

Regular Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held in the Commissioners' Room, Courthouse in the Village of Centreville, Michigan on November 19, 2013 at 5:00 p.m.

Chairman John Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge of Allegiance to the American Flag was given.

The Deputy County Clerk, Phyllis Lung, called the roll and the following Commissioners were present:

Allen Balog	Rick Shaffer
Donald Eaton	Robin Baker
John Dobberteen	

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

AGENDA

Commissioner Shaffer asked that the agenda be amended to include a reappointment and a nomination to the Animal Control Shelter Advisory Board. It was moved by Commissioner Balog and supported by Commissioner Eaton that the agenda be approved as amended. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Eaton that the minutes for November 5, 2013 be approved. Motion carried.

COMMUNICATIONS

- Minutes of the Commission on Aging Board meeting of October 16, 2013.

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

CITIZENS COMMENTS

Gordon Evilsizor, 17770 Stears Road, Florence Township Supervisor, was present to follow up with his concern of the roads in Florence Township. He distributed an estimate of the cost of repairs on 10 segments of roads in Florence Township provided by the Road Commission. He said given the cost involved, Florence Township cannot afford to do the repairs entirely, but he feels they are not safe to drive on and that help is needed.

PUBLIC HEARING ON THE 2014 BUDGET

Chairman Dobberteen declared the public hearing on the 2014 budget open.

There being no comments, Chairman Dobberteen declared the Public Hearing closed at 5:08 p.m..

AMEND APPORTIONMENT REPORT

Tony Meynard, Equalization Director, presented the Amended Apportionment Report. He said a couple of things had changed since the first report that was recently approved: one being the Constantine School millage that passed earlier this month and needed to be levied in 2013 and the Drain Commissioner's Special Assessments were also added. There was also a clerical error that had been made in one of the township's figures and had been corrected.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Amended Apportionment Report be adopted.

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.

2012 ANIMAL CONTROL ANNUAL REPORT

Tom Miller, Animal Control Director, gave an overview of the 2012 Animal Control Annual Report. He said the bottom line was that revenues were up this year; \$132,650.75 compared to \$116,966.97 in 2011. Mr. Miller gave a statistic on the one of most concern to many people, that being the number of dogs euthanized, which had gone down from 181 in 2011 to 111 in 2012. He said overall the figures were fairly consistent.

Mr. Miller said they had completed the first full year of having the Animal Advisory Council. One area that concerned Mr. Miller was the criticism of his staff during Commission meetings' Citizens Comments. He thanked all the volunteers, Walmart and particularly Laura Lee Knepper who was present. Mr. Miller also added that the website and other sources showcasing the Animal Shelter are more user friendly and they are serving the people.

Following is the report:

Total Complaints	1,226
Dogs Received	691
Cats Received	137
Bites	67
Livestock	60
Running at Large	306
Misc.	21
Dogs Adopt/Reclaim	407
Dogs Euthanized	111
Dogs Transferred	143
Dog/Kennel Licenses	\$ 88,693.50
Board Redemptions	8,122.00
Bonds	14,500.00
Pickup/Euth/Rental	1,105.00
Misc. Revenues	138.91
Donations	<u>20,091.34</u>
Total	\$ 132,650.75

Commissioner Shaffer thanked him for a great report and commended Mr. Miller for attending the Advisory Council meetings. Commissioner Eaton echoed the same and asked if the increase in license fees had made a difference in the number that had been purchased or had there been more delinquencies. Mr. Miller responded that there were 1,283 licenses purchased in 2011 and 1,193 in 2012 with an increase seen in the spayed and neutered licenses. He said the decrease may be affected by the economy or that higher license fees sometimes lead to more non-compliance.

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the 2012 Animal Control Annual Report be accepted. Motion carried.

LETTER OF UNDERSTANDING WITH E-911 TELECOMMUNICATORS' ASSOCIATION

Mr. Yoder presented the Letter of Understanding with E-911 Telecommunicators' Association. The current language only allows for one swing shift position. The new language will allow for the Director to utilize two employees for swing shifts.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the Letter of Understanding with E-911 Telecommunicators' Association 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.

MERS SUPPLEMENTAL VALUATION

Mr. Yoder presented the MERS Supplemental Valuation. The request is for \$1,300 for MERS to do actuarial work on Divisions 02 and 20 to review a possible combination of the two divisions to one larger group.

It was moved by Commissioner Baker and supported by Commissioner Balog that the MERS Supplemental Valuation 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.

REQUEST TO FILL VACANT JUVENILE DIVISION DIRECTOR/REFEREE POSITION

It was moved by Commissioner Eaton and supported by Commissioner Baker that the request to fill the vacant Juvenile Division Director/Referee position be filled by Tom Robertson. Motion carried.

RESOLUTION AUTHORIZING THE SAW GRANT AGREEMENT RESOLUTION NO. 12-2013

Commissioner Shaffer presented the following resolution:

Minutes of the regular meeting of the Commission of the County of St. Joseph, County of St. Joseph, State of Michigan, (the "Municipality") held on November 5, 2013.

Present: Members: 5

Absent: Members: 0

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (*select one or more*)

establish an asset management plan, establish a stormwater management plan, establish a plan for wastewater/stormwater, establish a design of wastewater/stormwater, pursue innovative technology, or initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$225,000.00 (“Grant”) be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Drain Commissioner, a position currently held by Jeffery J. Wenzel, is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

It was moved by Commissioner Eaton and supported by Commissioner Baker that the resolution be adopted and the 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.

EMERGENCY MANAGEMENT GRANT

Mr. Yoder introduced Scott Hopkins, Emergency Management Director, who presented a grant proposal for \$1,500 from the Sturgis Area Community Foundation for funds to purchase ham radios and a repeater. This equipment is used by volunteer amateur radio operators who have the credentials to assist with the weather agencies in the event our current equipment may fail. The total cost of the project is \$3,460.00.

It was moved by Commissioner Baker and supported by Commissioner Eaton that the grant proposal from Sturgis Area Community Foundation for \$1,500.00 be approved. Motion carried.

NOMINATIONS/APPOINTMENTS

Workforce Development Board

It was moved by Commissioner Baker and supported by Commissioner Shaffer that Jim Finan and Mark Robinson, both Private Sector, be nominated and appointed to the Workforce Development Board for the remainder of a two-year term to expire December 31, 2013 and another two-year term to expire December 31, 2015 and that Cathy Knapp, Virginia Kowalski and Kelly Presta be reappointed to the Workforce Development Board for two-year terms expiring December 31, 2015. Motion carried.

Central Dispatch Policy Board

It was moved by Commissioner Eaton and supported by Commissioner Baker that Deb Leyes be nominated and appointed to fill a vacancy representing the General Public for a term to expire December 31, 2014.

Board of Public Works

It was moved by Commissioner Baker and supported by Commissioner Eaton that David Miars be reappointed to the Board of Public Works for a three-year term to expire January 1, 2017. Motion carried.

Animal Control Shelter Advisory Board

It was moved by Commissioner Baker and supported by Commissioner Eaton that Bev Levett be reappointed to the Animal Control Shelter Advisory Board for a three-year term to expire December 31, 2016 and Laura Barley be nominated and appointed to fill a vacancy for a term to expire December 31, 2014. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the committee had not met.

Judiciary

Commissioner Eaton stated that the committee had met this last week.

Physical Resources

Commissioner Balog stated that the committee had not met.

Committee of the Whole

Chairman Dobberteen stated that the Committee of the Whole met on November 14, 2013 and everyone has a copy of the minutes.

PERSONNEL REPORT

Mr. Yoder presented the following report:

RESIGNATION:

Bryan Hughey, part-time Telecommunicator, has resigned effective November 8, 2013.

Terry Evans, Juvenile Division Director/Referee, has resigned effective November 8, 2013.

Donna Schrock, temporary part-time, last day worked was November 1, 2013.

NEW HIRE:

Thomas J. Robertson has been hired as Juvenile Division Director/Referee at \$71,289.00 (Rye system, grade 12, maximum) effective November 19, 2013.

Joann F. Barlow has been hired as COA Administrative Secretary at \$13.58/hr. (COA system, grade 6, minimum) effective November 1, 2013.

Dena Bontrager has been hired as COA Home Care Aide at \$10.49/hr. (COA system, grade 3, minimum) effective November 15, 2013.

Amber Notestine has been hired as COA Home Care Aide at \$10.49/hr. (COA system, grade 3, minimum) Effective November 15, 2013.

DISMISSAL:

Dorothy Phelps, Home Care Aide, has been dismissed effective November 15, 2013.

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

BUDGET AMENDMENT

GENERAL FUND:

Increase County Clerk Microfilm/Microfiche Expense (101-215-732.000)	\$ 13,000.00
Decrease Contingency (101-890-941.000)	\$ 13,000.00

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

FINANCE DIRECTOR'S REPORT

Ms. Smith presented the following reports:

Per Diem

Robin Baker - 9 half days 10/10, 10/16 x 2, 10/21, 11/05, 11/06, 11/07, 11/13, 11/14 & 2 full days 10/24 & 10/28/13	\$ 640.00
Allen Balog - 11 half days 10/16, 10/17, 10/21, 10/23, 10/24, 11/04, 11/08, 11/12, 11/13, 11/14 & 11/18/13	550.00
John Dobberteen - 9 half days 10/21, 10/24, 11/05, 11/07, 11/08, 11/12, 11/14, 11/18, 11/19 & 2 full days 10/28 & 10/30/13	640.00
Don Eaton - 14 half days 7/16, 7/12, 7/18, 8/07, 8/13, 8/14, 8/16, 9/10, 9/13, 10/11, 10/14, 10/18, 10/21 & 11/13/13	700.00
Rick Shaffer - 7 half days 10/16, 10/22, 10/31, 11/05, 11/06, 11/13 & 11/18/13 & 1 full day 10/28/13	<u>445.00</u>
	\$ 2,975.00

Expenses

Robin Baker	\$ 354.25
Allen Balog	136.16
John Dobberteen	256.51
Don Eaton	108.48
Rick Shaffer	<u>224.87</u>
	\$ 1,080.27

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

Finance Statements

	Revenues	Expenditures
Year to Date - October 31, 2013	\$ 12,071,010.67	\$ 12,175,498.32
Available Balance - Revenues & Expenditures	\$ 3,082,086.33	\$ 2,977,598.68
Percent of total budgeted funds earned year to date	79.66%	
Percent of total budgeted funds expended year to date	80.35%	

It was moved by Commissioner Eaton and supported by Commissioner Baker that the finance statements be accepted. Motion carried.

Independent Contractor Agreement

It was moved by Commissioner Eaton and supported by Commissioner Shaffer that the Independent Contractor Agreement with Adams Excavating, Inc. for snow removal of all the County's parking lots be approved.

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

Nay votes cast: 0

Motion carried.

CHAIRMAN'S REPORT

Chairman Dobberteen said he hoped everyone was spared damage from the storm Sunday evening. He also mentioned that he could appreciate Mr. Evilsizer's comments on the condition of the roads. Chairman Dobberteen said that the Road Commission might want to consider a millage proposal next year.

Chairman Dobberteen expressed his condolences to Commissioner Baker on the loss of his brother. His sentiment was echoed by the other Commissioners.

COMMISSIONERS' COMMENTS

Commissioner Eaton commented on the condition of the County roads. He said it would be in the best interest if all the parties could collaborate.

ADJOURNMENT

At 5:30 p.m. it was moved by Commissioner Shaffer and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until December 3, 2013 at 5:00 p.m. Motion carried.

Phyllis Lung, Deputy County Clerk

John Dobberteen, Chairman