

Regular Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held in the Commissioners' Room, Courthouse at the Village of Centreville, Michigan on November 17, 2009, at 5:00 p.m.

Vice-Chairman Robin Baker 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

Absent: 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 Dunlap and supported by Commissioner Loudenslager that the agenda be approved. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the minutes for November 3, 2009 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, November 6 and November 13, 2009.
2. Letter from the Michigan Public Service Commission, Re: Notice of hearing on December 8 to consider the application of Indiana Michigan Power Company regarding rates for 2010.
3. Letter from Muskegon County, Re: Passage of Muskegon County Clean Indoor Air Regulation on August 11, 2009.
4. Resolution from Lake County, Re: Opposing a veto of MSUE and MAES funding from the State of Michigan.
5. Resolution from Lake County, Re: Requesting their economic development projects are included in the 2010 Comprehensive Economic Development Strategy Annual Report of the West Michigan Shoreline Regional Development Commission.
6. Resolution from Oakland County, Re: Requiring Oakland County to participate in the Federal E-Verify Program.
7. Resolution from Allegan County, Re: Opposing Senate Bill 787 (Reduction of Circuit Judgeships.)
8. Resolution from Allegan County, Re: Supporting the nomination of Route 31 (Blue Star Highway) as a Heritage Route.
9. Resolution from Allegan County, Re: Funding Obligations–State Mandated Services.
10. Minutes of the Commission on Aging meeting of October 21, 2009.

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

PUBLIC HEARING ON 2010 BUDGET

Vice-Chairman Baker declared the public hearing opened on the 2010 budget.

Anita Trayling, 500 Anthony Drive, Centreville spoke regarding an article written by Christy Paul that said that layoffs are not good without the restructuring of the organization, not to mention the expertise lost and the stress for those that remain.

Sharon Barrett, 108 W. Market, Centreville spoke in favor of not laying off the Park Ranger.

Maury Kaercher, MSUE Director, spoke on behalf of Brad Neumann, Land Use Educator. Mr. Neumann's position has been eliminated in the 2010 proposed budget. Mr. Kaercher stated that he appreciates the challenges that the Board has with declining revenues. He asked the Commissioners what kind of footprint that they might leave when they are no longer Commissioners stating that Mr. Neumann has already left a footprint in the commitment that he has and the work that he has done in many areas in St. Joseph County. The real reward of Mr. Neumann's employment here has just begun. They have worked hard to find funding for 1/3 of the position. Mr. Neumann has a young, well respected mind and he was hoping that the Board was not looking at a short term fix, but encouraged them to look long term to those that will affect our future.

Bruce Snook, 620 Pine Street, Three Rivers also spoke on behalf of saving the employment of Brad Neumann reading a letter previously provided to the Board regarding the St. Joseph County Land Use Council of which Mr. Snook is a member. He stated that the LUC's mission is to raise awareness of countywide land use through communication and education lauding Mr. Neumann as instrumental in launching their group and he has also played an important role in supporting these efforts. He encouraged the Board to re-look at Mr. Neumann's proposed layoff.

Linda Baker, 56850 Haines Road, Three Rivers stated that she has been an employee here since 1985 and she would like the opportunity afforded to the union to do something other than layoffs, like concessions. She would like the chance to explore some possibilities including insurance options.

Vice-Chairman Baker declared the public hearing closed.

ANIMAL CONTROL'S 2008 ANNUAL REPORT

Tom Miller, Animal Control Officer, stated that he normally begins his report with a funny story, but said that it was a very solemn night tonight and stated that he would miss the expertise of the employees that are being laid off and acknowledged how tough it is to be the Administrator and a County Commissioner.

This year his report includes the annual report from 1998, 2007 and 2008. During the last 10 years their revenues have steadily increased.

In the near future he would like to cleanup some verbiage in the Animal Control Ordinance and he also wants to raise a couple of fees, but not so much that people cannot afford to pay them.

He also stated that 2009 is on target to collect approximately the same amount of fees as they did in 2008.

Mr. Miller added that they are visible throughout the County and that helps people become compliant. The euthanasia rate is higher than he would like, but stated that 99% of the dogs that are brought in or picked up as strays already have problems and are virtually unadoptable. They also offer euthanasia as a service for those that cannot afford to have a veterinarian to provide the service. He stated that the cost is \$25 for euthanasia and \$10 for disposal.

He also mentioned that few altered dogs are strays.

Commissioner Loudenslager stated that he is doing an excellent job.

Commissioner Shaffer asked if they are selling dogs and do volunteers transport them.

Mr. Miller stated that they have about 6 places that the volunteers can now transfer dogs to and further stated that they would be a weaker organization without the volunteers. They no longer sell dogs for research and have not for a long time. There are fewer and fewer places to sell dogs anyway.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the 2008 Animal Control's Annual Report be accepted. Motion carried.

LICENSE AND KENNEL FEE INCREASES

Mr. Miller is recommending that the dog license fees for intact dogs be increased from \$10 to \$15 and leave the altered at \$5; also increase each type of kennel permit \$10. Mr. Miller stated that our fees are low compared to some other counties.

He also stated that kennel fees are only for those that are in the business to raise, train or board dogs.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the license and kennel fees be increased as recommended effective December 1, 2010.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Pueschel and Ware.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

COMMUNITY CORRECTIONS GRANT FOR 2009-2010

Judge Middleton stated that the Animal Control Officers do a good job and agreed with Mr. Miller that this is a solemn night.

He stated that this is the 20th year for the Community Corrections grant. The programs that are funded are Anger Management; Community Service; Domestic Violence; Case Management – Cognitive Change; CSC; Shoplifting Alternative; Women in Jail; Substance Abuse; Twin County Probation Center; and the Day Reporting Center.

Through the years 24,000+ jail and prison beds have been saved. The State's Community Corrections funding has been up and down over the years but they do have allocations through next year. In 2011 it is likely to be worse for the Courts and Community Corrections.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Community Corrections Grant for 2009-2010 be approved.

Commissioner Loudenslager, who serves on the Community Corrections Advisory Committee, stated that the programs offered through Community Corrections are very cost effective and Judges Middleton and Stutesman are doing a fantastic job.

In answer to a question, Judge Middleton stated that different counties have different programs and some counties have no programs at all. He has met with people from Branch County and they cannot seem to get one started. Judge Middleton also mentioned that in a lot of counties there is no communication between the Judicial, Executive and Legislative branches of government like we have.

Commissioner Shaffer asked about the effect that the recently deceased former director of the Probation Center, Harry Eberhard, had on the Community Corrections program. Judge Middleton stated that he was on the Board from its inception until he retired a few years ago and he was very instrumental in getting the programs started especially the Probation Center and also the Day Reporting Center.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Pueschel and Ware.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

PIERCE PROPERTY DEMOLITION

Ms. West-Wing stated that 6 bids were received for the demolition of some buildings on the Pierce property ranging from \$5,160.00 to \$14,600.00. She is recommending that we accept the bid from Roberts Bros. Excavating, Inc., for \$5,160.00.

It was moved by Commissioner Dunlap and supported by Commissioner Ware that the bid on the demolition of the Pierce Property be awarded to Roberts Bros. Excavating., Inc. for \$5,160.00.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Pueschel and Ware.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

SHERIFFS ADMINISTRATION EMPLOYEE CONTRIBUTION TO MERS

Ms. West-Wing stated that this resolution is to reaffirm our position regarding the Sheriff's Administration Employee's contribution to MERS. There are currently 5 people in this group and that will be 4 after the first of the year when Jim Barnes retires. Currently their contribution is 7.7% and it will increase January 1st to 8.16%.

The following resolution was presented:

RESOLUTION NO. 18-2009

MERS RETIREMENT
EMPLOYEE CONTRIBUTION FOR
SHERIFFS ADMINISTRATION GROUP

WHEREAS, the Board of Commissioners adopted Resolution 23-2005 on November 15, 2005 which increased the MERS retirement benefits for the positions included under the MERS Sheriff Administration (20) division, specifically Sheriff, Undersheriff, Jail Administrator and Emergency Services Coordinator; and

WHEREAS, the Board of Commissioners created an additional administrative position in January 2009 titled 'Operations Administrator' and placed that position in the Sheriff Administration (20) division; and

WHEREAS, the position of Emergency Services Coordinator will no longer be included in this division or any other division as of January 15, 2010; and

WHEREAS, Resolution 23-2005 stated "the employee contribution rate shall be 7.70% continuing until such time as the employee contribution rate of the division known as 'Police Department (2)' exceeds this amount at which time the Sheriff Administration (20) division shall pay the equivalent of the employee contribution for division 2. The minimum contribution for the Sheriff Admin group shall never be less than 7.70%"; and

WHEREAS, MERS administrative staff has indicated they need an additional resolution from the Board of Commissioners restating their previous directive for Sheriff Administration (20) division employee contributions; and

WHEREAS, MERS has established the 2010 employee contribution rate for the employees covered under the Police Department (2) division at 8.16%.

NOW, THEREFORE BE IT RESOLVED, the employee contribution rate for those covered under the Sheriff's Administration (20) division of MERS shall be the same rate as that for the Police Department (2) division until and if that rate drops below 7.70% and then the Sheriff's Administration (20) division rate will again be capped at no lower than 7.70%.

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

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Pueschel and Ware.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Resolution adopted.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Loudenslager stated that there was no report.

Physical Resources

Commissioner Dunlap stated that there was no report.

Executive Committee

Vice-Chairman Baker stated that the Executive Committee discussed agenda items for today after the work session on November 12th and the meeting scheduled for the 13th was cancelled. Everyone has a summary of that discussion and asked if anyone had any questions.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Kristen Carpenter will change from part-time to full-time Telecommunicator at \$14.56/hr. effective November 17, 2009.

James Edward Rangler, Corrections Officer, is on medical leave commencing November 4, 2009 under the Family and Medical Leave Act of 1993.

NEW HIRES:

James Vicalvi has been hired as Substitute Nutrition HDM Driver at \$9.01/hr. (COA, grade 2, minimum) effective November 16, 2009.

Cindy Sussdorf has been hired as Substitute Nutrition HDM Driver at \$9.01/hr. (COA, grade 2, minimum) effective November 13, 2009.

Fredrick Dunnington has been hired as Nutrition HDM Driver at \$9.01/hr. (COA, grade 2, minimum) effective November 17, 2009.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE DISTRICT COURTS BUDGET:

Line item 101-136-806.000 (Jury Fees) \$ 265.00

INCREASE DISTRICT COURTS BUDGET:

Line item 101-136-984.000 (Computer Hardware) \$ 265.00

DECREASE DISTRICT COURTS BUDGET:

Line item 101-136-860.060 (Translator) \$ 600.00

INCREASE DISTRICT COURTS BUDGET:

Line item 101-136-980.000 (Equipment) \$ 600.00

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

FINANCE DIRECTOR'S REPORTS

Dan Carey, Finance Director, presented the following report:

Per Diem

Robin Baker—7 half days 10/22, 10/28 x 2, 10/29, 10/30, 11/11 & 11/17/09 & 2 full days 11/4 & 11/12/09	\$ 540.00
Michael Dunlap—4 half days 10/28, 11/4, 11/10 & 11/12/09 & 2 full days 10/22 & 10/23/09	390.00
Gerald Loudenslager—7 half days 9/22, 10/7, 10/19, 11/5, 11/9, 11/10 & 11/12/09	350.00
David Pueschel—3 half days 10/21, 10/22 & 10/29/09	150.00
Rick Shaffer—3 half days 10/28, 11/10 & 11/12/09	150.00
Jerry Ware—4 half days 10/29, 10/30, 11/4 & 11/12/09	<u>200.00</u>
	\$1,780.00

Expenses

Robin Baker	\$ 272.80
Michael Dunlap	103.95
Gerald Loudenslager	33.55
David Pueschel	17.60
Rick Shaffer	28.60
Jerry Ware	<u>66.00</u>
	\$ 522.50

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

Financial Statement

	Revenues	Expenditures
October	\$ 1,549,749	\$ 1,665,196
Year to Date	11,872,309	11,641,804
Period Fund Balance	(\$135,447.00)	
Year to Date	\$210,505.00	
Percent of budget year elapsed year to date.	83.88%	
Percent of total budgeted funds earned year to date	79.51%	
Percent of total budgeted funds expended year to date	78.10%	

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

CHAIRMAN'S REPORT

Vice-Chairman Baker stated that none of the Commissioners enjoy taking peoples' jobs away and further stated that this has been one of the hardest decisions that the Board has had to make. It is not pretty and it is not sweet, but it is something that they felt that they had to do. He stated that they are not looking forward to 2011 as it is predicted that the state's finances will be even worse. He said that they hope and pray that they are not, but they have to move forward.

MISCELLANEOUS

Commissioner Pueschel stated that he does not like these times and they have struggled with the decisions that they have made.

Commissioner Shaffer echoes Vice-Chairman Baker's comments.

Commissioner Loudenslager also echoed the Vice-Chairman's comments and added that this is not a fun or easy time.

Commissioner Dunlap stated that their decisions are in no way a reflection of these employees as all are valuable and further stated that these are somber times and are hard things to do.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until December 1, 2009 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Vice-Chairman