

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 2, 2004, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Loudenslager.

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	Monte Bordner
David J. Pueschel	John L. Dobberteen

Absent: John W. Bippus

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

AGENDA

Chairman Dobberteen stated that an additional project to the Jail Renovation should be added under Old Business.

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

MINUTES APPROVED

The Clerk stated that on page 38 of the February 27, 2004 a correction should be made to the last paragraph under Citizens Comments.

As it is stated:

“Mr. Carls suggested that if Rand Bowman, whom the Township of Florence hired, is not correct he needs to resign.”

As corrected:

“Mr. Carls suggested that if Rand Bowman is not doing his job he needs to resign.”

Commissioner Bordner stated that at the last meeting the debate regarding the hiring of Curtis Allen was out of character for the Board. They did not have good background information and all everyone was trying to do was do their job and monitor how taxpayer dollars are spent.

Since that meeting the Sheriff, Matt Lori and Undersheriff, Dennis Allen, provided more facts and information regarding this hiring. It is apparent that a highly qualified candidate was hired who took a drastic pay cut to return to the community in which he grew up.

Commissioner Bordner stated that they went on a goose chase and he apologized.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the minutes for February 17, 2004 be approved as amended. Motion carried. Commissioner Shafer abstained due to absence.

## COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, February 20 and February 27, 2004.
2. Letter from State Court Administrative Office, Re: First quarter disbursement of the Court Equity Fund.
3. Copy of letter to Department of Transportation (Director Gloria Jeff) from Representative Rick Shaffer, Re: U.S. 131 project.
4. Resolution from Antrim County, Re: Drilling on public land within Jordan Valley Management Area.
5. Resolution from Huron County, Re: Collection of State mandated court fees.
6. Resolution from Muskegon County, Re: In support of Oakland County Commissioner Eric Coleman for second vice-president of the National Association of Counties.
7. Minutes of Family Independence Agency Board meeting of January 27, 2004.
8. Minutes of Commission on Aging Board meeting of January 21, 2004.
9. Minutes of St. Joseph River Basin Commission meeting of December 2, 2003.

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

## ADDITIONAL PROJECT COST TO JAIL RENOVATION

Ms. West-Wing stated that at the Jail Renovation meeting on February 15<sup>th</sup> it was discovered that there were some electrical costs to the project that were omitted. It is the recommendation of the electrical engineer and the architect that these project costs be added to the renovation by Consumers Energy.

The additional costs provided by Consumers Energy are for the following:

- provide and install 1 switch with key-interlocks, pad and fusing.
- provide and install 1 deadfront transformer with pad and fusing
- provide and install primary cable.
- Perform all necessary primary terminations.
- Provide miscellaneous material related to the foregoing.

This also includes metering equipment for overhead line and pole rework.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the additional project costs to the jail renovation in the amount of \$25,650 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shafer, Loudenslager, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Absent: 1 – Commissioner Bippus.

Motion carried.

## 2003 ANNUAL REPORT OF THE SHERIFF'S DEPARTMENT

Sheriff Matt Lori thanked Commissioner Bordner for his comments regarding the hiring of Curtis Allen and stated that they will not be disappointed.

Sheriff Lori gave an overview of the annual report for the Sheriff's Department for 2003:

- total complaints are down by 375 as compared to 2002.
- July and August were the busiest months followed by October.
- Wednesdays and Saturdays were the busiest days and 25.5% of the complaints were from 3:00 p.m. to 7:00 p.m.
- assaults were the 2<sup>nd</sup> to the lowest in the last 10 years.
- breaking and enterings and larcenies were down.  
stolen vehicles were up.

- there used to be 2 persons from the Sheriff's Department in the SCAM or narcotics unit and now there are 4 in addition to 1 each from Three Rivers and Sturgis Police Departments.
- \$46,562 in forfeited property was seized, the 2<sup>nd</sup> highest in 10 years.
- operating under the influence of liquor was down.
- most accidents are caused by deer.
- the citations in the Marine Division were down.
- the highest amount of meals ever were served in 2003 and that number is 183,147.
- daily bookings were over 10.
- charts breaking down the detective and narcotics bureaus are in the report.
- the Victims Services Unit which provides good service totaled 173 hours for 2003.
- miles traveled by patrol cars were less in 2003.
- Road Patrol Deputy of the year was Mark Lillywhite
- Co-Corrections Officers of the year were Eric VanHeukelum and Mike Wetherbee.

Commissioner Bippus was present at this time.

- the trustees work crew totaled 46,500 hours in 2003 which is 22 trustees working 52 weeks per year at 40 hours per week.
- goal for 2004 is to survive the jail renovation project.

Commissioner Shafer asked if there was any headway being made in the methamphetamine issue in the County. Sheriff Lori responded by saying that headway is being made but there is still a long way to go. Commissioner Shafer stated that it was a nice report.

Chairman Dobberteen stated that it was an excellent report and then apologized for the discussion at the last meeting regarding the hiring of Curtis Allen.

Commissioner Loudenslager stated that it was an excellent report.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the 2003 Annual Report for the Sheriff's Department be accepted. Motion carried.

#### PARK FEE SCHEDULE

Dave Rachowicz, Parks and Recreation Director, requested approval of new park fees as recommended by the Parks and Recreation Commission. Mr. Rachowicz stated that fees have not been adjusted for over 5 years and some of them will not change. In response to a question by Commissioner Pueschel, Mr. Rachowicz stated that the ones that will not change are the less used parks and they hope to increase usage by keeping the fees lower.

The fees are proposed as follows:

	<u>Current Fees</u>	<u>Approved Fees</u>
Nottawa Sand Lake Park		
Shelter (10 tables)	\$40	\$50
Tables by beach (6 tables)	\$20	\$20
Camping w/electric	\$10	\$12
Camping w/o electric	\$ 8	\$10
Palmer Lake Beach Park		
Shelter (7 tables)	\$30	\$30
Rawson's King Mill Park		
Shelter (2 tables)	\$20	\$30
Wedding	\$50	\$75

Meyer Broadway Park Shelter (10 tables)	\$40	\$50
Lodge (7 tables) (Max. \$40/day)	\$10/hour	\$10/hour
Additional tables	\$ 5 each	\$ 5 each

It was moved by Commissioner Shafer and supported by Commissioner Bordner that the proposed park fees be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

ADDRESS ORDINANCE

Andy Goldberger, Central Dispatch Director, and Lotta Jarnefelt, G.I.S. Director, gave a review of the County's address ordinance. The ordinance has been in place since 1997.

Mr. Goldberger stated that the LRC and Central Dispatch provide the nuts and bolts information for the addresses. He also stated that a technician has been hired through December 31, 2004. He further stated that the appeals go through the Central Dispatch Policy Board. They have had 6-8 of these appeals. He is also working with the City of Three Rivers to help them develop an address ordinance. He reminded everyone that these addresses for the County are for only those areas that are not incorporated although Constantine Township is opting out and they have also been asked to go into some of the Villages.

He added that the Prosecuting Attorney is reviewing the ordinance and they may come back to the Board in September with some proposed amendments.

Mrs. Jarnefelt stated that for the past 6 years the G.I.S. Department has been trying to keep up with the volume of the address changes and completed an average of 63 changes per year. Now, with the technician they expect that this amount will triple or quadruple.

She gave each Commissioner a packet of information that they use to respond to constituents that may not be happy about having their address changed in case any of the Commissioners receive calls from them. Some of the corrections are out of range or out of order and sometimes there are duplicate road names. The individual townships have the final say in naming private roads and try to involve the property owners too. A certain percentage of complaints are unreasonable and some of them refuse to change their address. She suggested to the Commissioners that if a constituent contacts them to direct them to her.

Mr. Goldberger said that most problems come with annexations and Act 425 land transfers.

RENEWAL OF EMPLOYMENT AGREEMENT FOR JUVENILE DAY TREATMENT SUPERVISOR

Ms. West-Wing recommended approval of an Employment Agreement renewal for Lori Milliman the Juvenile Day Treatment Supervisor.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Renewal of an Employment Agreement with Lori Milliman, Juvenile Day Treatment Supervisor, for \$29,942 for 1 year.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

RENEWAL OF AGREEMENT WITH MAXIMUS, INC.

Ms. West-Wing stated that the County has Cooperative Reimbursement Agreements with the State for the Friend of the Court and the Prosecuting Attorney. We are reimbursed at the rate of 66%. Maximus, Inc. develops a central services cost allocation plan which identifies the various costs incurred by the County to support and administer the Cooperative Reimbursement programs. She recommends approval of a renewal of an Agreement with Maximus, Inc., to provide these services at a cost of \$12,900 per year for 3 years. She mentioned that this is the same amount that we are paying now.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Renewal of an Agreement with Maximus, Inc., be approved for 3 years at a cost of \$12,900 per year.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Motion carried.

CENTREVILLE ANNEXATION PUBLIC HEARING SET

Dave Allen, Economic Development Corporation Director, asked the Board to set a public hearing on a proposed annexation to the Village of Centreville. This is property owned by Coachman on which their division, Viking, will be building a new building.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that a public hearing be scheduled for April 6, 2004 at 5:15 p.m. for the proposed Centreville Village Annexation. Motion carried.

RESOLUTION NO. 9-2004

Commissioner Bippus presented the following resolution:

WHEREAS, the Honorable William D. Welty has appointed Pattie S. Bender as a magistrate in the 3-B Judicial District for the limited purpose of performing a marriage ceremony between Kristine Roberts and Jack Keener.

WHEREAS, Pattie S. Bender is the County Clerk of St. Joseph County and is a registered elector of the 3-B Judicial District; and

WHEREAS, the St. Joseph County Board of Commissioners concurs that the parties desiring to unite in marriage should have the ability to choose the person by whom their marriage is solemnized:

THEREFORE, IT IS RESOLVED that the St. Joseph County Board of Commissioners approves the District Court's appointment of Pattie S. Bender as Magistrate whose authority shall be expressly limited to that provided by MCL 600.8316; MSA 27A. 8316, for the performance of the one wedding ceremony defined by his order of appointment, and whose services shall be without compensation by the County of St. Joseph.

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

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Resolution adopted.

## NOMINATIONS

### Community Mental Health

Commissioner Bippus nominated Tim Carmichael, Marilyn Cheney, Joyce Clay and Gerald Loudenslager to the Community Mental Health Board

### Veterans' Affairs

Commissioner Bordner nominated William Milliman to the Veterans' Affairs Board.

### Commission on Aging

Commissioner Shafer nominated John McCluskey and Katie Green to the Commission on Aging.

### Economic Development

Commissioner Bordner nominated Gary Black to the Economic Development Corporation.

## COMMITTEE REPORTS

### Law Enforcement

Commissioner Bippus stated that there was no report.

### Judiciary

Commissioner Bordner stated that the next meeting is scheduled for April 14<sup>th</sup> and he has a conflict so he has asked Commissioner Baker to chair the meeting.

### Physical Resources

Commissioner Bippus stated that the next meeting is scheduled for March 10<sup>th</sup> at 10:00 a.m. at the Jail to discuss the jail renovation project.

### Executive Committee

Commissioner Bordner reported on the following items from the Executive Committee meeting held February 27<sup>th</sup> that have not been addressed tonight:

- Ms. West-Wing gave an update on the P.O.A.M. negotiations.
- the Road Commission is requesting a renewal of the millage and the Executive Committee sent it back to them to review as they question whether or not they should mention in the ballot wording that this millage money, if passed, could be used for bridges.
- discussed the technology study being contracted with Capital Consultants.
- discussed the proposal from River Country Tourism to donate 2% of our camping fees to them. More information will be gathered and it will go back to the Parks and Recreation Commission before coming back to the Board of Commissioners.

### U.S. 131

Commissioner Baker stated that he attended a U.S. 131 meeting and a 5<sup>th</sup> proposal is now on the table. There is no money in the budget so nothing will happen soon and he does not know when the next meeting will be.

### Website

Commissioner Shafer stated that the Website Committee met today and it had been the general consensus that we would not move forward on any of the website issues until the technology study is completed. However, at the meeting today, Dave Rachowicz, was present to request some additions to his web page that would be customer friendly to the parks. It was decided to move forward with these issues.

RESOURCE, CONSERVATION AND DEVELOPMENT

Commissioner Bordner stated that he attended a meeting of the RC & D and the business plan for 2004 was developed. There are projects in all 11 counties. Our funding for the RC & D is \$500 per year and also we budget \$20,000 to the Soil Conservation. Three grants have been awarded to this County or for a multi-County area for \$210,000 from the Environmental Protection Agency. The RC & D helped facilitate the applications for these grants. He believes that this is a very good return for our money.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATIONS

Jody J. Miller, part-time Telecommunicator, has resigned effective February 19, 2004.

Rebecca Behrends, Parks and Recreation Secretary, has resigned effective March 4, 2004.

MISCELLANEOUS:

Create the position of Central Dispatch Deputy Director (consistent with 2004 budget), pay grade and rate of pay under the Rye system to be determined upon completion of further research. Gary LeTourneau to change from Shift Supervisor to Central Dispatch Deputy Director at his current wage of \$19.11/hr. effective March 2, 2004.

Susan Cook to change from Telecommunicator to Shift Supervisor at \$18.25/hr. (Rye system, pay grade 6, exceeds scale) effective March 2, 2004.

Create the position of Human Resource Secretary (consistent with 2004 budget), Rye system, pay grade 2, wage range of \$9.93 to \$12.39/hr.

NEW HIRE:

Michael Alan Thiel has been hired as Deputy Equalization Director effective March 9, 2004. (On 2/03/04 the Board of Commissioners approved the hiring of Mr. Thiel with a date of hire to be determined.)

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

REQUISITIONS

Ms. West-Wing presented the following report:

One Dell OptiPlex GX270, flat panel 15" monitor, desk top PC for EDC \$ 1,289.18

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

DECREASE ECONOMIC DEVELOPMENT BUDGET:

Line item 244-728-941.000 (Contingency) \$ 1,300.00

INCREASE:

Line item 244-728-984.000 (Computer Hardware) \$ 1,300.00

Please consider the following amendments to the 2003 budget:

	<u>INCREASE:</u>	<u>DECREASE:</u>
County Commission	\$ 1,000.00 Payroll	\$ 1,000.00 Operating
Circuit Court	2,800.00 Payroll	2,800.00 Operating
Friend of the Court	650.00 Payroll	650.00 Operating
Administration	3,400.00 Payroll	900.00 Operating
		2,500.00 Contingency
Finance	1,200.00 Payroll	1,200.00 Operating
County Clerk	2,200.00 Payroll	1,200.00 Operating
		1,000.00 Contingency
Central Services	10,000.00 Operating	5,000.00 Payroll
		5,000.00 Contingency
Information Technology	2,600.00 Payroll	2,600.00 Operating
Building and Grounds	1,250.00 Payroll	1,250.00 Operating
Drain Commission	600.00 Payroll	300.00 Operating
		300.00 Capital
Jail and Turnkey	23,300.00 Payroll	4,800.00 Capital
		18,500.00 Contingency
Emergency Services	550.00 Payroll	550.00 Operating
Inmate Store Fund	4,100.00 Capital	4,100.00 Use of Fund Balance
Family Counseling Fund	125.00 Operating	125.00 Use of Fund Balance

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

### BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
2003 Unemployment Claims	\$ 9,987.05	\$
Employee Receivable	3,651.40	
Prepaid Insurance	12,122.00	
Appropriations	50,690.83	
County Commission	6,759.65	7,671.24
Circuit Court	2,220.52	16,366.19
District Court	1,978.19	63,625.45
Friend of the Court	2,324.27	34,267.74
Probate Court		17,519.97
Juvenile Branch	10,980.94	41,058.47
Appeals Court		142.64
Administration		8,673.07
Elections	221.67	
Finance Department	838.77	10,949.36
County Clerk	249.19	20,885.82
Equalization Department	3,980.11	13,857.55
Human Resources	216.00	4,101.58
Geographic Information Systems	6,431.55	8,692.99
Prosecutor's Office	2,541.00	37,788.54
Central Services	5,810.82	5,142.55
Register of Deeds	110.00	11,433.92
County Treasurer	4,704.49	13,095.09
Cooperative Extension	3,106.33	7,564.43
Information Technology	19.87	7,485.82
Buildings & Grounds	2,876.27	14,709.16
Courts Building Security		4,615.07
Drain Commission	3,896.18	4,324.49
Sheriff Department	6,460.33	85,586.37
Sheriff Reserves	572.96	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Jail & Turnkey	\$ 22,142.29	\$ 93,726.67
Planning Commission	1,556.25	
Plat Board		161.49
Emergency Services	21.10	3,946.88
Animal Control	480.56	8,302.23
Board of Public Works		731.74
Medical Examiners	2,298.00	
Child Care - Probate	9,248.13	1,626.36
Veterans Services	45.00	503.82
Utilities & General Services	37,371.59	
Total	<u>\$ 215,913.31</u>	<u>\$ 548,556.70</u>
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 405,365.92	\$
Parks & Recreation	1,060.85	6,698.21
Emergency 911 Service	2,058.47	49,943.09
Central Dispatch - Wireless		1,840.82
Meyer Broadway/Coon Hollow Park	782.30	1,940.86
Friend of the Court		1,277.51
Family Counseling	567.50	
Cade Lake Park	77,694.45	
Waste Management Fund		
County Commission	6,250.00	
Resource Recovery Program	502.72	625.49
Traffic Safety Program Fund	322.95	
Economic Development Fund	1,642.00	7,860.61
Register of Deeds Automation Fund	5,000.95	
Victims' Rights Advocate Fund		2,528.58
Community Corrections Advisory Board	6,861.67	2,596.91
Community Corrections Program	4,690.00	387.55
Drug Law Enforcement Fund	1,872.51	
Law Enforcement Fund		20,865.15
Secondary Road Patrol		8,711.08
Law Library Fund	1,634.96	
Principal Residence Denial Fund	35.34	
Commission on Aging	45,665.86	43,418.28
Sheriff's Justice Training Fund	1,750.00	
Family Independence Agency	33,739.78	
Child Care - Probate Court	18,067.50	2,797.22
Child Care - Family Independence Agency	12,809.68	
Veterans' Trust Fund	99.59	107.65
Facilities Maintenance Fund	9,264.85	
Tax Payment Fund	3,004.77	
Inmate Store	310.61	
Three Rivers Community Center	2,352.65	402.12
Long Lake Level Revolving Fund	7.20	
Flexible Benefits Insurance Fund	124,316.50	
Grand Total		
Total	<u>\$ 767,731.58</u>	<u>\$ 152,001.13</u>
Grand Total	<u>\$ 983,644.89</u>	<u>\$ 700,557.83</u>

General Fund Operating Expenditures			
Pre-Authorized	\$211,883.47		
Accounts Payable	\$4,029.84	\$	215,913.31
General Fund Payroll Expenditures		\$	548,556.70
Other Funds Operating Expenditures			
Pre-authorized	\$760,617.06		
Accounts Payable	\$7,114.52	\$	767,731.58
Other Funds Payroll Expenditures		\$	<u>152,001.13</u>
Total Recorded for the Month		\$	1,684,202.72

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

CITIZENS COMMENTS

Tim Carls, Klinger Lake Road, Centreville asked about the law suit regarding the Freedom of Information Act. Ms. West-Wing responded by saying that the case was closed. Mr. Clute added that it was settled months ago. The order stated that the County was not liable and if the surveyor wanted the other surveyor's records he could subpoena them.

Mr. Carls asked if there were maps on the website. Mr. Clute responded by saying that yes there were 1100 pages of tax maps on the website and there are links to all plats in the County. Mr. Carls asked about the error on a tax bill that he asked about before and Mr. Clute responded that yes it was an error by the Land Resource Center.

Vicki Allen, Amy Drive, Centreville thanked the Board of Commissioners for all of the hard work that they do. She asked that since the issue about the County's possible liability of the \$13,000 when Curtis Allen reports to the military is resolved and that the County will not be responsible, could the minutes show a clarification and could the press correct the articles that were published after the last meeting.

Chairman Dobberteen asked that Ms. West-Wing respond. Ms. West-Wing stated that the County is not responsible for wages and benefits while Curtis Allen is in military officers school. This is voluntary for Mr. Allen and the County is not responsible for his wages and benefits.

MISCELLANEOUS

Commissioner Baker stated that Del Martin, Fabius Township Supervisor has resigned and Butch Lanphear has been appointed to fill his term.

Commissioner Bordner thanked Mrs. Allen for bringing up the point of clarification for the record and again stated that just a little bit of information can be dangerous.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the St. Joseph County Board of Commissioners adjourn until March 16, 2004 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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John L. Dobberteen, Chairman