

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 15, 2005, at 5:00 p.m.

Commissioner John L. Dobberteen, Acting as 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
Robin Baker	David J. Pueschel
John L. Dobberteen	

Absent: John W. Bippus and Monte Bordner.

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

#### AGENDA

Ms. West-Wing stated that Chairman Bordner wanted the Farmland Preservation Ordinance removed from the agenda.

Acting Chairman Dobberteen stated that the matter should be tabled until the next meeting.

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

#### MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the minutes for February 1, 2005 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, February 4 and February 11, 2005.
2. Letter from the City of Sturgis, Re: Notice of public hearing on February 23 to consider establishing an Industrial Development District.
3. Resolution from Lenawee County, Re: Elimination of State funding to the Lenawee County Health Department for HIV testing and counseling.
4. Resolution from Lake County, Re: Endorsing Rosswell Fulton, Jr. for the position of Director-at-Large for the Michigan Association of Counties.
5. Minutes of the Commission on Aging Board meeting of January 19, 2005.

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

#### CITIZENS COMMENTS

Kristine Kirsch, Chairman of the Human Services Commission, made a presentation to Commissioner Loudenslager for his years of service to the Human Services Commission.

#### FARMLAND PRESERVATION ORDINANCE

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Farmland Preservation Ordinance be tabled to the next meeting. Motion carried.

CITIZEN OF THE YEAR PRESENTATION

Sheriff Matt Lori presented Robert Toppel with a plaque naming him Sheriff's Department Citizen of the Year. The Sheriff explained that Robert and Kathy Toppel live on a sharp curve on Fish Lake and on November 29, 2004 a car went into the water and Mr. Toppel went into the water to rescue the driver of the auto. This was the third time within a year's time that he had gone into the water after a car. He has done it five times altogether. So in recognition of his heroism he presented him with the award.

SHERIFF'S DEPARTMENT'S ANNUAL REPORT FOR 2004

Sheriff Lori gave an overview of the Department's Annual Report for 2004. He stated that there was a total of 8,497 complaints investigated by 17 officers in 2004 which is down 308 from 2003. It is still within the last 10 year average.

July, August and June are the busiest months in that order and most crimes are committed on Saturday (15%) followed by Monday (14.6%).

The Sheriff's Department handled 24% of the complaints as did the Three Rivers Police Department.

There were 5,899 citations issued, 904 of them by Deputy Brian LaValle.

Criminal Sexual Conduct cases were down 14 from 2003, assault is the lowest in the last 10 years and domestic assault is the highest. Property crimes – breaking and entering, MDOP, arson, larceny, stolen vehicles and forgery/retail fraud are the lowest in the past 10 years. Operating under the influence of liquor cases were up 22. Fatal accidents were up with 11 fatalities. Car/deer accidents were down slightly.

The daily booking average for the jail was 10.57 with a total of 3,858 admitted. 81% were male with 24% felons and there were 160,168 meals served.

Employees of the year were Dan Kennedy for Road Patrol and Martin Mullendore for Corrections.

The Victims' Services Unit was called out 65 times with a total of 214 volunteer hours. The Marine Patrol issued 640 warnings and the Reserves rode 656 times with Dick Metty riding the most at 56.

Commissioner Shafer asked if the methamphetamine problem is getting under control. Sheriff Lori stated that it is still a problem but they are making progress taking down 17 labs in 2004.

Commissioner Loudenslager thanked Mr. Lori for the excellent report.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Sheriff Department's Annual Report for 2004 be accepted. Motion carried.

SUPPORT FOR MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA)  
GRANT APPLICATION FOR KEYSTONE PLACE, INC.

Kelli Tackett, Executive Director of Keystone Place, Inc., asked the Board to endorse the MSHDA grant application for Keystone Place for \$85,900 to sustain daily operations with an additional \$5,700 for continuum of care expenses.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the Board endorse the grant application to MSHDA for Keystone Place, Inc.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

MSHDA GRANT APPLICATION FOR THE DOMESTIC ASSAULT SHELTER

Pat Hillman, Executive Director of the Domestic Assault Shelter asked the Board to endorse the MSHDA grant application for the Domestic Assault Shelter for \$20,000 which partially funds the Shelter Coordinator. They serviced 100 families with 150 children in 2004. This is the same amount that was requested last year.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Board endorse the grant application to MSHDA for the Domestic Assault Shelter.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

MSHDA GRANT APPLICATION FOR THE HOPE RESOURCE CENTER FOR WOMEN AND CHILDREN

Sally Palsrok, Executive Director of the Hope Resource Center for Women and Children asked the Board to endorse the MSHDA grant application for this Center for \$5,000 which is for case management at the shelter.

It was moved by Commissioner Baker and supported by Commissioner Shafer that the Board endorse the grant application to MSHDA for the Hope Resource Center for Women and Children.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

AGREEMENT WITH MAXIMUS, INC. FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM  
(SCAAP)

Ms. West-Wing recommended approval of an agreement with Maximus for submitting, on our behalf, documents to recover our expenses for housing illegal aliens at the jail. They will receive 15% of the amount collected. We had a prior agreement with another company that received 22% of the amount collected.

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the Agreement with Maximus, Inc., for the SCAAP be approved.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

ADDENDUM TO LEASE AGREEMENT FOR HOUSE AT MEYER BROADWAY PARK

Ms. West-Wing recommended approval of an addendum to the lease agreement that we have with Gary and Michelle LeTourneau for the house at Meyer Broadway Park. They act as the caretakers at the park. The amount of rent is increasing to \$325.00.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the addendum to the lease agreement with Gary and Michelle LeTourneau be approved.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

INCREASE IN LICENSE BOND FEE FOR ANIMAL CONTROL

Ms. West-Wing stated that last year the delinquent dog license fees were increased from \$20.00 to \$40.00 and the license bond fee was overlooked. Tom Miller, Animal Control Officer, is recommending that the license bond fee also be increased from \$20.00 to \$40.00.

It was moved by Commissioner Baker and supported by Commissioner Shafer that the dog license bond fee be increased from \$20.00 to \$40.00.

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Motion carried.

GRANT APPLICATION AUTHORITY  
RESOLUTION NO. 3-2005

Commissioner Shafer read the following resolution:

WHEREAS, the Help America Vote Act (HAVA) has been passed by Congress and signed by the President of the United States, and

WHEREAS, HAVA requires that by 2006 all voting precincts in the nation must be optical scan, and

WHEREAS, HAVA provides funding to the States for new voting equipment, and

WHEREAS, St. Joseph County has 26 voting precincts and all currently use optical scan voting equipment, and

WHEREAS, 16 of those precincts are eligible to receive updated equipment, and

WHEREAS, in 2004 HAVA funds provided the St. Joseph County Clerk with the Election Management Software (EMS) that defines and designs ballots, programs tabulators for each election and accumulates votes, and

WHEREAS, in order to fully use the EMS it is necessary to have a precinct-count tabulator, and

WHEREAS, in order for the State to provide funding for the updated voting equipment for the 16 precincts and for a tabulator for the County Clerk, a Grant Application must be signed by the Grant Manager on authority of the County Board of Commissioners.

THEREFORE, LET IT BE RESOLVED, that Pattie S. Bender, St. Joseph County Clerk is hereby authorized to be the Grant Manager for the County of St. Joseph and is further authorized to sign the Grant Application.

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

The aye and nay votes were called as follows:

Aye votes: 5 – Commissioners Shafer, Loudenslager, Baker, Pueschel and Dobberteen.

Nay votes: 0

Absent: 2 – Commissioners Bippus and Bordner.

Resolution adopted.

#### NOMINATION

Commissioner Loudenslager nominated Richard Ohlin to the Veterans' Affairs Board.

#### COMMITTEE REPORTS

##### Law Enforcement

Acting Chairman Dobberteen stated that the committee would meet in March.

##### Judiciary

Commissioner Baker stated that the committee would meet in April.

##### Physical Resources

Commissioner Shafer stated that the committee had not met.

##### Executive Committee

Acting Chairman Dobberteen stated that everyone had received a copy of the minutes of the Executive Committee held February 11th and said that he would answer any questions that anyone may have.

#### PERSONNEL REPORT

Ms. West-Wing presented the following report:

#### MISCELLANEOUS:

Curtis Allen, Road Patrol Officer, will be on a military leave of absence from February 19 until June 14, 2005.

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

#### REQUISITION

Ms. West-Wing presented the following report:

Four 20" flat panel monitors, two graphics cards, Pivot Pro Software for Register of Deeds \$ 2,935.10  
(Funding from the Register of Deeds Technology Fund #256)

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

#### BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENT:

INCREASE SHERIFF'S DEPARTMENT REVENUE:

Line item 101-301-674.400 (Donations – Defibrillator) \$ 3,118.31

INCREASE SHERIFF'S DEPARTMENT EXPENDITURE:

Line item 101-301-977.100 (Equipment – Defibrillator) \$ 3,118.31

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

PER DIEM AND EXPENSES

Mr. Carey presented the following report:

Per Diem

Robin Baker – 5 half days 1/19, 1/31, 2/2, 2/3 & 2/8/05 & 4 full days 1/27, 2/13, 2/14 & 2/15/05	\$ 630.00
John Dobberteen – 10 half days 1/25, 1/28, 2/2, 2/3, 2/8 x 2, 2/9 x 2, 2/11 & 2/14/05 & 2 full days 1/19 & 2/5/05	690.00
Gerald Loudenslager – 3 half days 1/19, 1/25 & 2/8/05 & 2 full days 2/14 & 2/15/05	340.00
David Pueschel – 7 half days 1/19, 1/21 x 2, 1/25 1/27, 2/4 & 2/8/05	350.00
Eric Shafer – 12 half days 1/18, 1/19 x 2, 1/25, 1/26, 1/31, 2/1, 2/8 x 3, 2/11 & 2/15/05	<u>600.00</u>
	\$ 2,610.00

Expenses

Robin Baker	\$ 158.76
John Dobberteen	185.49
Gerald Loudenslager	162.81
David Pueschel	63.99
Eric Shafer	<u>59.13</u>
	\$ 630.18

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

FINANCIAL STATEMENTS

Mr. Carey presented the following financial statements:

	Revenues	Expenditures
December - Unaudited	\$ 1,119,305.00	\$ 1,199,264.00
Year to Date	11,749,899.00	12,478,898.00
Period Fund Balance	(\$79,959.00)	

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the unaudited financial statement for December 2004 be accepted. Motion carried.

	Revenues	Expenditures
January	\$ 860,367.00	\$ 1,133,677.00
Year to Date	860,367.00	1,133,677.00
Period Fund Balance	(\$273,310.00)	
Total Unreserved Fund Balance	\$2,723,515	

Percent of budget year elapsed year to date.	8.33%
Percent of total budgeted funds earned year to date	6.48%
Percent of total budgeted funds expended year to date	8.53%

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

CITIZENS COMMENTS

Jack Bright from Classic Foods stated that he was here a few months ago about the delivery of meat to the Courts Building. Mr. Cleaver understood that people were going to Joni Kelley’s house to pick up the meat. Mr. Bright stated that yes the employees were doing that and then bringing it in here and putting it in the freezer and he would like to just put it in the freezer himself. He says that that would work much better. He stated that he has sold meat here for 23 years and wanted to know why he couldn’t still do it.

He was told that since there was a policy in place allowing no solicitation, it was assumed that it was being followed and complaints were received that it was being violated.

Acting Chairman Dobberteen used the gavel and Mr. Bright left the meeting.

MISCELLANEOUS

Commissioner Baker stated that he attended the MAC Legislative Conference and heard Governor Granholm as well as the Director of the Michigan Department of Transportation. He mentioned that Commissioners Loudenslager and Bordner were there for part of the meeting as was Ms. West-Wing.

Commissioner Loudenslager stated that the MAC conference was good and there were a lot of new commissioners in attendance.

Commissioner Shafer stated that the unaudited financial reports show \$740,000 expended over revenues and this should be a wake-up call to everyone.

ADJOURNMENT

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until March 1, 2005 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John L. Dobberteen, Acting Chairman