

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 17, 2009, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Michael D. Dunlap	Robin Baker
Jerry Ware	John L. Dobberteen

Absent: David J. Puschel

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

AGENDA

Ms. West-Wing stated that there is another resolution regarding revenue sharing to be added to the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Dunlap that the minutes for February 3, 2009 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, February 5 and February 13, 2009.
2. Letter from Michigan Public Service Commission, Re: Notice of hearing on February 27 to consider Indiana Michigan Power Company's application for approval of Renewable Energy and Energy Optimization plans and surcharges for 2009.
3. Minutes of the Commission on Aging meeting of January 21, 2009.

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

STREAM CLEARING AND CLEANING PROJECT UPDATE

Tim Peterson gave an update on the stream clearing and cleaning project that the Board of Commissioners encouraged. He stated that he applied for several grants and received some to help with the project. The objective was to clean and clear 25 miles of streams per year removing large pieces of debris. The only vegetation that was removed was hanging and floating vegetation. There were many great volunteers and they cleaned and cleared approximately 35 miles collecting over 1/2 ton of debris. They came in under budget and there is \$1,500 to \$1,600 to get them started this year.

They use several crews of 3-5 people with staff members in each crew with the volunteers.

Commissioner Shaffer thanked him for taking on this project and asked how he recruits volunteers.

Mr. Peterson said that he would take a different approach and try to manage the volunteers better and not have too many on any one project. He has a waiting list of volunteers. They had approximately 100 volunteers last year.

In answer to a question, Mr. Peterson stated that Waste Management has been very generous in letting them put the debris in the landfill and some is placed in dumpsters and some of it is recycled.

Commissioner Shaffer asked how this clean-up ties in with the “Friends of the St. Joseph River.”

Mr. Peterson said that they were mainly concentrated on the St. Joseph River and that group is not very active, but he does sit on that Board. They are now working on the watershed.

Commissioner Shaffer stated that Mr. Peterson’s efforts are commendable.

Commissioner Dunlap added that the canoe and kayak livery in Three Rivers now provides trash bags for their rentals.

Mr. Peterson stated that they do a great job and they coordinate activities with them.

Mr. Peterson was thanked for his continued success.

ENHANCED ACCESS TO PUBLIC RECORDS POLICY

Andrew Hartwick, G.I.S. Director, presented an Enhanced Access to Public Records Policy that was developed as a result of the Maximus Study of the Land Resource Centre. The Enhanced Access to Public Records falls outside the Freedom of Information Act.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Enhanced Access to Public Records Policy be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Motion carried.

G.I.S. REVISED FEE SCHEDULE

Mr. Hartwick requested approval of the revised fee schedule that was developed as a result of the fee study. He is recommending fees that are higher than they were before but lower than recommended by the study.

The following fees are recommended by Mr. Hartwick:

<u>Custom Mapping and G.I.S. Alteration</u>	<u>Current Fee</u>	<u>Recommended Fee</u>
Hourly Fee	\$35.00	\$40.00
Minimum Fee = 1/2 hour	\$18.00	\$20.00

Standard G.I.S. Maps and Aerial Photography

All in-between sizes will be rounded to the nearest 6” price.

<u>24” Standard Bond Paper by:</u>	<u>Current Fee</u>		<u>Recommended Fee</u>	
	<u>G.I.S. Map</u>	<u>Aerial</u>	<u>First Full Copy</u>	<u>Additional Copies</u>
12”	\$ 8.00	\$ 7.00	\$17.00	\$ 3.00
18”	\$10.00	\$16.00	\$18.00	\$ 4.00
24”	\$13 or \$16		\$19.00	\$ 5.00
30”	n/a		\$20.00	\$ 6.00

<u>24" Standard Bond Paper by:</u>	Current Fee		Recommended Fee	
	G.I.S. Map	Aerial	First Full Copy	Additional Copies
36"	\$18.00		\$21.00	\$ 7.00
42"	n/a		\$22.00	\$ 8.00
48"	n/a		\$23.00	\$ 9.00
54" or larger	n/a		\$24.00	\$10.00
<u>36" Standard Bond Paper by:</u>				
12"	n/a		\$18.00	\$ 4.00
18"	n/a		\$20.00	\$ 6.00
24"	n/a		\$21.00	\$ 7.00
30"	\$20.00	\$18.00	\$23.00	\$ 9.00
36"	\$26.00		\$24.00	\$10.00
42"	n/a		\$26.00	\$12.00
48"	\$35.00		\$27.00	\$13.00
54" or larger	\$42.00		\$29.00	\$15.00
8.5 x 11"	\$ 5.00	\$ 7.00	\$14.00	\$ 2.00
PDF	\$ 5.00		\$14.00	n/a
<u>Tax Maps</u>				
8.5 x 11" (Small)	\$ 1.00		\$ 2.00	\$ 1.00
16 x 18" (Large)	\$ 6.00		\$ 6.00	\$ 4.00
<u>Digital G.I.S. Files</u>				
Parcels	\$ .25	See notes below	\$ .30	per parcel
Current Countywide Parcel Layer				
@28,683 (no cities)	\$2,250.00		\$8,605.00	
Address Points	\$ .25		\$ .25	per point
Current Countywide Address Layer				
@27,465	n/a		\$6,866.00	
Road Segments	n/a		\$ 1.15	per segment
Current Countywide Road Layer				
@5,695	\$2,250.00		\$6,549.00	
Aerial Photo Section	\$ 15.00		\$ 10.00	per section
Aerial Photo Township	\$ 200.00		\$ 300.00	per township
Aerial Photo County	\$1,000.00		\$1,800.00	entire county
Hydrologic County (excludes drains)			\$ 350.00	entire county
Miscellaneous Layers 1		#1	\$ 50.00	
Miscellaneous Layers 2		#2	\$ 100.00	
Miscellaneous Layers 3	\$1,875.00 for	#3	\$ 200.00	per layer
All Miscellaneous Layers	3 or more layers	#4	\$ 950.00	entire county
County G.I.S. Database			\$26,370.00	
Excel Spreadsheet	\$ .15		\$ .15	per digital record
<u>Parcel Updating for Local Assessors</u>				
Monthly Parcel Updates-1 unit of gov't.	\$ 250.00		\$ 250.00	entire county
Additional units of government fee per unit			\$ 25.00	
<u>Government Agencies and Non-Profit Organization</u>				
Monthly Parcel Updates	\$450 or \$900		\$ 500.00	entire county
Initial Setup and Other Static Layers		#6	\$ 400.00	
Individual Layer Updates	\$ 50.00		\$ 50.00	entire county
Plat books	\$ 35.00		\$ 35.00	

County Departments maps will be created and printed for free based on needed time frame and reasonable requests.

County Departments with specific geographic info maintenance and digital workspaces will be charged a yearly amount based on work needed.

- Notes
- #1 Layers included: Twp Bounds, City/Village Bounds, MCD Bounds, Voter Districts, School Districts, Zip Codes
  - #2 Layers included: Sections (polygon), Soils, Elevation Sets
  - #3 Layers included: Section Corners, Subdivision Lots
  - #4 Layers included: All Layers in Miscellaneous Layers 1, 2 & 3 \*\*
  - #5 Based on Current Parcels, Addresses and Roads layers
  - #6 Does not include Aerial Photos

\*\* Many layers available from MI CGI

After discussion it was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the G.I.S. Fee Schedule be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Motion carried.

EQUALIZATION CONTRACT WITH LOCAL UNITS

Ms. West-Wing stated that in conjunction with the Maximus Fee Study the fees included in the Equalization Contracts with local units need to be updated as well. She stated that the results of the study indicate that the current fee schedule in place for the townships, cities and villages that contract with the Equalization Department for assessment and tax services is in line with the full cost to provide the service. The current contracts with the units of government tie annual increases with the CPI which currently is 4.4%. She is recommending that for the 2009 contract year that the increase in fees be 2.2% rather than 4.4%.

Commissioner Shaffer asked if a comparison study was done with what other counties charge.

Ms. West-Wing stated that that was not a part of the scope of the study.

Mr. Hartwick did one for G.I.S. and did not actually find that any county compared with us. They did not look for Equalization Department comparisons.

Commissioner Shaffer suggested that maybe we should do a comparison in case we are low.

Judy Nelson, Equalization Director, stated that she can get comparisons by calling other Equalization Departments.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the contracts that the Equalization Department has for assessment and tax services with townships, cities and villages be increased by 2.2% for 2009.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Motion carried.

DISTRICT COURT  
NON-CONTRACT POLICY AMENDMENT

Ms. West-Wing recommended that an amendment be approved for the District Court Non-Contract Policy regarding paid time off (PTO).

The amendment changes the wording on when an employee begins to earn PTO from the “employee’s date of hire” rather than from the “first day of the month an employee is hired.”

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the District Court Non-Contract Policy Amendment be approved effective January 1, 2009.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Motion carried.

RESOLUTION NO. 3-2009  
RESOLUTION OF SUPPORT FOR  
COUNTY REMONUMENTATION PROGRAM

Mr. Hartwick requested approval of the following resolution:

WHEREAS, the State of Michigan is considering the various uses of proposed economic stimulus monies from the Federal Government; and

WHEREAS, in 2006, the State of Michigan Legislature removed \$15,000,000 from the State Survey and Remonumentation fund in an effort to balance the state budget for that year; and

WHEREAS, in Section 54.271 of Act 345 of 1990, the Legislature cited specific funding levels for the program which have not been met; and

WHEREAS, since the removal of these funds in 2006, statewide funding for the program has decreased from \$10,134,000 in 2006 to \$4,000,000 in 2009; and

WHEREAS, the removal of these funds has seriously impaired the effectiveness and progress of this program; and

WHEREAS, this program has been extremely beneficial to all residents of the State of Michigan, since original corner positions of the Public Land Survey control the boundaries of every parcel in St. Joseph County and the State of Michigan; and

WHEREAS, this program is designed to recover, monument, record and perpetuate these original corner positions; and

WHEREAS, the information provided by this program is also designed to be the basis of all municipal GIS within the State; and

WHEREAS, these additional funds will benefit the implementation of each County-wide GIS, which is intended to assist in 911 emergency responses.

NOW THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners is in support of the use of \$15,000,000 of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15,000,000 to supplement the program through fiscal year 2010.

BE IT FURTHER RESOLVED, that copies of this Resolution be transmitted to Governor Jennifer Granholm, Senator Cameron Brown, Representative Matthew Lori and the other 82 Michigan counties.

Mr. Hartwick stated that in 2006 the State reallocated \$15 million from the Remonumentation Fund to the State's General Fund and they are asking that the money be returned to the Remon Fund when the federal stimulus funds are received.

Commissioner Dunlap asked if this project will ever be completed.

Mr. Hartwick stated that it would when there is proper funding.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the resolution be adopted and 2<sup>nd</sup> reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Resolution adopted.

RESOLUTION NO. 4-2009  
STATE REVENUE SHARING

Commissioner Loudenslager presented the following resolution:

WHEREAS, county governments are subdivisions of the state government and are required to finance or carry out state mandates in many areas, including public and mental health, disease control, substance abuse, courts, jails, detention of juvenile delinquents and care of abused and neglected youth, equalization of assessments, maintenance of vital records, prosecution of crimes, and oversight of elections; and

WHEREAS, the provision of these mandated services constitute the vast majority of county services; and

WHEREAS, the demand for most mandated county services arises from the circumstances of poverty and crime, which directly affect the quality of life for county residents; and

WHEREAS, funding for these services comes in great part from state-shared revenues; and

WHEREAS, cities, villages and townships have constitutional protection for a portion of their revenue sharing while counties do not; and

WHEREAS, constitutional limits on the growth of property tax revenues, decreases in state shared revenues, and statutory limits on the generation of fees and charges are significantly limiting the ability of county governments to provide these services; and

WHEREAS, the Governor's proposed budget for FY 2010 keeps her promise to Michigan's counties by providing \$49.1 million for counties to return to revenue sharing, including \$1.4 million for St. Joseph County in 2010.

NOW THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners supports the Governor's proposed budget which includes restoring state revenue sharing.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Michigan Association of Counties, Governor Granholm, Representative Lori and Senator Brown.

Commissioner Loudenslager stated that the Governor has restored this money in her proposed budget but anything could happen.

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the resolution be adopted and 2<sup>nd</sup> reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Resolution adopted.

### NOMINATIONS/APPOINTMENTS

#### Veterans' Affairs

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that Lawrence Fitch be nominated and appointed to the Veterans' Affairs Board for a 4 year term to expire on March 1, 2013. Motion carried.

#### Jury Board

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that Janet Beals be nominated and appointed to the Jury Board for a 6 year term to expire April 30, 2015. Motion carried.

### COMMITTEE REPORTS

#### Law Enforcement

Commissioner Baker stated that the next meeting is scheduled for February 20, 2009.

#### Judiciary

Commissioner Loudenslager stated that there was no report.

#### Physical Resources

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

#### Executive Committee

Commissioner Baker stated that everyone has received a copy of the Executive Committee minutes of their meeting held on February 13, 2009 and he would answer any questions that anyone may have.

### PERSONNEL REPORT

Ms. West-Wing presented the following report:

#### NEW HIRE:

Warren G. Geark has been hired as part-time Corrections Officer at \$15.30/hr. if less than 20 hours/week or \$17.24/hr. if more than 20 hours/week effective February 7, 2009.

Autumne M. Keifer has been hired as part-time Corrections Officer at \$15.30/hr. if less than 20 hours/week or \$17.24/hr. if more than 20 hours/week effective February 15, 2009.

Mark C. Mellinger has been hired as part-time Road Patrol at \$19.58/hr. effective February 24, 2009.

Laurie L. Wilcox has been hired as In-Home Services Clerical at \$9.85/hr. (COA, grade 5, minimum) effective February 13, 2009.

#### MISCELLANEOUS:

Establish the wage for Mark Books, District Court Magistrate/Judicial Associate, at \$39,341.00 (Rye system, grade 7, step 2) effective January 20, 2009 (date of hire.)

Establish the wage for Timothy J. Reed, Assistant Prosecuting Attorney I, at \$46,563.00 (Rye system, grade 9, step 2) effective January 2, 2009 (date of hire.)

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$50,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following report:

Per Diem

Robin Baker – 4 half days 1/21, 1/30, 2/4 & 2/13/09 & 4 full days 1/22, 2/5, 2/9 & 2/10/09	\$ 580.00
John Dobberteen – 5 half days 1/21, 1/27, 2/5 x 2 & 2/17/09 & 2 full days 2/9 & 2/10/09	440.00
Michael Dunlap – 5 half days 1/21, 1/29, 2/4, 2/6 & 2/10/09 & 1 full day 1/22/09	345.00
Gerald Loudenslager – 4 half days 1/27 x 2, 2/3 & 2/10/09 & 2 full days 2/9 & 2/10/09	390.00
Rick Shaffer – 3 half days 1/28, 2/2 & 2/16/09 & 2 full days 2/9 & 2/10/09	340.00
Jerry Ware – 1 half day 2/4/09	<u>50.00</u>
	\$2,145.00

Expenses

Robin Baker	\$ 253.00
John Dobberteen	223.30
Michael Dunlap	70.40
Gerald Loudenslager	162.25
Rick Shaffer	150.15
Jerry Ware	<u>16.50</u>
	\$ 875.60

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

Financial Statements

Mr. Carey presented the following report for 2008 and it is unaudited:

	Revenues	Expenditures
December	\$ 1,529,204	\$ 1,265,805
Year to Date	14,546,614	13,880,697
Period Fund Balance	\$186,273.00	
Use of Fund Balance (Transfers Out)	77,126.00	
Year to Date	(89,210.00)	
Percent of budget year elapsed year to date.		100.00%
Percent of total budgeted funds earned year to date		96.15%
Percent of total budgeted funds expended year to date		96.74%

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that the 2008 unaudited financial statement be accepted. Motion carried.

Mr. Carey presented the following report for January 2009:

	Revenues	Expenditures
January	\$ 1,037,099	\$ 1,037,099
Year to Date	1,058,239	1,058,239
Period Fund Balance	(\$21,141)	
Total Unreserved Fund Balance	\$3,886,417	
Percent of budget year elapsed year to date.	8.33%	
Percent of total budgeted funds earned year to date	7.04%	
Percent of total budgeted funds expended year to date	7.18%	

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

#### CHAIRMAN'S REPORT

Chairman Dobberteen reported that Commissioner Pueschel had broken his arm this morning.

#### CLOSED SESSION

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Board go into closed session for the purposes of discussing a property acquisition and for AFSCME contract negotiations.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Pueschel.

Motion carried.

#### OPEN SESSION

The Board resumed business in open session.

#### MISCELLANEOUS

Ms. West-Wing wished Commissioner Pueschel a speedy recovery.

#### ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until March 3, 2009 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John L. Dobberteen, Chairman