very helpful.

ADJOURNMENT

At 5:55 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until June 17, 2014 at 5:00 p.m. Motion carried.

Pattie S. Bender, St. Joseph County Clerk

John L. Dobberteen, Chairman