

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 March 1, 2011 at 5:00 p.m.

Chairman Rick Shaffer called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Donald Eaton
Jerry Ware	Allen Balog

Absent: Robin Baker, Gerald E. Loudenslager and John L. Dobberteen

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

#### AGENDA

It was moved by Commissioner Eaton and supported by Commissioner Ware that the agenda be approved. Motion carried.

#### MINUTES APPROVED

It was moved by Commissioner Eaton and supported by Commissioner Ware that the minutes for February 15, 2011 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, February 18 and February 25, 2011.
2. Letter from the Village of Colon, Re: Notice of public hearing on March 10 concerning the adoption of an ordinance approving the Downtown Development Plan and Tax Increment Financing Plan.
3. Copy of letter from State Tax Commission to Eaton Corporation, Re: Resolution from City of Three Rivers requesting revocation of Industrial Facilities Exemption Certificate No. 2001-572 and 2002-509 issued to Eaton Corporation at 1100 West Broadway, Three Rivers.
4. Minutes of the Community Mental Health Services Board meeting of January 25, 2011.

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

#### PUBLIC HEARING

Commissioner Baker was present at this time.

Chairman Shaffer declared the public hearing opened on the proposed increase in Road Commissioners from 3 to 5 and asked if any one had any comments.

Tim Carls, 63044 Klinger Lake Road, Centreville stated that he thinks that it is strange that this public hearing is being held to increase the size of the Road Commission when he said that the Board of Commissioners keep saying that they have no control over the Road Commission. He is against increasing the size of the Road Commission because it has been this way for over 50 years. He went on to ask if any of these new Road Commissioners would be getting any equipment out when needed especially snow removal equipment on the weekends.

There being no further comments Chairman Shaffer declared the public hearing closed.

CIRCUIT COURT AND COUNTY CLERK  
ANNUAL REPORTS FOR 2010

Circuit Court Judge Paul Stutesman stated that he and the County Clerk would present their annual reports at the same time because both offices work closely together. He thanked his Caseflow Manager, Kathy Griffin, who was present and had compiled the report. He said that he is tired of hearing in Lansing “learning to do more with less.” He further stated that the report portrays the case activity and that criminal activity dominates their time.

The Clerk introduced her staff, who were all present, and thanked the Board for approving a microfilming project last year that is being done now. U.S. Imaging is the vendor that is producing microfilm for Circuit Court Criminal and Civil case files and they will provide 2 rolls of film and 2 CDs that are indices to all files. These CDs are used to locate the microfilm for a particular case. The company then shreds the case files. This project is freeing up space to store the Circuit Court files.

She further stated that the Circuit Court collections were way up from 2009, 2010 being the first year that we have virtually taken over the process with help from the Circuit Court. She went on to say that we enjoy our great working relationship with the Circuit Court staff and that they work very well with the Juvenile Court as well.

In addition, she mentioned some vital statistics with 50 more marriages in 2010 than 2009, 137 less births and 78 more deaths.

The Clerk also commended the staff for the phenomenal work that they do.

Chairman Shaffer thanked Judge Stutesman and Pattie Bender for their reports and thanked their staffs as well.

Following are the financial and statistical information from the County Clerk’s report:

2010 COUNTY CLERK'S ANNUAL REVENUE REPORT  
January 1, 2010 through December 31, 2010  
General Fund

		<b>2009</b>		<b>2,010</b>
Pistol Permits				
County Share	556	\$ 14,456.00	530	\$ 13,780.00
Replacements	4	40.00	7	70.00
Marriage Licenses				
County	404	2,020.00	449	2,245.00
Out Of State	22	330.00	25	375.00
Professional Registrations	2	50.00	1	25.00
Drug Caseflow Reimbursement		660.22		854.67
Juror Comp. Reimbursement		8,205.00		7,007.50
Entry Fees		15,004.00		15,965.00
Fee Cases	483		448.5	
Waiver Cases	92		81	
No Fee Cases	583		470	
Motion Fees		4,915.00		6,060.00
Jury Fees		2,075.00		2,280.00
Appeal to Appeals Court	2	50.00		50.00
Filiation (Paternity) Fee		287.45		338.84
Court Cost (Probation)		41,505.98		62,481.88
Attorney Fees		20,777.75		34,696.72
Crime Victim Rights		1,320.50		2,251.54
Forensic Fee		155.82		188.66
Garnishment Fee/Judgment Debtor		2,115.00		1,980.00

COUNTY CLERK'S ANNUAL REPORT – General Fund, Continued

		<b>2009</b>		<b>2,010</b>
10% County Share DNA	\$	32.63	\$	19.87
20% Late Penalty		8,403.53		13,256.25
Certified Copies		67,685.00		64,510.00
Partnership Filings	4	40.00	7	70.00
Assumed Names Filings	464	4,640.00	455	4,550.00
Assumed Names Dissolutions	14	140.00	25	250.00
Assumed Name Non-Resident	3	6.00	5	10.00
Notary Bond Filing Fees	44	352.00	47	376.00
Notarial Certificates		25.00		56.00
Passport Execution Fees	545	13,625.00	459	11,475.00
Photo Fees	909	5,454.00	885	5,310.00
Laminating Fees	574	574.00	544	544.00
Qualified Voters File		297.75		394.70
Voter Registration Processing		687.68		564.16
Copies & Searches		3,185.56		3,593.41
Marriage Waivers	26	130.00	33	165.00
Services				
Marriages performed by Clerk	31	\$ 620.00	41	820.00
Video Recording		99.00		84.00
Secret Marriage	3	75.00	2	50.00
License Correction	4	100.00	1	0.00
Notarizing		99.00		135.00
Business Under Assumed Name Listing		97.50		79.20
Sale of Divorce Packets		1,454.00		3,456.00
Clerk's Sale	2	50.00		0.00
Firearms Restoration	1	10.00		0.00
Election Reimbursement		45,914.18		25,879.58
Filing in Lieu of Petitions	5	500.00	1	100.00
Late Campaign Filing		175.00		75.00
Cremation Permits	184	920.00	264	1,320.00
10% Bond Cost		2,420.00		3,200.00
Bond Forfeitures		380.00		15,000.00
Cash short/over		-1.00		-0.35
<b>TOTAL GENERAL FUND</b>	<b>\$</b>	<b>272,158.55</b>	<b>\$</b>	<b>305,992.63</b>

		<b>2009</b>		<b>2010</b>
<b>FRIEND OF THE COURT FUND</b>				
Custody and/or Parenting Time	\$	14,743.75	\$	17,660.00
Support Fee		1,570.00		1,800.00
<b>MARRIAGE COUNSELING FUND</b>	<b>\$</b>	<b>6,390.00</b>	<b>\$</b>	<b>7,155.00</b>
<b>COMMUNITY CORRECTIONS</b>	<b>\$</b>	<b>1,427.00</b>	<b>\$</b>	<b>2,353.00</b>
<b>LIBRARY FUND (Court Ordered Fines)</b>	<b>\$</b>	<b>6,916.83</b>	<b>\$</b>	<b>14,682.00</b>

CIRCUIT COURT  
TRUST AND AGENCY FUND

		<b>2009</b>		<b>2010</b>
Pistol Permits due State	\$	36,608.00	\$	33,920.00
Notary Fees due State		86.00		94.00
Crime Victim Rights due State		12,153.61		20,371.27
State Court Fee due State		5,065.00		6,060.00
Filiation (Paternity) Fee due State		1,395.48		1,727.15
Jury Reimbursement Fund		950.00		950.00
Civil Filing Fee		59,024.00		61,554.74
Misdemeanor & Felony State Cost		14,862.53		23,890.39
65% DNA Fee due State		212.10		129.16
Forensic Fee due State		882.96		1,069.08
Child Support Bench Warrant		2,706.25		0.00
25% DNA Investigating Agency		81.57		49.68
Bonds Payable		80,562.38		55,807.00
Courts Orders Payable		96,734.50		0.00
Restitutions Payable		86,091.50		109,355.75
Receipts Refundable		1,646.91		1,034.05
Customer Deposits Payable		40.00		0.00
OUIL Reimbursement		990.83		1,510.00
<b>TOTAL CIRCUIT COURT T&amp;A FUND</b>	<b>\$</b>	<b>400,093.62</b>	<b>\$</b>	<b>317,522.27</b>

JUVENILE DIVISION  
GENERAL FUND

		<b>2009</b>		<b>2010</b>
Court Appointed Attorney Fees	\$	41,094.76	\$	36,997.63
Juvenile Court Service Fees		3,903.00		2,926.00
Crime Victim Rights		105.75		93.87
Probation Service Fees		2,963.64		2,322.50
Probate Court Fees				291.80
Juvenile Child Care - Parent		23,483.95		13,614.92
<b>TOTAL JUVENILE DIVISION GENERAL FUND</b>	<b>\$</b>	<b>71,551.10</b>	<b>\$</b>	<b>56,246.72</b>

JUVENILE DIVISION  
TRUST AND AGENCY FUND

		<b>2009</b>		<b>2010</b>
Crime Victim Rights due State	\$	951.75	\$	930.38
Misdemeanor & Felony State Cost		4,290.87		2,120.59
Bonds Payable		6,201.19		3,181.50
Restitutions Payable		13,683.34		10,651.67
Probate Court - Due State		492.00		409.20
<b>TOTAL JUVENILE T&amp;A FUND</b>	<b>\$</b>	<b>25,619.15</b>	<b>\$</b>	<b>17,293.34</b>

## RECAPITULATION

		<b>2009</b>		<b>2010</b>
Credit to County Clerk General Fund	\$	272,098.55	\$	305,992.63
Credit to Juvenile Court General Fund		71,551.10		56,246.72
Friend of the Court Fund		16,313.75		19,460.00
Marriage Counseling Fund		6,390.00		7,155.00
Community Corrections Fund		1,427.00		2,353.00
Library Fund		6,916.83		14,682.00
Trust and Agency Fund		400,093.62		317,522.27
Trust and Agency Fund - Juvenile		25,619.15		17,293.34
	\$	800,410.00	\$	740,704.96

## STATISTICAL INFORMATION - 2009 AND 2010

	2009	2010
Births Recorded	810	673
Deaths Recorded	439	517
Marriage Applications	426	475
Pistol Permits Issued	556	530
Passport Applications	545	459
Businesses Filed	468	462
Circuit Court Cases Filed		
Divorce w/kids	176	199
Divorce w/o kids	165	163
Paternity	61	73
Support Other	167	161
Civil	127	153
Criminal	508	513
PPOs	278	245
Delinquent Petitions Filed		
Formal	204	99
Deferred and Unauthorized	295	371
Neglect and Abuse Petitions	78	80

## EQUALIZATION PROCESS

Judy Nelson, Equalization Director, stated that she has developed and will present to assessors, township, village and school officials along with the Board of Commissioners and others a power point explaining the equalization process. This will take place on April 21st at 5:00 p.m. at the Intermediate School District Office.

She explained that 2 years ago the Commissioners asked her what she does. She was shocked and they understood why most people do not understand the complicated procedures of equalization. She is Chairman of a Committee from her association to develop educational tools to be presented state-wide to all people so that everyone more clearly understands the equalization process. Partners in developing this education are 4 Equalization Directors; a Professor from Michigan State University who has offered his staff to assist in this development; along with representatives from the Michigan Municipal League and the Michigan Township Association.

St. Joseph County will be the first to have this presentation.

Mrs. Nelson explained that recently she published in the newspaper an article explaining the assessment process. She will continue to do these articles throughout the tax calendar year to educate the public.

Commissioner Eaton asked if this educational presentation will include the end of the process, i.e. the Tax Tribunal.

Ms. Nelson stated that the tribunal process is a mess and they are currently asking the Equalization Directors to assist them.

Commissioner Baker asked if the presentation would be videotaped.

Jan Reed, who was in the audience stated that they do have a video camera at the ISD and a tripod. Mrs. Nelson stated that she would investigate whether or not the equipment was available for their use.

Mrs. Nelson also mentioned that the taxable value this year should be about the same as last year. They were expecting it to go down, but it looks as if we will break even.

#### HIGHWAY SAFETY GRANT

Sheriff Brad Balk requested approval to accept a Highway Safety Grant for \$5,000.00.

Chairman Shaffer asked what could be purchased with the grant monies.

Sheriff Balk stated that he has received a specific list of equipment that they can purchase, i.e. cones, flashlights, radar equipment and other equipment.

It was moved by Commissioner Ware and supported by Commissioner Baker that the Highway Safety Grant for \$5,000 be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Balog, Baker, Ware and Eaton.

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

#### REQUEST TO FILL VACANT PART TIME DEPUTY TREASURER'S POSITION

Ms. West-Wing stated that a letter had been received from the County Treasurer asking that the vacant 20 per week position be filled at 40 hours.

It was moved by Commissioner Baker and supported by Commissioner Ware that the vacant Deputy Treasurer's position be filled at 20 hours per week. Motion carried.

#### PLAIR PROPERTY

Ms. West-Wing stated that last September the Board of Commissioners approved the purchase of 4.7 acres of property across the road from Rawson's King Mill Park, to be used for parking.

When the title company was doing their research they found out that there is a mortgage lein on an 80' strip of this property. There are 83 acres across the street from this property which has a sale pending and the lender would release the lien on the 80' strip that we are purchasing when the sale on the other property is finalized. She does not want to lose the opportunity to buy this property even though we cannot get a discharge on the lien at this time and is recommending that we complete the purchase.

Commissioner Eaton asked if the lender would do a partial discharge on this property and Ms. West-Wing stated that they would not. The lender is only willing to discharge the lien from our piece of property when the other property sells.

Commissioner Eaton stated that he does not see a risk for the County and the Administrator agreed that the risk is minimal.

It was moved by Commissioner Eaton and supported by Commissioner Ware that the County complete the purchase of this 4.7 acres across from Rawson's King Mill Park from the Plairs.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Balog, Baker, Ware and Eaton.

Nay votes cast: 0

Absent: 2 - Commissioners Loudenslager and Dobberteen.

Motion carried.

## COMMITTEE REPORTS

### Law Enforcement

Commissioner Baker stated that the next meeting is scheduled for March 7th.

### Judiciary

Commissioner Balog stated that the meeting was cancelled due to the Courthouse being closed because of weather on February 2nd.

### Physical Resources

Commissioner Ware stated that the Committee met on February 28th and discussed the brick problem at the jail. Two contractors have looked at the problem and the Committee feels that an architect/engineer was needed to evaluate the issues and propose solutions. Landmark Design Group, who were the architects for the 2003-2005 jail renovation and expansion project, toured the area with staff on February 1st.

Landmark submitted a 3-Phase proposal and the Committee is recommending that we accept Phase 1 at this point and then decide after that Phase whether or not to recommend entering into Phase 2.

It was moved by Commissioner Ware and supported by Commissioner Eaton that the County enter into an agreement with Landmark Design Group for Phase 1 of their proposal at a cost of \$1,600.00. Motion carried.

### Executive Committee

Commissioner Shafer stated that the Executive Committee met on February 25, 2011 and would answer any questions that anyone may have. He mentioned that Brad Neumann came before the Committee to discuss reorganization of Michigan State University Extension and when Commissioner Loudenslager comes back he would like to schedule a work session to discuss this matter.

## PERSONNEL REPORT

Ms. West-Wing presented the following report:

### NEW HIRE:

Sharon Willey has been hired as Family Division Bookkeeper at \$13.20/hr. (Soltysiak system, grade 5, minimum) effective March 1, 2011.

Joseph Hughes III has been hired as Part-time Road Patrol Officer at \$17.37/hr. effective March 8, 2011.

### RESIGNATION:

Gretta Schermerhorn, COA In-home Services Aide, has resigned effective February 18, 2011.

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

BUDGET ADJUSTMENT

Ms. West-Wing presented the following report:

BUDGET AMENDMENT:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 2,000.00

INCREASE HUMAN RESOURCE'S BUDGET:

Line item 101-226-862.000 (Seminar and Employee Training) \$ 2,000.00

It was moved by Commissioner Baker and supported by Commissioner Ware 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>
Prepaid Insurance	\$ 5,491.42	\$
County Commission	4,537.71	4,975.52
Circuit Court	492.96	13,635.42
District Court	453.88	56,193.35
Friend of the Court	15,424.70	42,243.27
Jury Commission	66.32	
Probate Court	1,606.54	18,663.75
Juvenile Branch	15,833.29	32,207.46
Appeals Court	1,898.54	
Administration		9,994.46
Finance Department	2,664.24	10,925.28
County Clerk		22,986.69
Equalization Department	3,397.74	14,155.23
Human Resources	5,224.57	9,095.62
Geographic Information Systems		7,659.59
Prosecutor's Office	16,589.12	37,283.23
Register of Deeds		9,089.72
County Treasurer		14,347.12
Cooperative Extension	356.27	7,912.12
Information Technology	2,753.24	12,824.98
Buildings & Grounds	3,885.45	11,101.51
Courts Building Security		6,080.36
Drain Commission		5,166.86
Sheriff Department	27,212.21	99,704.97
Sheriff Reserves	45.00	
Jail & Turnkey	25,970.58	95,704.50
Emergency Services	31.63	966.27
Animal Control	25.85	8,927.01
Board of Public Works		732.89
Medical Examiners	4,739.75	
Child Care - Probate	963.19	396.52
Veterans' Services		2,489.06
Utilities & General Services	80,138.36	
Total	\$ 219,802.56	\$ 555,462.76

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 455,012.49	\$
Parks & Recreation	9,160.42	5,101.81
Emergency 911 Service	6,451.42	53,052.60
Central Dispatch - Wireless	2,056.50	4,491.99
Meyer Broadway/Coon Hollow Park	165.83	2,659.85
Family Counseling	1,515.50	
Cade Lake Park	2,023.33	
Waste Management		
County Commission	2,500.00	
Traffic Safety Program Fund	336.00	
Economic Development Fund	47,678.32	8,066.06
Victims' Rights Advocate Fund	300.23	3,353.70
Community Corrections Advisory Board	5,671.00	3,009.02
Community Corrections Program	1,981.00	43.52
Drug Law Enforcement Fund	906.99	
Law Enforcement Fund	33.00	13,991.27
Secondary Road Patrol	33.00	8,880.47
Homeland Security Grant Fund	2,324.40	3,921.91
Law Library Fund	361.46	
Principal Residence Denial Fund	704.79	733.57
Commission on Aging	155,476.50	60,063.62
Child Care: Probate Court	22,823.13	12,024.24
Veterans' Trust Fund	4,107.00	
Forfeiture and Foreclosure Fund	19,916.26	
Tax Payment Fund	3,084.76	
Inmate Store	703.48	
Three Rivers Community Center	1,709.49	999.31
Information Technology Improvement Fund	112,775.62	
Flexible Benefits Insurance Fund	301,891.56	
Total	\$ 1,161,703.48	\$ 180,392.94
 Grand Total	 \$ 1,381,506.04	 \$ 735,855.70
 General Fund Operating Expenditures		
Pre-Authorized	\$142,565.40	
Accounts Payable	<u>77,237.16</u>	
	\$ 219,802.56	
 General Fund Payroll Expenditures	 \$ 555,462.76	
 Other Funds Operating Expenditures		
Pre-Authorized	\$1,103,139.21	
Accounts Payable	<u>58,564.27</u>	
	\$ 1,161,703.48	
 Other Funds Payroll Expenditures	 \$ 180,392.94	
Total Recorded for the Month	\$ 2,117,361.74	

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

CHAIRMAN'S REPORT

Commissioner Shaffer explained the process that is required to increase the size of the Road Commission and the Board has had some discussion. This should be an agenda item soon.

MISCELLANEOUS

The Clerk stated that she should have mentioned earlier that they will likely have to give up on processing passports effective May 1st. She has done a press release so that the public is aware that the last day to apply would be on April 29th in the County Clerk's Office. One of the rules with which they cannot comply is that being a passport agent and issuing birth certificates can no longer both be done by the same people. She further stated that her association continues to work on this issue with our federal legislators, who have been responsive, but the agency that sets the rules does not have any oversight.

ADJOURNMENT

It was moved by Commissioner Baker and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until March 15, 2011 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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Rick Shaffer, Chairman