

Organizational 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 January 7, 2003, at 5:00 p.m.

County Clerk, Pattie S. Bender, acting as Temporary Chairman, called the meeting to order.

The Invocation was given by the Clerk.

The Pledge to the American Flag was given.

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

District #1
Eric Shafer
19524 Crescent Beach Road
Three Rivers, MI 49093

District #2
Gerald E. Loudenslager
23194 Van Resort Drive
Mendon, MI 49072

District #3
John W. Bippus
150 E. Michigan Avenue
Three Rivers, MI 49093

District #4
Robin Baker
14936 Roberts Shores Road
Constantine, MI 49042

District #5
Monte Bordner
68730 County Farm Road
Sturgis, MI 49091

District #6
David J. Pueschel
66421 Sherman Mills Road
Sturgis, MI 49091

District #7
John L. Dobberteen
400 S. Monroe
Sturgis, MI 49091

Also present were Judy West-Wing, Administrator/Controller and Dan Carey, Finance Director.

ELECTION OF CHAIRMAN

The Temporary Chairman stated that nominations were in order for Chairman.

Commissioner Bippus nominated Commissioner John L. Dobberteen.

Commissioner Pueschel nominated Commissioner Gerald L. Loudenslager.

Commissioner Loudenslager nominated Commissioner Monte Bordner.

Commissioner Bordner stated that he respectfully declined the nomination.

The Clerk asked for any further nominations. There being none she declared the nominations closed.

A roll call vote was taken and 4 votes were tallied for Commissioner Dobberteen and 3 votes were tallied for Commissioner Loudenslager.

The Clerk declared Commissioner Dobberteen elected and he assumed the Chair.

ELECTION OF VICE-CHAIRMAN

Chairman Dobberteen asked for nominations for Vice-Chairman.

Commissioner Bippus nominated Commissioner Monte Bordner for Vice-Chairman and moved that nominations be closed and a unanimous ballot cast for Commissioner Monte Bordner as Vice-Chairman. Commissioner Shafer supported the motion and it carried.

AGENDA

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the agenda be approved. Motion carried.

MINUTES APPROVED

The Clerk stated that on page 288 of the December 17, 2002 minutes "Motion carried" was omitted after the motion under Workforce Development Board.

Commissioner Bordner stated that on page 276 under Remonumentation Fees that the last sentence was incorrect.

As stated:

"Commissioner Bordner stated that he had not made contact with the surveyor since the last meeting and it was okay with him to proceed."

As corrected:

"Commissioner Bordner stated that since the last meeting that he had made contact with the surveyor that had left a message with him and the discussion was on a matter other than the proposed change in the remonumentation fees."

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the minutes for December 17, 2002 be approved as amended. Motion carried.

COMMUNICATIONS

1. Letter from Sturgis Police Department, Re: Meeting with the Michigan Department of Transportation on January 9, 2003.
2. Letter from Michigan Association of Counties, Re: MAC 2003 Legislative Conference, February 9 - February 11, 2003.
3. Christmas Card from Miller Design Group, Inc.
4. Minutes of Commission on Aging Board meeting of November 20, 2002.
5. Minutes of Family Independence Agency Board meeting of November 26, 2002.
6. Animal Control's Monthly Report – October and November 2002.
7. Key Person Committee Agenda for January 15, 2003.

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

MEMORANDUM OF UNDERSTANDING

St. Joseph County Conversion to Michigan Child Support Enforcement System 2.4

William Thistlethwaite, Friend of the Court, was present to request approval of a Memorandum of Understanding between the State and the County.

For purposes of background information, Mr. Thistlethwaite stated that in 1988 the federal government enacted legislation requiring each State to develop a central system of accounting for child support payments. Michigan worked on this for 10 years and still had not complied. Beginning in 1999 the federal government began imposing sanctions on Michigan to the tune of \$30 million because they had not complied. The State was granted a reprieve until September 30, 2003 in order for them to begin installing the new system in each County.

This Memorandum of Understanding is for this installation. Mr. Thistlethwaite stated that there is no financial impact on the County. The State pays all costs including all equipment, the installation costs, training and overtime if used to get the data ready for the conversion.

When the new system is installed child support payments will be sent to the State and they will disburse them. The County will still do the enforcement, but will no longer handle the money.

Mr. Thistlethwaite also stated that when the conversion is made (we are scheduled for late August) that the Commissioners may get calls from clients that wonder why they have not received their child support.

When they call the Friend of the Court Office for this information they will be giving them a toll free number to call at the State.

Hopefully this new system will allow the Friend of the Court Office to concentrate their efforts on the support enforcement instead of handling money.

Employers and clients will be dealing with only one State office when it comes to child support and the disbursement of the money.

Commissioner Bippus asked if the County would be saving money because the people that currently take in and process payments will no longer have to do this.

Mr. Thistlethwaite responded by saying that 2 of the 3 people that take in support currently are being retrained to be support enforcement clerks and will assist the caseworkers in support enforcement. The 3rd person will handle the remaining duties in collection because the clients can still pay here. There will also still be a bank account to reconcile.

He also mentioned that the Cooperative Reimbursement Contract that we have with the State would not be reduced at this time. We will still be receiving the funds that we are currently.

Commissioner Bippus asked that he keep the Board updated as progress is made. Mr. Thistlethwaite is glad that we will be one of the last counties to make the conversion and hopes that all the bugs are worked out by then.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the Memorandum of Understanding with the State of Michigan be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

CADE LAKE PARK PLAN - REQUEST FOR ADDITIONAL FUNDS

Dave Rachowicz, Parks and Recreation Director, stated that Landscape Architects have been contracted to develop the Cade Lake Master Plan. They are well underway and hopefully there will be some preliminary sketches available by the end of this month. There are three items that were overlooked when we contracted with Landscape Architects and he apologizes for this oversight.

The three items are:

- 1 - soil borings
- 2 - a wetland assessment
- 3 - a topographical map of the property

These three items will be used during the current process and also during the design phase of the project. As they were continuing with the process they realized that by doing these 3 things that it will help expedite the process. Hopefully the property will be available for the public to use by the spring of 2004 and by doing these 3 items it will help achieve that goal.

Commissioner Pueschel believes that the Architect should have known what was needed at the beginning.

Mr. Rachowicz stated that the site design can be completed without these 3 items, but with these items the plan will be much more accurate and hopefully time and money will be saved in the next phase of the project.

Commissioner Bordner stated that this lends to the professionalism of the architect. They looked at the wetland area and the potential that could be used for walk trails, etc., and the potential of getting a boardwalk out into the lake for fishing. There are issues with DEQ and this information is critical in order to know how and where the boardwalk may be located. If we are going to have a comprehensive plan that could be used well into the future it is pretty important that we have this information now.

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that funds be allocated up to \$7,875 in order to obtain the soil borings, a wetland assessment and a topographical map for Cade Lake Park.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner and Dobberteen.

Nay votes cast: 1 - Commissioner Pueschel.

Motion carried.

CONTRACT DEFENDER SYSTEM AGREEMENT

Ms. West-Wing recommended approval of the Contract Defender System Agreement. The Agreement is for 2003 in the amount of \$325,000; 2004 in the amount of \$362,500; and 2005 in the amount of \$400,000.

She explained that in items #10 and #14, the way of getting indigents to pay has changed. Attorneys used to bill for the time that they expended per indigent and effective last July, the District Court is trying to get the indigent to pay a set fee at the beginning of the case instead of determining the cost at the end of the case. This language was added and the original language was held in abeyance pending the success or failure of the new collection procedure. The County reserves the right to re-institute the former language at any time during the length of the contract and if the new system is successful the old verbiage will be deleted from the next contract.

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the Contract Defender System Agreement be approved for 2003, 2004 and 2005 for the stated amounts.

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

EMPLOYMENT AGREEMENT ADDENDUM FOR PATRICIA KANE-McGUIRE

Ms. West-Wing stated that Patricia Kane-McGuire is the jail nurse practitioner and she works a minimum of 35 hours per week. This addendum only changes the contract by increasing her salary 3% to \$59,090 per year beginning January 6, 2003.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the Employment Agreement Addendum for Patricia Kane-McGuire be approved.

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

SET MEETING DATES

It was moved by Commissioner Bippus and supported by Commissioner Loudenslager that the meeting dates be set for the first and third Tuesdays of each month beginning at 5:00 p.m. Motion carried.

DISTRICT HEALTH APPROPRIATION
RESOLUTION NO. 1-2003

Commissioner Bordner presented the following resolution:

WHEREAS, St. Joseph County is a member of the Tri-County Board of District Health; and

WHEREAS, St. Joseph County has budgeted \$366,002.00 in 2003 to finance a portion of the Board of District Health; and

WHEREAS, it would be convenient and appropriate to make transfers in an orderly fashion.

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer of St. Joseph County be respectfully directed to make regular and equal transfers for 2003 around the 1st of every month in the amount of \$30,500.16 with a final transfer of \$30,500.24.

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

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Resolution adopted.

FAMILY INDEPENDENCE AGENCY
RESOLUTION NO. 2-2003

Commissioner Bordner presented the following resolution:

WHEREAS, St. Joseph County appropriates monies for St. Joseph County Family Independence Agency and St. Joseph County Family Independence Agency Child Care; and

WHEREAS, St. Joseph County has budgeted \$14,200.00 for 2003 Family Independence Agency and \$90,000.00 for 2003 Family Independence Agency Child Care.

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer of St. Joseph County be respectfully directed to make the following transfers in 2003: \$90,000.00 for Family Independence Agency Child Care on January 8, 2003 and quarterly transfers in the amount of \$3,550.00 for Family Independence Agency around the first of March, June, September and December, 2003.

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

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Planning Commission

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that William Chase be appointed to the Planning Commission for a 3 year term expiring January 1, 2006. Motion carried.

Election Scheduling Committee

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that Daniel Cleveland, Barbara Redford and Tim Schuler be appointed to the Election Scheduling Committee for 2 year terms expiring January 1, 2005. Motion carried.

Road Commission

Commissioner Bordner stated he met with Chairman Dobberteen and former Chairman Loudenslager to interview 4 candidates for Road Commissioner and it is the recommendation of the Committee to nominate and appoint Barry MacDonald.

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Barry MacDonald from Mendon be nominated and appointed to a 6 year term expiring December 31, 2008.

Commissioner Pueschel asked if the current Road Commissioner, Robert Spillar, wants to be reappointed why is he not being recommended? He has had telephone calls concerning this issue.

Commissioner Bordner responded by saying that the Committee based their decision on the interview process. Each of the four applicants that were interviewed were asked basically the same questions and why they wanted to serve on the Road Commission and if they had any visions of what the position held. Based on those answers the field was narrowed to 2 and the Committee was unanimous in their decision to recommend that Mr. MacDonald be nominated and appointed to the Road Commission based on the interviews.

Commissioner Shafer stated that he too had received some telephone calls regarding this issue and stated that Mr. Spillar has been on the Road Commission for 12 years and is a professional engineer. He asked about Mr. MacDonald's qualifications and whether or not he was an engineer.

Commissioner Bordner responded by stating that everyone had received a copy of the applications and Mr. MacDonald has a wide breadth of knowledge in labor negotiations, road construction, has been a township official and interviewed for the Road Commission when there was a previous opening. He does not believe that he is an engineer.

Duane Gross, who has worked at the Road Commission for 22 years, stated that he has had the pleasure of working with Robert Spillar for the past 12 years. He has conducted himself very professionally during those 12 years and he has the same problem with Mr. Spillar being turned down. He further stated that Mr. Spillar is of sound mind and sound body and has put in 12 years of professional work and he should be considered more than he has been.

The aye and nay vote was called as follows:

Aye votes cast: 3 - Commissioners Bippus, Bordner and Dobberteen.

Nay votes cast: 4 - Commissioners Shafer, Loudenslager, Baker and Pueschel.

Motion defeated.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that Robert Spillar be nominated and appointed to the Road Commission for a 6 year term expiring December 31, 2008.

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Bippus, Baker, Pueschel and Dobberteen.

Nay votes cast: 1 - Commissioner Bordner.

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Bordner stated that there is a meeting scheduled for January 15th at noon.

Physical Resources

Commissioner Bippus stated that there was no report.

Executive Committee

Commissioner Loudenslager stated that the Executive Committee met on January 3rd and all items discussed there have been discussed tonight except for the Community Corrections Board would like to increase the hours of the Coordinator. This will probably be discussed at the next meeting.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Jeffrey C. Middleton, resigned as Prosecuting Attorney effective midnight on December 31, 2002. Jeffrey C. Middleton to begin new duties as 3B District Judge at \$138,272.00/yr. effective January 1, 2003.

Douglas Fisher, Chief Assistant Prosecuting Attorney, was appointed as Prosecuting Attorney at \$63,850.00/yr. effective January 1, 2003.

Susan Eickhoff, Office Manager, will change to District Court Judicial Secretary at \$29,411.00/yr. effective January 13, 2003.

Lonnie Palmer, Road Patrol Officer, will change to Detective at \$20.28/hr. effective January 2, 2003.

Jim Hart, Detective, will change to Detective/Sergeant at \$19.26/hr. effective January 2, 2003.

Maxine Kennedy, Court Liaison Secretary, will change to Office Manager effective January 13, 2003. (Wage to be determined.)

Charles Herman, Assistant Prosecuting Attorney, will change to Chief Assistant Prosecuting Attorney effective January 2, 2003. (Wage to be determined.)

Jaime Lego to work as part-time Transport/Court Officer at \$12.25/hr. effective January 7, 2003. (Mr. Lego is also part-time Court Security Officer.)

RESIGNATION/DISMISSAL:

Cathie Greenberg, District Court Judicial Secretary, has been dismissed effective December 31, 2002.

Steve O'Connor, part-time Court Security, has been dismissed effective January 2, 2003.

Robin Baker has resigned from part-time Corrections effective December 31, 2002.

SEASONAL/TEMPORARY EMPLOYMENT:

Cathie Greenberg to work temporary, part-time for District Court at \$8.50/hr. effective January 7, 2003.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$10,000.00 from Soil Conservation Appropriation to Soil Conservation Fund.

\$8,000.00 from Soil Conservation – Soil Erosion Appropriation to Soil Conservation – Soil Erosion Fund.

\$144,856.00 from Parks and Recreation Appropriation to Parks and Recreation Fund.

2003 BUDGET ADJUSTMENT:

DECREASE:

Line item 406-000-393.100 (Fund Balance – Designated Fairview) \$7,875.00

INCREASE REVENUE:

Line item 406-253-676.000 (Budgeted Use of Fund Balance) \$7,875.00

Line item 217-751-699.000 (Operating Transfers In) \$7,875.00

INCREASE EXPENDITURE:

Line item 406-253-999.000 (Operating Transfers Out) \$7,875.00

Line item 217-751-816.000 (Cade Lake Park – Contractual Services) \$7,875.00

INCREASE REVENUE:

Line item 244-728-676.000 (Use of Fund Balance) \$16,500.00

INCREASE EXPENDITURE:

Line item 244-728-816.000 (Contractual Services) \$16,500.00

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

BILLS

Dan Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Winter tax bond	\$ 4,543.00	\$
Employee Receivable	401.16	
Prepaid Insurance	49,219.00	
Appropriations	30,500.24	
County Commission	1,838.12	5,613.67
Circuit Court	35.60	18,163.42
District Court	1,163.59	72,251.50
Friend of the Court	4,850.37	32,420.79
Jury Commission	99.82	
Probate Court	1,657.50	18,945.18
Juvenile Branch	10,012.96	40,658.38
Appeals Court	656.59	1,046.95
Administration		9,084.93
Elections	3,989.59	
Finance Department	785.54	10,349.48
County Clerk		21,344.43
Equalization Department	25,000.00	14,513.57
Geographic Information Systems	1,125.00	6,633.45
Prosecutor's Office	5,146.58	40,825.64
Central Services	12,296.97	5,737.27
Register of Deeds	166.00	10,948.46
County Treasurer		14,503.59
Cooperative Extension	38,201.32	6,317.35
Data Processing	1,158.76	6,960.15
Buildings & Grounds	3,624.29	14,119.53
Courts Building Security		4,799.23
Drain Commission		3,195.03

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Sheriff Department	\$ 7,062.50	\$ 143,466.31
Sheriff Reserves	46.90	
Jail & Turnkey	15,149.15	90,324.13
Emergency Services	1,683.90	4,324.52
Animal Control	950.63	8,870.57
Board of Public Works	689.98	681.92
Medical Examiners	2,823.00	
Child Care - Probate	5,597.53	96.89
Department of Veterans' Affairs	600.00	
Utilities & General Services	14,650.80	
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Totals	\$ 245,726.39	\$ 606,196.34
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 530,723.78	\$
Parks & Recreation	1,577.69	6,891.13
Emergency 911 Service	26,397.81	47,535.20
Meyer Broadway/Coon Hollow Park	9,896.79	1,935.71
Friend of the Court		4,500.91
Family Counseling	1,057.50	
Cade Lake Park	5,205.91	
State Court - Caseflow Assistance	101.93	
Waste Management Fund		
County Commission	11,830.68	
Resource Recovery Program	16,994.69	524.46
Economic Development Fund	3,121.28	4,522.86
Victims' Rights Advocate Fund		3,323.39
Community Corrections Advisory Board	4,841.67	1,128.32
Community Corrections Program	315.00	387.54
Drug Law Enforcement Fund	3,234.85	
Law Enforcement Fund	89.90	40,160.55
Secondary Road Patrol		15,868.32
Law Library Fund	1,360.15	
Commission on Aging	18,833.44	48,205.15
Community Development Block Grant	3,052.30	
Family Independence Agency	100,989.95	
Child Care - Probate Court	8,673.10	2,996.46
Child Care - Family Independence Agency	19,617.71	
Veterans' Trust fund	342.91	107.65
Facilities Maintenance Fund	42,857.06	
BPW #14 Constantine Village Sewer Construction	1,234.29	
Inmate Store	285.11	
Three Rivers Community Center	1,484.49	848.03
COA Gadabouts	4,100.94	
Long Lake Level Revolving Fund	5.67	
Tax Payment Fund	9,318.19	
Flexible Benefits Insurance Fund	113,990.82	
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Totals	\$ 941,535.61	\$ 178,935.68
Grand Total	\$ 1,187,262.00	\$ 785,132.02

General Fund Operating Expenditures		
Pre-Authorized	\$245,726.39	
Accounts Payable		\$ 245,726.39
General Fund Payroll Expenditures		\$ 606,196.34
Other Funds Operating Expenditures		
Pre-authorized	\$941,535.61	
Accounts Payable		\$ 941,535.61
Other Funds Payroll Expenditures		<u>178,935.68</u>
Total Recorded for the Month		\$ 1,972,394.02

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the bills be approved for payment. Motion carried.

CHAIRMAN'S REPORT

Chairman Dobberteen thanked the Board for the confidence they placed in him by electing him Chairman. He is looking forward to this year and asked each Commissioner to give him a list on which Committees they would like to serve.

MISCELLANEOUS

Commissioner Bippus congratulated Chairman Dobberteen and Vice-Chairman Bordner on their elections and thanked 2002 Chairman Loudenslager. He also welcomed the new Commissioners. He congratulated Mr. Spillar on his election to the Road Commission. He originally voted in support of Mr. MacDonald's appointment to the Road Commission because it was a unanimous decision of the Committee. He is confident that the right decision has been made and he thanked Mr. Spillar for his service on the Road Commission.

Commissioner Shafer congratulated Chairman Dobberteen on his election as Chairman. He is looking forward to his service on the Commission and thanked everyone for the opportunity to serve.

Commissioner Bordner congratulated Chairman Dobberteen as well.

Commissioner Loudenslager congratulated Chairman Dobberteen and Vice-Chairman Bordner.

Commissioner Baker congratulated Chairman Dobberteen on his election. He also stated that he has resigned as a part time employee of the Sheriff's Department so that there is no conflict of interest.

Commissioner Pueschel stated that Chairman Dobberteen and Vice-Chairman Bordner will do a good job.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the St. Joseph County Board of Commissioners adjourn until January 21, 2003 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman