

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 February 6, 2007 at 5:00 p.m.

Chairman Baker 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

Absent: John Dobberteen

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that the minutes for January 16, 2007 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, January 19, January 26 and February 2, 2007.
2. Letter from the City of Sturgis, Re: Notice of public hearing on January 22 to consider issuing an Industrial Facilities Exemption Certificate to Sturgis Molded Products.
3. Letter from Peter Cohl, Re: New Law on Composition of County Road Commission.
4. Letter from Peter Cohl, Re: New Law on County Board of Canvassers.
5. Letter from the Michigan Association of County Drain Commissioners, Re: Copy of the Association's quarterly magazine, *Pipeline*.
6. Resolution from Lenawee County, Re: Encouraging the State of Michigan to adopt measures to adequately regulate Confined Animal Feeding Operations.
7. Resolution from Isabella County, Re: Supporting Christine Alwood for the MAC Board member at large.
8. Minutes of the Commission on Aging Board meeting of November 15, 2006.
9. Minutes of the Department of Human Services Board meeting of December 19, 2006.
10. Minutes of the Community Mental Health Services Board meeting of December 12, 2006.
11. Minutes of the Community Action Agency Board meeting of December 18, 2006.

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

CITIZENS' COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville stated that he wrote a letter to the editor regarding the gas tax. He said that Ms. West-Wing responded to him stating that the County does not receive any sales tax on gas, however, the Road Commission does.

Mr. Carls asked if the Commissioners agreed with that response. Chairman Baker stated that this was the time for citizens' comments not questions and answers.

SET PUBLIC HEARING

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that a Public Hearing be set for the County Parks Master Plan for February 20, 2007 at 5:15 p.m. Motion carried.

REQUEST TO FILL VACANT ROAD PATROL POSITION

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the vacant road patrol position be filled. Motion carried.

REQUEST TO FILL VACANT FAMILY DIVISION CASEWORKER POSITION

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the vacant family division caseworker position be filled. Motion carried.

TRANSITION TO MERS

Ms. West-Wing stated that the Retirement Board met today to discuss the transition to MERS especially regarding the retirees. She stated that MERS pays retirees on the 18th of the month and our retirees are used to getting paid on the 1st of the month. The targeted date for the transition to MERS is the 1st of April. The Retirement Board is recommending to the Board of Commissioners that the retirees get a full monthly payment on the 1st of April and then also get a full monthly payment from MERS on the 18th of April and thereafter on the 18th of each month.

Discussion ensued regarding the possible hardship that there would be on some of the 61 retirees if they would have to wait until April 18th for the April payment. Also, mentioned was the estimated savings to the County in the first year by transitioning to MERS in the amount of \$200,000. The fund will also grow faster plus we are saving a great deal of staff time. The County would like to have a smooth seamless transition.

Commissioner Dunlap objected to the retirees getting an extra payment.

Chairman Baker stated that we created this problem for the retirees because of transitioning to MERS.

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Sturgis Bank be authorized to submit the regular retirement payment to the retirees on April 1st and that MERS be authorized to make a payment to the retirees on April 18th.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.

Nay votes cast: 1 - Commissioner Dunlap.

Absent: 1 - Commissioner Dobberteen.

Motion carried.

WALK FOR WARMTH

RESOLUTION NO. 4-2007

Commissioner Shafer read the following resolution:

WHEREAS, the hardship on low-income families is intensified by the severe impact of Michigan winter, causing limited resources to be stretched and a disproportionate share of income used to provide the simple necessity of a safe and warm home; and

WHEREAS, Federal and State resources intended to deal with these heating-related emergencies have declined dramatically in recent years and continue to decline at an alarming rate, particularly for those people who fall outside the established welfare system, those unemployed or underemployed; and

WHEREAS, the Community Action Agency of South Central Michigan, in an effort to raise money to alleviate these problems on a community level for the specific purpose of addressing heating-related emergencies, is sponsoring the annual county-wide “WALK FOR WARMTH” on Saturday, February 24, 2007 at the fairgrounds in Centreville, as well as other locations throughout their four-county service area;

NOW THEREFORE, the St. Joseph County Board of Commissioners
does hereby proclaim Saturday, February 24, 2007 as
“WALK FOR WARMTH DAY”

in the County of St. Joseph, and urges our citizens to show compassion for their neighbors in need by unselfishly contributing both time and money to this most worthy and, unfortunately, very necessary event.

It was moved by Commissioner Shafer 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: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner and Pueschel.

Absent: 1 - Commissioner Dobberteen.

Resolution adopted.

NATIONAL EARNED INCOME TAX CREDIT
RESOLUTION NO. 5-2007

Commissioner Shafer read the following resolution:

In recognition of the National Earned Income Tax Credit

WHEREAS, the Earned Income Tax Credit (EITC) was established by the Federal Government in 1975 to help working families; and

WHEREAS, the EITC is now the nation’s largest anti-poverty program for low to moderate-income families; and

WHEREAS, in 2005 more than 660 thousand Michigan families received over one billion, two hundred million dollars as EITC; and

WHEREAS, money received from EITC flows back into local communities to buy goods and services; and

WHEREAS, over 60 percent of families in St. Joseph County are eligible for EITC; and

WHEREAS, many eligible families who could get the credit do not file for it because they lack information or affordable assistance; and

WHEREAS, the Community Action Agency of South Central Michigan, United Way of Greater Battle Creek and Neighborhood Services of Battle Creek, in partnership with Guardian Inc., and the W. E. Upjohn Institute, have launched a marketing campaign and have created an information website at www.youearnedit.org to raise awareness of the Earned Income Tax Credit for citizens of our community.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners applauds and supports these community organizations for their goal of ensuring that working families receive all the tax credits they have earned. We also encourage all St. Joseph County citizens to learn whether they qualify for the Earned Income Tax Credit on their 2006 federal tax returns.

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

Commissioner Bordner introduced Tony Garland from the Community Action Agency.

Mr. Garland stated that the CAA is heavily promoting the Earned Income Tax Credit. He stated that nationally this is the most poverty fighting program. He stated that there is an estimated \$92 million in the four-County area that goes unclaimed.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner and Pueschel.

Absent: 1 - Commissioner Dobberteen.

Resolution adopted.

RECYCLING SURCHARGE
RESOLUTION 6-2007

Commissioner Shafer read the following resolution:

Resolution Authorizing Recycling Surcharge

WHEREAS, 1989 PA 138, as amended, being MCL 124.508a, authorizes the County to impose a surcharge on households within the County of not more than \$2.00 per month or \$25.00 per year per household for waste reduction programs and for the collection of consumer source separated materials for recycling or composting including, but not limited to, recyclable materials, as defined in Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries, and yard clippings; and

WHEREAS, 1989 PA 138, as amended, requires that the imposition and collection of the surcharge shall be deferred in a local unit of government within the County, until the County has entered into an interlocal agreement relating to the collection and disposition of the surcharge with the local unit of government,

NOW, THEREFORE, BE IT RESOLVED that the St. Joseph County Board of Commissioners approves the imposition of a surcharge under 1989 PA 138, as amended, in the amount of \$2.00 per month per household, the imposition and collection of which shall be deferred in all cities, villages and townships in St. Joseph County until such time as each individual city, village or township enters into an interlocal agreement with St. Joseph County relating to the collection and disposition of the surcharge; and

BE IT FURTHER RESOLVED that any interlocal agreement entered into under this Resolution must be separately approved by the County Board of Commissioners and the governing body of the individual city, village or township.

Commissioner Shafer stated that this resolution needs to be adopted before the locals can levy a tax.

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

Commissioner Dunlap stated that each local jurisdiction makes their own decision on whether or not to levy taxes but they cannot levy the tax without the County first adopting this resolution.

Ms. West-Wing stated that the levy does not have to be on property taxes but could be on a water bill for instance.

Commissioner Bordner stated that the County placed the recycle bins throughout the County 11 years ago for a 2 year pilot program. They are now being removed and the cost for the last 11 years was \$1 million with only 5 days of landfill space saved. Hopefully, now, the money can be put to better use.

Commissioner Bordner added that he heard that Burr Oak may be placing a bin in their area.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner and Pueschel.

Absent: 1 - Commissioner Dobberteen.

Resolution adopted.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Loudenslager stated that the next meeting is scheduled for February 14th at noon.

Physical Resources

Commissioner Shafer stated that the committee had not met.

Executive Committee

Commissioner Shafer stated that the Executive Committee met on February 2nd and everyone has a copy of the minutes and the following items were discussed that have not been addressed tonight.

- * Household Hazardous Waste collection.
- * next SMART meeting will be held here on March 7th and Commissioner Bordner stated that he would have a representative from Extension present as well as representatives from the Courts to discuss alternatives for jail incarceration.

INVESTMENT ADVISORY COMMITTEE

Commissioner Dunlap stated that the Investment Advisory Committee met on January 16th and the County Treasurer reported that interest rates have dropped slightly.

SOLID WASTE MANAGEMENT PLANNING COMMITTEE

Commissioner Shafer stated that the Solid Waste Management Planning Committee met last week and talked about recycling cell phones. He is a member of the SWMPC by virtue of his employment and not as a County Commissioner. He further stated that Waste Management has entered into an agreement with Core to recycle cell phones. Action by the Board will be held off until the next meeting when Commissioner Dobberteen is present.

RESOURCE, CONSERVATION AND DEVELOPMENT

Commissioner Bordner stated that the Soil Conservation District has received a grant from RC&D for Rocky River Cleanup.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRE:

Steven Simon was approved to be hired as Part-time Court Security at the January 16, 2007 Commission meeting. Since that date, Steven Simon has declined the position.

RETIREMENT:

James Holton, Road Patrol Officer, will retire effective March 23, 2007.

MISCELLANEOUS:

Approve revised Juvenile Division Director/Referee job description; pay grade to remain the same, points reduced to 1630.

Approve revised Casework Supervisor/Referee job description; pay grade and points to remain the same.

Terry Evans will change from Casework Supervisor/Referee to Juvenile Division Director/Referee at \$55,168.00 (Rye system, grade 12, step 1) effective January 23, 2007.

Alice Easterday will change from Family Division Caseworker to Casework Supervisor/Referee at \$46,220.00 (Rye system, grade 10, step 1) effective January 23, 2007.

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

REQUISITIONS

Ms. West-Wing stated that the Friend of the Court has requested that a car be purchased for the Warrant Officer as the current car has over 165,000 miles and needs over \$1,500 in repairs. The County will be reimbursed 66% under the Cooperative Reimbursement Contract. Several options were presented for review.

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that a 2007 Chevy Impala be purchased for \$14,698 from Berger Chevrolet of Grand Rapids.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner and Pueschel.

Absent: 1 - Commissioner Dobberteen.

Motion carried.

BUDGET ADJUSTMENT

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$60,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from Schools	\$ 467.00	\$
Appropriations	45,568.00	
County Commission	16,070.70	6,461.63
Circuit Court	10,232.60	13,405.44
District Court	1,955.03	61,670.94
Friend of the Court	2,911.00	35,847.89
Probate Court	1,720.61	18,398.68
Juvenile Branch	12,030.00	43,991.07
Appeals Court	4,470.98	
Public Defender	400,000.00	

GENERAL FUNDEXPENDITURESPAYROLL

Administration	\$ 315.00	\$ 9,900.96
Finance Department	1,067.32	11,988.12
County Clerk	680.93	23,375.39
Equalization Department	6,630.63	15,544.99
Human Resources	55.00	7,062.76
Geographic Information Systems	263.41	6,475.75
Prosecutor's Office	9,161.94	42,490.36
Central Services	11,169.51	5,603.63
Register of Deeds	252.70	12,940.50
County Treasurer		14,529.41
Cooperative Extension	36,103.98	8,510.66
Information Technology	854.48	11,775.79
Buildings & Grounds	4,256.17	15,178.64
Courts Building Security		4,983.95
Drain Commission	3,072.30	5,499.45
Sheriff Department	21,735.63	103,038.76
Sheriff Reserves	1,222.50	593.17
Jail & Turnkey	26,721.82	123,117.62
Emergency Services	174.49	6,588.58
Animal Control	251.74	8,937.54
Board of Public Works		656.56
Medical Examiners	2,025.00	
Child Care - Probate	8,550.24	280.07
Veterans' Services	5,554.08	754.81
Utilities & General Services	39,535.90	
Total	\$675,080.69	\$619,603.12

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission	\$ 529,420.03	\$
Parks & Recreation	750.48	7,259.35
Emergency 911 Service	7,424.43	58,199.25
Central Dispatch - Wireless	24,502.00	4,125.84
Meyer Broadway/Coon Hollow Park	3,364.73	2,180.93
Friend of the Court		1,758.15
Family Counseling	1,085.00	
Cade Lake Park	775.29	
Waste Management Fund		
County Commission	66,430.05	
Resource Recovery Program		
Traffic Safety Program Fund	2,948.09	
Economic Development Fund	385.00	4,177.92
Register of Deeds Automation Fund	5,255.92	1,367.28
Victims' Rights Advocate Fund		3,294.36
Community Corrections Advisory Board	9,216.67	2,999.36
Community Corrections Program	3,417.05	71.41
Drug Law Enforcement Fund	717.30	
Law Enforcement Fund	1,568.32	13,894.86
Secondary Road Patrol		11,021.96
Homeland Security Grant Fund	16,979.49	
Law Library Fund	1,561.50	
Principal Residence Denial Fund	3,315.72	657.18

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Commission on Aging	\$ 56,245.26	\$ 42,699.68
Sheriff's Justice Training Fund	80.00	
Department of Human Services	21,772.61	
Child Care - Probate Court	34,568.89	4,327.52
Child Care - Department of Human Services	52,797.63	
Forfeiture & Foreclosure Fund	7,866.29	
Tax Payment Fund	8,796.18	
Inmate Store	640.04	
Three Rivers Community Center	1,964.82	748.58
Long Lake Level Revolving Fund	27.72	
Flexible Benefits Insurance Fund	284,494.08	
Total	\$1,148,370.59	\$158,783.63
Grand Total	\$1,823,451.28	\$778,386.75
General Fund Operating Expenditures		
Pre-Authorized	\$593,077.09	
Accounts Payable	82,003.60	
	\$ 675,080.69	
General Fund Payroll Expenditures	\$ 619,603.12	
Other Funds Operating Expenditures		
Pre-authorized	\$1,085,631.40	
Accounts Payable	62,739.19	
	\$ 1,148,370.59	
Other Funds Payroll Expenditures	\$ 158,783.63	
Total Recorded for the Month	\$ 2,601,838.03	

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

CHAIRMAN'S REPORT

Chairman Baker stated that at the U.S. 131 Corridor Meeting 97% of those present selected route 5 as their preference.

Chairman Baker stated that at the last meeting a Review Committee was established consisting of Commissioners Shafer, Bordner and Loudenslager to review Commission on Aging and other Boards' applications for appointment to these various boards. Chairman Baker would like to dissolve this committee and suggest the following: that all applications will be accepted by the County Administrator's Office; they will be forwarded to each Commissioner and they will advise which ones they want forwarded to the boards; then the applications that are forwarded to the respective boards will be reviewed and returned to the Board of Commissioners with a recommendation for appointment(s).

It was moved by Commissioner Shafer and supported by Commissioner Bordner that the Review Committee be dissolved. Motion carried.

MISCELLANEOUS

Commissioner Shafer drew everyone's attention to a flyer in their packets regarding a soup and salad luncheon at noon on February 14th with donations to be given to Relay for Life.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until February 20, 2007 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Chairman