

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

Commissioner Dobberteen called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

Chief Deputy Clerk, Sandra K. Bowen, called the roll and the following Commissioners were present:

Gerald E. Loudenslager	John W. Bippus
Robin Baker	David J. Pueschel
John L. Dobberteen	

Absent: Eric Shafer and Monte Bordner

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

#### AGENDA

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

#### MINUTES APPROVED

Commissioner Loudenslager stated that on page 38 of the March 1, 2005 minutes under Miscellaneous it should state that he had mentioned that he had been appointed to the MAC Human Services Committee as Co-Chair.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the minutes for March 1, 2005 be approved as amended. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 4 and March 11, 2005.
2. Letter from the Michigan Association of County Veterans Counselors, Re: State of Michigan's process for funding the Veterans Children's Tuition Grant Program.
3. Letter from the City of Three Rivers, Re: Notice of public hearing on March 15, 2005 to consider the establishment of three Obsolete Property and Rehabilitation Act Districts from Meyer Ventures, LLC.
4. Letter from the City of Sturgis, Re: Notice of public hearing on March 21, 2005 to consider an Industrial Facilities Exemption Certificate to Burr Oak Tool and Gauge.
5. Letter from Leldon Berna, Re: Mr. Berna's Circuit Court case of 1988.
6. Resolution from Lake County, Re: In support of GEO, Inc.
7. Resolution from Washtenaw County, Re: Urging the Federal Government to maintain community development funding in Fiscal Year 2006.
8. Resolution from Ottawa County, Re: Appreciation for Representative William Huizenga with the Amendment of Michigan Records Media Act, MCL 24.401 et seq.
9. Minutes of the Community Action Agency Board meetings of January 24 and February 28, 2005.
10. Minutes of the Southwest Michigan Alliance for Region Three (SMART) meeting of February 14, 2005.
11. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of January 10, 2005.

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

#### FARMLAND PRESERVATION ORDINANCE

It was moved by Commissioner Bippus and supported by Commissioner Pueschel that the Farmland Preservation Ordinance be removed from the table. Motion carried.

It was moved by Commissioner Bippus and supported by Commissioner Pueschel that the Farmland Preservation Ordinance be approved.

Commissioner Loudenslager questioned the reference to the County Zoning Act, asking if we had one, and stated that he objects to the fact that the point chart is not a part of the ordinance.

Commissioner Dobberteen stated that the ordinance was a work in progress and that in order to get the townships to buy into it we need to get the ordinance going and amend it as we go.

The aye and nay vote was called as follows:

Aye votes: 4 - Commissioners Bippus, Baker, Pueschel and Dobberteen.

Nay votes: 1- Commissioner Loudenslager

Absent: 2 - Commissioners Shafer and Bordner.

Motion carried.

#### FRIEND OF THE COURT ANNUAL REPORT FOR 2004

William Thistlethwaite, the Friend of the Court appeared to present the Annual Report for 2004. He introduced the 10 staff members that were present and recognized 1 that was not present and stated that the success of the office is due to the dedication and hard work of the staff.

Mr. Thistlethwaite gave an overview of his report stating that they had set a new record for collections in 2004 with total collections of \$12,390,829.00 which is an increase of 5% over the previous year.

Chairman Bordner was present at this time and assumed the chair.

Mr. Thistlethwaite stated that the office also provides mediation services and settled two-thirds of the 163 mediations that they conducted. They also conducted 496 investigations and recommendations to the Circuit Court and assisted clients by preparing 170 stipulation and consent orders.

Mr. Thistlethwaite and Mr. Tomlinson conducted 554 referee hearings for the Circuit Court in 2004.

The Friend of the Court Office received revenues of \$673,770.00 from federal incentives, statutory fees, state reimbursement contracts, judgment fees and other fees such as court costs and interest.

Commissioner Dobberteen stated that it was a nice report and that he enjoyed looking it over and welcomed Sheila Clancy back after her illness.

Commissioner Loudenslager thanked Mr. Thistlethwaite for an excellent report.

Commissioner Bippus thanked Mr. Thistlethwaite for his report and stated that the enforcement and collection statistics were impressive.

In response to a question by Commissioner Bippus, Mr. Thistlethwaite explained the decrease in caseload due to the Support Specialist being moved from the local FIA office to Lansing, and the back log that the move has created.

Discussions were held concerning staffing, Citizens Advisory Committees and grievance process.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Friend of the Court Annual Report for 2004 be accepted. Motion carried.

#### REMONUMENTATION CONTRACTS

##### Carr and Associates

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the Remonumentation Contract with Carr and Associates be approved.

The aye and nay vote was called as follows:

Aye votes: 6 - Commissioners Loudenslager, Bippus, Baker, Pueschel, Bordner and Dobberteen.

Nay votes: 0

Absent: 1 - Commissioner Shafer

Motion carried.

Wightman-Petrie, Inc.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Remonumentation Contract with Wightman-Petrie, Inc. be approved.

The aye and nay vote was called as follows:

Aye votes: 6 - Commissioners Loudenslager, Bippus, Baker, Pueschel, Bordner and Dobberteen.

Nay votes: 0

Absent: 1 - Commissioner Shafer

Motion carried.

Mostrom and Associates, Inc.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Remonumentation Contract with Mostrom and Associates, Inc. be approved.

The aye and nay vote was called as follows:

Aye votes: 6 - Commissioners Loudenslager, Bippus, Baker, Pueschel, Bordner and Dobberteen.

Nay votes: 0

Absent: 1 - Commissioner Shafer

Motion carried.

Ingersoll Watson & McMachen Inc.

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the Remonumentation Contract with Ingersoll Watson & McMachen Inc. be approved.

The aye and nay vote was called as follows:

Aye votes: 6 - Commissioners Loudenslager, Bippus, Baker, Pueschel, Bordner and Dobberteen.

Nay votes: 0

Absent: 1 - Commissioner Shafer

Motion carried.

REQUEST TO FILL VACANT PART-TIME REGISTER OF DEEDS DATA ENTRY POSITION

It was moved by Commissioner Bippus and supported by Commissioner Dobberteen that the request to fill the vacant part-time Register of Deeds data entry position be approved. Motion carried.

REQUEST TO FILL VACANT FRIEND OF THE COURT OFFICE POSITION

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the request to fill the vacant receptionist position in the Friend of the Court Office be approved. Motion carried.

CHILD ABUSE PREVENTION MONTH

Commissioner Bippus presented the following resolution:

RESOLUTION NO. 4-2005

WHEREAS, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community; and

WHEREAS, statistics of children who are abused and neglected escalate each year; and

WHEREAS, the effects of child abuse are felt by whole communities and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community; and

WHEREAS, all citizens should become more aware of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment.

NOW, THEREFORE, LET IT BE RESOLVED, that the St. Joseph County Board of Commissioners hereby proclaims April as Child Abuse Prevention Month in St. Joseph County and calls upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live.

It was moved by Commissioner Bippus and supported by Commissioner Loudenslager that the resolution be adopted and second reading be waived. Resolution adopted.

NOMINATIONS/APPOINTMENTS

Three Rivers Industrial Development Authority

It was moved by Commissioner Bippus and supported by Commissioner Dobberteen that Thomas K. Brady be appointed to the Three Rivers Industrial Development Authority Board for a 4 year term to expire March 1, 2009. Motion carried.

Jury Board

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that Christine Feller be appointed to the Jury Board for a 6 year term to expire April 30, 2011. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Dobberteen stated that the Law Enforcement Committee met on March 14th. He stated that the Sheriff is looking at a county millage for law enforcement and that the Sheriff had provided a list of County vehicles and how they are being utilized.

Judiciary

Commissioner Baker stated that the next meeting is scheduled for April 13th.

Physical Resources

Commissioner Bippus stated that there was no report.

Executive Committee

Commissioner Bippus stated that the Executive Committee met on March 11th and highlighted the following:

- Committee will review the candidates for the Community Mental Health Board and make a recommendation at the April 5th meeting.
- Lawn care options were discussed and the recommendation is to continue using County staff.
- Loan to Cade Lake Fund will be addressed in the budget adjustment report.
- Circuit Court area carpet will be addressed in the requisition report.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Joanne Larimer changed from Bookkeeper to Diversion Caseload Coordinator at \$15.79/hr. (Soltysiak system, grade 7, step 4) effective March 2, 2005.

Kathryn Bennett changed from Part-time Deputy Treasurer to Full-time Deputy Treasurer at \$11.79/hr. (Soltysiak system, grade 5, minimum) effective March 8, 2005.

Susan Dentler to change from FOC Receptionist/Clerk to Enforcement Clerk at \$12.01/hr. (Soltysiak system, grade 5, 6 months) effective April 1, 2005.

NEW HIRE:

Georgia Oldenberg has been hired as Part-time Deputy Treasurer (20 hours per week) at \$11.79/hr. (Soltysiak system, grade 5, minimum) effective March 9, 2005.

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

REQUISITION

Ms. West-Wing presented the following report:

Replacement of carpet for the Circuit Court office area, courtroom and jury room \$ 6,745.37

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS

DECREASE DRAIN COMMISSION'S BUDGET:	
Line item 101-275-860.000 (Travel Expense)	\$ 20.00
INCREASE DRAIN COMMISSION'S BUDGET:	
Line item 101-275-978.000 (Furniture/Fixtures)	\$ 20.00
DECREASE TREASURER'S BUDGET:	
Line item 101-253-861.000 (Convention Expense)	\$ 150.00

INCREASE TREASURER'S BUDGET:	
Line item 101-253-980.000 (Office Equipment)	\$ 150.00
DECREASE DISTRICT COURT'S BUDGET:	
Line item 101-136-861.000 (Convention Expense)	\$ 150.00
INCREASE DISTRICT COURT'S BUDGET:	
Line item 101-136-980.000 (Office Equipment)	\$ 150.00
LOAN FROM FACILITIES MAINTENANCE FUND #406 TO CADE LAKE PARK FUND #217:	
Advance from Facilities Maintenance Fund to Cade Lake Fund	\$ 20,000.00
DUE FROM OTHER FUNDS:	
Line item 406-000-084.000	\$ 20,000.00
DUE TO OTHER FUNDS:	
Line item 217-000-214.000	\$ 20,000.00
FUND BALANCE – DESIGNATED FAIRVIEW:	
Line item 406-000-393.100	(\$20,000.00)
TRANSFER GENERAL FUND FUND BALANCE:	
Line item 101-390-999.000 (Operating Transfer Out)	\$100,000.00
INCREASE REVENUES:	
Line item 406-253-699.000 (Operating Transfer In)	\$100,000.00
INCREASE EXPENDITURES:	
Line item 406-253-976.000 (Building Improvement)	\$100,000.00

FROM APPROPRIATION:

\$30,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following report:

Per Diem

Robin Baker – 9 half days 2/16 x 2, 2/23, 2/24 x 2, 2/25, 3/9 x 2, & 3/11/05 & 2 full days 2/21 & 3/14/05	\$ 640.00
Monte Bordner – 20 half days 1/18, 1/19, 1/20, 1/25 x 2, 1/28, 1/31, 2/1 x 2, 2/2, 2/4, 2/8 x 2, 2/9, 2/11, 2/17 x 2, 2/22, 2/24 & 2/25/05 & 16 full days 1/25, 1/27, 2/8, 2/14, 2/15, 2/16, 2/18, 3/2-3/13 (8 days) & 3/14/05	2,520.00
John Dobberteen – 8 half days 2/22, 2/23, 2/25, 2/28, 3/8, 3/9, 3/11 & 3/14/05	590.00
Gerald Loudenslager – 3 half days 3/9 & 3/14/05 x 2 & 1 full day 2/17/05	245.00
David Pueschel – 5 half days 2/13, 2/18, 2/21, 3/13 & 3/14/05	250.00
Eric Shafer – 6 half days 2/15, 2/22, 3/2, 3/8, 3/9 & 3/11/05	<u>300.00</u>
	\$ 4,545.00

Expenses

Robin Baker	\$ 243.81
Monte Bordner	530.96
John Dobberteen	61.56
Gerald Loudenslager	151.07
David Pueschel	26.33
Eric Shafer	<u>32.40</u>
	\$ 1,046.13

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

Financial Statements

Mr. Carey presented the following statements:

	Revenues	Expenditures
February	\$ 1,103,090.00	\$ 1,173,500.00
Year to Date	1,963,457.00	2,307,176.00
Period Fund Balance		(\$70,409.00)
Percent of budget year elapsed year to date.		16.67%
Percent of total budgeted funds earned year to date		14.78%
Percent of total budgeted funds expended year to date		17.36%

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the financial statements be accepted. Motion carried.

CHAIRMAN'S REPORT

Chairman Bordner stated that he has just returned from 11 days in Australia on a fact finding mission which was partly funded by EDC, RC & D along with the Michigan Farm Bureau and Michigan Cattleman's Association. He had the opportunity to visit their parliament, met with the deputy minister of agriculture and health, and received some insight into the Australian health system. They also visited several farms and ranches. He plans to have a Power Point presentation available later for anyone that is interested.

CLOSED SESSION

It was moved by Commissioner Bippus and supported by Commissioner Dobberteen that the Board go into closed session regarding C.O.A.M. Contract Negotiations.

The aye and nay vote was called as follows:

Aye votes: 6 - Commissioners Loudenslager, Bippus, Baker, Pueschel, Bordner and Dobberteen.

Nay votes: 0

Absent: 1 - Commissioner Shafer

Motion carried.

OPEN SESSION

The Board resumed business in open session.

C.O.A.M. CONTRACT NEGOTIATIONS

It was moved by Commissioner Bippus and supported by Commissioner Dobberteen that the Administrator be authorized to proceed as discussed in closed session. Motion carried.

MISCELLANEOUS

Commissioner Baker stated that, in light of the recent events in Atlanta, the Law Enforcement Committee should discuss procedures concerning prisoners in the Courthouse.

Commissioner Pueschel stated that he had attended the Jail Open House and had learned a lot.

Commissioner Dobberteen stated that our jail is the cleanest facility around. He also welcomed Chairman Bordner back from his trip.

STRATEGIC PLANNING WORK SESSION

Ms. West-Wing stated that a date needed to be set for the Strategic Planning Work Session with Ann Nieuwenhuis. It was decided to schedule the work session for April 6, 2005 at 8:30 a.m.

ADJOURNMENT

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

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Sandra K. Bowen, Chief Deputy County Clerk

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Monte Bordner, Chairman