

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 8, 2008, at 5:00 p.m.

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

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

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

Eric Shafer	Gerald E. Loudenslager
Michael D. Dunlap	Robin Baker
Monte Bordner	David J. Pueschel
John L. Dobberteen	

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

ELECTION OF CHAIRMAN

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

Commissioner Dobberteen nominated Commissioner Robin Baker.

It was moved by Commissioner Loudenslager and supported by Commissioner Dobberteen that the nominations be closed and a unanimous ballot cast for Commissioner Baker for Chairman. Motion carried.

Chairman Baker thanked everyone for his election and stated that this Commission works well as a group.

ELECTION OF VICE-CHAIRMAN

Chairman Baker asked for nominations for Vice-Chairman.

Commissioner Bordner nominated Commissioner Dobberteen.

It was moved by Commissioner Bordner and supported by Commissioner Dobberteen that the nominations be closed and a unanimous ballot cast for Commissioner Dobberteen for Vice-Chairman. Motion carried.

AGENDA

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the agenda be approved. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the minutes for December 18, 2007 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, December 21, 2007.
2. Copy of letter from ITC Holdings Corporation to Colon and Mendon Villages and Colon Township, Leonidas Township, Mendon Township and Nottawa Township, Re: Requesting representatives to serve on a local citizen advisory committee regarding the electric transmission line from Mendon Substation to Batavia Station.

3. Letter from County Treasurer Phyllis Bainbridge, Re: Consistent with PA 211 of 2007, the County Treasurer has a valid bond for the year 2008 of not less than \$1,000,000.
4. St. Joseph County Conservation District's 2007 Annual Report.

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

#### CITIZEN RECOGNITION AWARD

Commissioner Shafer stated that the idea of a Citizen Recognition Award was begun by former Commissioner John Bippus and the one to be presented tonight is one of 2 or 3 that have been awarded.

He invited Doug Pagels to come forward. Commissioner Shafer stated that Mr. Pagels is a member of the Planning Commission and has been serving as Chair as well as on the Master Plan Steering Committee which he did all through the process of updating the County's Master Plan. Mr. Pagels will remain on the Planning Commission but is stepping down as Chairman.

Commissioner Shafer presented the award to Mr. Pagels.

Commissioner Bordner stated that this award was well deserved. The Updated Master Plan is getting rave reviews and will be a model used by many state-wide. He thanked Mr. Pagels for his leadership.

Commissioner Pueschel stated that Mr. Pagels works full time as a farmer and he appreciates the work that he has done on the Planning Commission.

Commissioner Dunlap stated that it is hard to get good people to serve and he appreciates Mr. Pagels' service.

#### RECYCLING INTERLOCAL AGREEMENT WITH THE CITY OF STURGIS

Ms. West-Wing stated that the City of Sturgis is getting close to the end of the 12 month recycling grant that they received through the County. The City is interested in continuing to recycle and charge up to \$2.00 per household. In order to do this the City and County needs to enter into an Interlocal Agreement.

Ms. West-Wing recommends that this Agreement be approved.

It was moved by Commissioner Dobberteen and supported by Commissioner Bordner that the Recycling Interlocal Agreement with the City of Sturgis be approved.

Commissioner Dobberteen stated that this is a milestone for St. Joseph County and commended the City for taking these steps in the recycling process.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

#### EMPLOYMENT AGREEMENT WITH PATRICIA KANE FOR JAIL MEDICAL SERVICES

Ms. West-Wing stated that this is the 9th Employment Agreement with Patricia Kane for Jail Medical Services and allows for a 2% increase in wages.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Employment Agreement with Patricia Kane for Jail Medical Services be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

SET MEETING DATES FOR 2008

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the 2008 meeting dates be set for the 1st and 3rd Tuesdays of each month at 5:00 p.m. beginning in February with 4 exceptions: April 22nd instead of the 15th; May 5th instead of the 6th; August 4th instead of the 5th; and November 3rd instead of 4th. Motion carried.

SET EXECUTIVE COMMITTEE MEETING DATES FOR 2008

It was moved by Commissioner Bordner and supported by Commissioner Dobberteen that the Executive Committee meet on the Friday before each regular Commission meeting. Motion carried.

COMMUNITY HEALTH AGENCY APPROPRIATION

Ms. West-Wing recommended adoption of the following resolution:

RESOLUTION NO. 1-2008

WHEREAS, St. Joseph County is a member of the Branch-Hillsdale-St. Joseph Community Health Agency (CHA); and

WHEREAS, on October 4, 2005 the Board of Commissioners approved quarterly transfers of \$50,375 of this appropriation to be sent to the Michigan Department of Community Health (DCH) to be used as leverage funds to capture additional federal funds to be used for services offered by the County Health Plan; and

WHEREAS, St. Joseph County has budgeted \$390,487 in 2008 to finance a portion of the Community Health Agency; and

WHEREAS, DCH has now determined that the quarterly amount shall be \$47,900 beginning with the October 2007 payment.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Treasurer is respectfully directed to make quarterly transfers to DCH of \$47,900 no later than January 7th, April 7th, July 8th, and October 6, 2008 with the last payment amount to be determined; and quarterly transfers to CHA of \$49,721.75 on or around January 7th, April 7th, July 8th, and October 6, 2008 with the last payment amount to be determined but this will not result in a combined total of more than \$390,487 for 2008.

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

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Resolution adopted.

DEPARTMENT OF HUMAN SERVICES APPROPRIATION

Ms. West-Wing recommended adoption of the following resolution:

RESOLUTION NO. 2-2008

WHEREAS, St. Joseph County appropriates monies for St. Joseph County Department of Human Services and St. Joseph County Department of Human Services Child Care; and

WHEREAS, St. Joseph County has budgeted \$8,200.00 for 2008 Department of Human Services and \$140,000.00 for 2008 Department of Human Services Child Care.

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer of St. Joseph County be respectfully directed to make the following transfers in 2008: \$140,000.00 to Department of Human Services for Child Care on January 9, 2008 and quarterly transfers in the amount of \$2,050.00 to Department of Human Services around the first of March, June, September and December, 2008.

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

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Resolution adopted.

LAKE TEMPLENE AND SAND LAKE LEVEL

There is a lake level established at Lake Templene and Sand Lake by the Circuit Court on March 30, 1972. There was no special assessment district established at that time. The Board previously petitioned the Circuit Court to establish a special assessment district and there was a Court hearing held which was adjourned to allow the Drain Commissioner to negotiate property interest issues with the owner of the property where the lake level structure is located but they were unsuccessful.

David Hassenger, Drain Commissioner, stated that he has been discussing establishing the special assessment district with the Lake Templene Property Owner's Association. After the special assessment district has been established, the Drain Commissioner is recommending that a declaratory action be filed in Circuit Court.

RESOLUTION NO. 3-2008

LAKE TEMPLENE AND SAND LAKE  
LAKE LEVEL RESOLUTION  
PURSUANT TO MCL 324.30701 et seq

WHEREAS, lake levels for Lake Templene and Sand Lake were established under the Inland Lake Level Act, formerly Act 146 of the Public Acts of 1961 on March 30, 1972, at 828.5 feet above mean sea level; and

WHEREAS, the St. Joseph County Circuit Court record for the proceedings setting the lake levels, File No.306-69, has been reviewed, with no record that a special assessment district was established; and

WHEREAS, the St. Joseph County Drain Commissioner is the delegated authority for St. Joseph County for the maintenance of the established lake levels for Lake Templene and Sand Lake; and

WHEREAS, the St. Joseph County Board of Commissioners deems it expedient to have a special assessment district established pursuant to Part 307 of the NREPA, MCL 324.30701 et seq.; and

WHEREAS, the St. Joseph County Board of Commissioners previously approved a petition to establish a special assessment district, the petition was filed and an initial hearing was held wherein the St. Joseph Circuit Court adjourned the hearing to allow the Drain Commissioner to negotiate property interest issues with the owner of property where the lake level structure is located, however said negotiations were unsuccessful; and

WHEREAS, as it is in the best interest of the Lake Templene Property Owner's Association to see a lake level special assessment district established in a fair and equitable manner, the Association has agreed to meet with the Drain Commissioner to provide information necessary in the development of a revised special assessment district boundary; and

WHEREAS, upon establishment of the special assessment district, the Drain Commissioner has recommended filing a declaratory action for the use of the property where the water control structure is located.

NOW, THEREFORE BE IT RESOLVED:

1. The Board directs the St. Joseph County Drain Commissioner, as delegated authority, to request a hearing to establish the special assessment district boundaries for Lake Templene and Sand Lake, including therein all parcels of land and political subdivisions and each parcel of land owned by the Department of Natural Resources which are benefited by the established lake levels.
2. Financing of all maintenance and improvements and costs related to the established lake level for Lake Templene and Sand Lake shall be borne by assessing the special assessment district.
3. The Board authorizes the Drain Commissioner to retain and direct the law firm of Hubbard, Fox, Thomas, White & Bengtson, P.C., to institute proceedings in St. Joseph County Circuit Court to establish and confirm special assessment district boundaries for the established lake level of Lake Templene and Sand Lake, and all costs to do so shall be borne by the District.
4. Upon the establishment of the special assessment district boundaries, the Board authorizes the Drain Commissioner to file a declaratory action in St. Joseph County Circuit Court relative to the use of property for purposes of a lake level control structure, and that the Drain Commissioner shall provide the Lake Association all relevant information as to any declaratory action prior to any action being filed.

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

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Resolution adopted.

#### COMMITTEE REPORTS

##### Law Enforcement

Commissioner Dobberteen stated that the Law Enforcement Committee had not met.

##### Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet tomorrow at noon.

##### Physical Resources

Commissioner Shafer stated that the Physical Resources Committee had not met.

##### Executive Committee

Chairman Baker stated that the Executive Committee had not met.

Parks and Recreation

Commissioner Shafer stated at the last Parks and Recreation Commission meeting that they reviewed the financial reports and they were under budget in expenses in all line items. He also reported that for the first year Cade Lake had more revenues than expenses by \$9,190.00.

Commissioner Bordner stated that the Parks and Recreation was unsuccessful in securing a grant from the Sturgis Foundation for Cade Lake and suggested that a grant be applied for through the Michigan Trust Fund.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Karen Truckenmiller, Senior Deputy District Court Clerk, is on medical leave commencing January 2, 2008 under the Family and Medical Leave Act of 1993.

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

FINANCE DIRECTOR'S REPORT

Bills

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from Employees	\$ 450.00	\$
Due from State	3,610.38	
Due from Transportation Authority	50,000.00	
Appropriations	19,493.89	
County Commission	29.84	7,257.71
Circuit Court	17,125.75	16,183.48
District Court	1,402.63	74,352.75
Friend of the Court	2,108.15	40,731.44
Jury Commission	63.58	
Probate Court	828.84	19,846.46
Juvenile Branch	13,757.20	40,590.69
Appeals Court	1,119.21	
Administration		12,065.63
Finance Department	1,134.90	13,491.34
County Clerk		22,532.69
Equalization Department		17,329.05
Human Resources	409.80	6,789.71
Geographic Information Systems	75.00	6,383.10
Prosecutor's Office	4,457.08	39,516.42
Central Services	5,279.56	6,991.24
Register of Deeds	716.86	14,772.15
County Treasurer		16,046.30
Cooperative Extension	1,278.73	8,764.77
Information Technology	3,795.32	12,233.86
Buildings & Grounds	6,762.27	16,181.58
Courts Building Security		6,226.96
Drain Commission		5,555.23
Sheriff Department	12,245.53	97,685.79

GENERAL FUNDEXPENDITURESPAYROLL

Sheriff Reserves	\$ 643.00	\$
Marine Patrol	520.00	
Jail & Turnkey	24,610.72	109,272.04
Planning Commission	5,674.01	
Emergency Services	56.03	5,391.05
Animal Control	820.73	11,340.52
Board of Public Works		637.60
Medical Examiners	2,515.00	
Child Care - Probate	9,429.68	
Department of Veterans' Affairs	900.00	
Veterans' Services	397.68	607.09
Utilities & General Services	26,618.27	
Total	\$ 218,329.64	\$ 628,776.65

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission	\$ 518,972.25	\$
Parks & Recreation	182.91	7,339.09
Emergency 911 Service	3,102.76	55,433.26
Central Dispatch - Wireless	105.00	4,162.64
Meyer Broadway/Coon Hollow Park	10,230.37	2,147.04
Family Counseling	362.50	
Cade Lake Park	141.26	
Waste Management Fund		
County Commission	12,150.46	
Traffic Safety Program Fund	356.53	
Economic Development Fund	2,155.02	8,072.28
Survey & Remonumentation Fund	9,970.00	
Register of Deeds Automation Fund	23,711.80	
Victims' Rights Advocate Fund		3,766.04
Community Corrections Advisory Board	5,701.67	5,108.40
Community Corrections Program	2,590.00	
Drug Law Enforcement Fund	2,391.73	
Law Enforcement Fund	462.05	12,890.16
Secondary Road Patrol		8,842.69
Homeland Security Grant Fund	5,807.23	
Law Library Fund	1,157.30	
Principal Residence Denial Fund		638.18
Commission on Aging	40,697.04	46,334.78
Community Development Block Grant	87,553.50	
Sheriff's Justice Training Fund	440.00	
Child Care - Probate Court	40,288.03	3,614.16
Veterans' Trust Fund	1,759.65	
Forfeiture & Foreclosure Fund	5,130.00	
Tax Payment Fund	11,007.75	
Inmate Store	621.29	
Three Rivers Community Center	2,157.48	925.52
Long Lake Revolving Fund	5.49	
Flexible Benefits Insurance Fund	171,598.23	
Total	\$ 960,809.30	\$ 159,274.24

Grand Total		\$ 1,179,138.94	\$ 788,050.89
General Fund Operating Expenditures			
Pre-Authorized	\$218,329.64		
Accounts Payable	_____		
		\$ 218,329.64	
General Fund Payroll Expenditures		\$ 628,776.65	
Other Funds Operating Expenditures			
Pre-authorized	\$960,809.30		
Accounts Payable	_____		
		\$ 960,809.30	
Other Funds Payroll Expenditures		\$ 159,274.24	
Total Recorded for the Month		\$ 1,967,189.83	

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

CHAIRMAN'S REPORT

Chairman Baker thanked everyone for re-electing him to the Chairman's post. He stated that he enjoyed last year as Chairman and said that the entire Commission works well together.

CITIZENS COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville thanked Ms. West-Wing for providing him with the 2006 Audit. He would like a government investment list. The County Treasurer will provide him with the list.

MISCELLANEOUS

The Commissioners congratulated Chairman Baker on his election as Chairman.

Commissioner Bordner drew everyone's attention to the brochures from MSUE and recommended that everyone should attend the Citizens' Planner Program if they have never done so.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Dobberteen that the St. Joseph County Board of Commissioners adjourn until January 22, 2008 at 4:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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Robin Baker, Chairman