

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, 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	Gerald E. Loudenslager
Allen Balog	Robin Baker
Jerry Ware	John L. Dobberteen

Absent: Donald Eaton

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the minutes for March 1, 2011 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 4 and March 11, 2011.
2. Copy of letter from Eaton Corporation to the State Tax Commission, Re: Eaton Corporation will not oppose the revocation of Industrial Facilities Tax Exemption Certificates 2001-572 and 2002-509.
3. Minutes of the Corey Lake Inter-County Drain meeting of February 9, 2011.
4. Minutes of the Community Action Board meeting of January 24, 2011.
5. Minutes of the St. Joseph River Basin Commission meeting of December 7, 2010.
6. Minutes of the Commission on Aging Board meeting of February 16, 2011.

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

EXPANSION OF BOARD OF COUNTY ROAD COMMISSIONERS

Chairman Shaffer stated that the Board of Commissioners has been considering expanding the Road Commission from 3 to 5 members.

Louis Csokasy, Manager of the Road Commission, stated that he appreciates the Board of Commissioners and the Road Commission for appointing him to the position of Manager of the Road Commission, a position which he also holds in Cass County.

He stated that he agrees with expanding the Road Commission to 5 members and he has 2 primary reasons: He has experience with an expanded board and working in the manager slot.

1 - He believes that the role of Boards is to hire and fire a manager; they are to exercise judicial responsibility and give the manager in that place advice.

He further stated that Road Commissions are changing, they are much more sophisticated and the manager needs advice from the board. Currently 2 people could constitute a quorum.

With 5 members they can have committees and he believes that those committees should be; 1 – financial in order to discuss cash flow; engineering; and policy.

2 - Whenever there is a small board it can be dominated by an individual.

He would rather work for a Board than 1 individual.

Commissioner Ware asked when the Board meetings would be held if the Board is expanded. Mr. Csokasy stated that in the next 2-3 years there would likely be one meeting per month and the other meeting in the month would be dedicated to committee work. Commissioner Ware complimented Mr. Csokasy for the Board moving their 1st meeting of the month to 5:00 p.m. so that citizens may attend.

Chairman Shaffer stated that the Board of Commissioners has spent a lot of time discussing this matter. It was discussed during a work session and there was a public hearing at the last Board meeting to receive comments.

Commissioner Baker read the following resolution:

EXPANSION OF BOARD OF COUNTY ROAD COMMISSIONERS

RESOLUTION 4-2011

WHEREAS, Public Act 598 of 2006 amended Section 6 of the County Road Law (MCL 224.6) to allow for the expansion of county road commission boards from not less than three (3) members to not more than five (5) members; and

WHEREAS, the St. Joseph County Board of Commissioners held the required public hearing on March 1, 2011 and has considered the merits of expanding the Board of County Road Commissioners; and

WHEREAS, Section 6(1) of the County Road Law allows the County Board of Commissioners to provide for staggered terms of office so that no more than two board members' terms of office expire in the same year.

NOW, THEREFORE BE IT RESOLVED, the St. Joseph County Board of Commissioners does hereby expand the St. Joseph County Board of County Road Commissioners to five (5) members with one of the new member's term to expire December 31, 2013 and the other new member's term to expire December 31, 2015.

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

Commissioner Balog stated that he agrees with everything that Mr. Csokasy said and believes that it certainly makes sense, but cannot support the resolution in light of the State budget suggestions.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Baker, Ware and Dobberteen.

Nay votes cast: 1 - Commissioner Balog.

Absent: 1 - Commissioner Eaton.

Resolution adopted.

Chairman Shaffer thanked Mr. Csokasy for his leadership and said that we need to do a better job of sharing services.

Mr. Csokasy stated that he heard what the Governor has been saying and they are doing a lot of what he is suggesting.

DRAIN COMMISSIONER’S ANNUAL REPORT FOR 2010

Jeffery Wenzel, Drain Commissioner, presented the annual report for the Drain Office for 2010. He introduced the Deputy Drain Commissioner, Beverly Thelen, who compiled the report and thanked her for a job well done. She manages over 200 lake and drain accounts.

He also thanked the Board for their support of his office. They had a lot of activity and some major projects during 2010. He continued to do maintenance to try to prevent petitions for major projects from coming into his office, thus saving costs to the property owners.

There have been 2 winter lake draw downs: Palmer/Long Lakes in Colon Township and Lake Templene/Sand Lake. They are bringing Lake Templene back now.

They had one Board of Determination on the Black Run drain in Constantine Township, it was turned down and there will be no project.

There were 3 maintenance projects in 2010. The Park Drain in Park Township; the Wood and Watson Drain in Burr Oak Township which was last cleaned out in the 1940s; and the Nottawa #1 continues to be a concern. By continuing to maintain these drains the assessments are kept low.

The County has a lease with the Lake Templene Property owners for \$1.00 on the Lake Templene Dam and the lease is good as long as there is a court ordered lake level.

The Enbridge Oil/Victor Pipeline potential law suit was negotiated out of court. This could have been very costly.

The Busdorf Dairy bills are all paid and current.

All of the special assessments are done for all that have lake levels.

Money will be coming in any day from the Corey Lake Level assessment and then the County can be paid back the portion of the \$75,000 that was loaned for Corey Lake.

The special assessments for the two Court ordered lake levels for Beaver and Kaiser Lakes are very large and he decided to finance that over 5 years at 2.5% interest to give the property owners a break.

Mr. Wenzel stated that he continues to monitor the lake levels and beaver trapping.

Commissioner Dobberteen stated that he assumed that the Milburn Peat issue is concluded.

Mr. Wenzel responded by saying that yes it was finished and the new owner took care of everything and there was no cost to any other property owner or the County.

Following are the financial reports:

ASSESSMENTS

The following assessments were filed the last Wednesday in September of 2010:

Portage Lake Drain, Mendon Township (Petitioned Cleanout)	\$25,096.98
Grover & Coohon Drain, Colon Township (Petitioned Cleanout)	\$18,764.05
Felker Drain, Park Township (Petitioned Cleanout)	\$56,950.65
Colon Number One Drain, Colon & Nottawa Townships (Petitioned Cleanout)	\$41,476.02

ASSESSMENTS, Continued

Corey Lake, Fabius Township (+Newberg Township in Cass County) (Costs to Establish a Special Assessment District)	\$48,301.92
Kaiser Lake Assessment, Fabius Township (Costs to Establish a Special Assessment District)	\$3,916.85
Beaver Lake Assessment, Colon Township (Costs to Establish a Special Assessment District)	\$4,392.44
Little Portage Creek Intercounty Drain, Mendon and Leonidas Townships (Maintenance assessment)	\$11,813.00
 Total Drain and Lake Assessments - 2010	 \$210,711.91

Lake Level Funds

FUND	BALANCE 12/31/10
Long Lake Revolving Fund (Fabius)	\$22,690.12
Drain Assessment Fund (*)	\$192,488.14
Klinger Lake Level Fund	\$21,783.49
Revolving Drain Fund	\$35,499.76
Revolving Drain Maintenance Fund	\$9,418.58
Omena Lake	\$17,027.38
Palmer & Long Lake Level Fund (Weed Control)	\$0.00
Fish Lake Drain Fund	\$8,071.55
Eberhard Lake Level	\$699.03
Grey Lake Level Study Fund	\$1,034.21
Corey Lake	\$0.00
Pleasant Lake	\$7,765.90
Clear Lake	\$7,223.20
Kaiser Lake	\$0.00
Debt Service	\$95,008.39
Beaver Lake	\$0.00
Lake Templene	\$5,118.72
Minnewaukan Lake	\$0.00
Lamberson Dam	\$89.72
 TOTALS	 \$423,918.19

*This fund is the total of the individual drain accounts included with this report.

Individual Drain Accounts

DRAIN	BALANCE
AINSLEY	\$0.00
AMBS	\$0.01
BARTHOLOMEW/SPRING CREEK	\$2.86
BEAVER LAKE & EXTENSION	\$228.47
BENEDICT LAKE	\$2,323.65
BENNETT & BIRCH	\$1.87
BERKLEY & REED	\$451.46
BLACK RUN	\$29.01

INDIVIDUAL DRAIN ACCOUNTS, Continued

BRICKER	\$21.62
BRISTOL	\$5.46
BROOKS	\$6.62
BURR OAK VILLAGE	\$1.47
BURR OAK/COUNTYLINE	\$5,981.31
CALVERT & FOUR COUNTY	\$2,296.86
CARL	\$71.84
CARTER-BOWER	\$156.32
CLARKS	\$2.72
CLYDE	\$2,256.00
COLE & DARLING	\$37.91
COLON NO. 1	\$51,461.61
COOPER	\$35.70
COPENHAFER	\$1,433.50
COREY LAKE (DRAIN)	\$131.25
DAVIS TILE	\$27.98
DELONG	\$3.18
DENT EXTENSION	\$3.34
DRY LAKE	\$2.57
FABIUS NEWBERG	\$0.00
EBERHARD LAKE (DRAIN)	\$22.76
EDWARDS-STARKWEATHER	\$1.00
FARNHAM	\$45.31
FAWN RIVER	\$0.00
FELKER	\$3,510.67
FLETCHER	\$44.00
FOUR COUNTY	\$40.20
FOUR COUNTY BRANCH	\$39.26
FOWLER	\$32.32
FREEMAN	\$6,492.32
GARMAN FOSTER BRANCH	\$1,188.76
GEMBERLING	\$230.04
GILL & TRY	\$181.88
GILLETT	\$7.06
GOOSE LAKE	\$91.52
GRAVES	\$17.56
GROVER-COOHON	\$38,360.03
HALLWOOD - BRANCH #1	\$185.70
HANSHAW	\$0.00
HASBROOK & MUMBY	\$0.15
HASSINGER	\$878.30
HAZZARD	\$45.54
HENRY-HILL	\$39.45
HILL	\$159.41
HIMEBAUGH & NOBLE	\$21.92
HOG CREEK & BRYANT LAKE	\$606.44
HOOVER-KELLY	\$242.52
JOHNSON & KELLY	\$408.59
KEIGHTLY	\$217.62
KIBBIE & AKEY	\$3.42
KISER & BICKLE	\$0.00
KLADY	\$0.00

INDIVIDUAL DRAIN ACCOUNTS, Continued

LAIRD TOMPKINS & DOANE	\$5.31
LEONIDAS VILLAGE	\$20.59
LEONIDAS/MENDON/LITTLE PORTAGE	\$499.04
LITTLE PORTAGE CREEK EXTENSION	\$0.00
LEVERANCE & REED	\$246.59
LITTLE SWAN CREEK	\$4,764.57
MARVIN	\$21.33
METTY RICE	\$45.01
MOE	\$6,089.18
MOORE & BURGNER	\$19.18
MOOREPARK	\$39.49
NOTTAWA LOCKPORT	\$57.68
NOTTAWA NO. 1	\$23.33
NYE	\$226.38
OLDORF	\$19.99
OUTWATER	\$4.65
PARK	\$0.28
PIERCE-SHERMAN	\$10.50
PLUG EXTENSION	\$44.66
PLUM	\$0.01
PORTAGE CREEK INTERCOUNTY	\$40.50
PORTAGE LAKE	\$36,213.99
PROFILE LAKE	\$771.79
RAILROAD STREET & TRY	\$55.42
REED	\$0.00
REED & HAGAR	\$1.44
RUMSEY	\$0.00
SADAWASSER	\$80.77
SAMUEL CLYDE	\$16.93
SAM METTA	\$0.00
SANBORN & HOG CREEK	\$172.01
SECTION FIFTEEN	\$100.00
SECTION FOUR	\$1,929.52
SECTION FOUR & FIVE	\$33.47
SECTION LINE	\$191.46
SECTION SEVEN	\$150.50
SECTION SIXTEEN	\$0.91
SECTION THIRTY-ONE	\$23.18
SECTION TWENTY-EIGHT	\$9.20
SHAW & AKEY	\$4.08
SIMPSON	\$6.91
SKIRVIN	\$7.69
SMITH & TYLER	\$50.00
SMITH WOODWORTH	\$37.11
SNAKE	\$614.90
STEPHENSON	\$331.32
STEWART LAKE	\$13,897.40
SWEET LAKE	\$0.00
THORNTON-BEAVER MARSH	\$27.73
TRECKLE	\$2.64
TUTEWILER & TOWN LINE & PLUG	\$2,695.65
WAITS	\$13.38

INDIVIDUAL DRAIN ACCOUNTS, Continued

WANEER	\$87.29
WASEPI	\$10.12
WILCOX	\$2,238.43
WINGER	\$0.00
WOOD & WATSON	\$1.06
YAPLE	\$60.85
YEATTER JOINT	\$301.93
YODER	\$82.45
TOTALS	\$192,488.14

Loans

Colon Number One Drain	\$365,780.00
Felker Drain	\$427,000.00
Grover & Coohon Drain	\$220,000.00
Portage Lake Drain	\$200,000.00

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Drain Commissioner's Annual Report for 2010 be accepted and placed on file. Motion carried.

LEASE AGREEMENT WITH ECONOMIC DEVELOPMENT CORPORATION (RENEWAL)

Ms. West-Wing is recommending approval of a renewal of a Lease Agreement with the EDC for office space at Annex II. The space is 220 square feet at a cost of \$8.69/sq' for an annual total of \$1,911.80 and the lease is effective April 1, 2011 through March 31, 2012.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the renewal of the lease agreement with EDC be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

REQUEST TO FILL PENDING VACANT SENIOR PROBATION OFFICER POSITION

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the pending vacant Senior Probation Officer Position, grade 8 be filled with a Probation Officer/Magistrate Position, grade 7. Motion carried.

COLON TOWNSHIP PARK LEASE TERMINATION

Ms. West-Wing stated that in 2000 the County entered into a lease agreement with Colon Township to share in the maintenance of Palmer Lake Beach. The Parks and Recreation Commission voted to terminate this lease because of the inordinate amount of time that it takes for this maintenance and the staff has been reduced.

It was moved by Commissioner Ware and supported by Commissioner Baker that the lease with Colon Township regarding the Palmer Lake Beach be terminated.

The aye and nay vote was called as follows:

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

Nay votes cast: 1 - Commissioner Loudenslager.

Absent: 1 - Commissioner Eaton.

Motion carried.

GRANT POLICY REVISION

Ms. West-Wing stated that the Board adopted a Grant Policy in November of 1995. At that time there was not a County Grant Writer position and procedures have changed. She is recommending that the policy be revised so that the grant application does not have to come to the Board before submission but still will come to the County Administrator before submission. If and when the grant is approved by the offering agency it will always come to the Board of Commissioners for approval or disapproval.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the Grant Policy Revision be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Eaton.

Motion carried.

NOMINATIONS AND APPOINTMENTS

Agricultural Preservation Board

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that Donald Eaton be nominated and appointed for a 1 year term and Carroll Parmeter and John Wagner be nominated and appointed for a 3 year term on the Agriculture Preservation Board. Motion carried.

Community Mental Health and Substance Abuse Services

It was moved by Commissioner Dobberteen and supported by Commissioner Baker that Barbara Parker and David J. Pueschel be nominated and appointed to the Community Mental Health and Substance Abuse Services for 3 year terms. Motion carried.

Transportation Authority

It was moved by Commissioner Baker and supported by Commissioner Dobberteen that Allen Balog, Gary Wheeler, Monte Bordner, Gary Hansen, Aaron Cullifer and Joseph Haas be nominated and appointed to the Transportation Authority for 2 year terms. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the committee met on March 7th and discussed a number of issues. One of the items was the elimination of funding by the Drug Enforcement Administration for methamphetamine cleanup. Everyone has a copy of the minutes and he would answer any questions that anyone may have.

Judiciary

Commissioner Balog stated that he has nothing to report.

Physical Resources

Commissioner Ware stated that he has nothing to report.

Executive Committee

Commissioner Dobberteen stated that the Executive Committee met on March 11, 2010, everyone has a copy of the minutes and he would answer any questions that anyone may have.

Finance Committee

Commissioner Dobberteen stated that the Finance Committee met with himself in attendance along with Commissioner Eaton and Larry Franks who is the Past President of Trine University with whom we have an opportunity to partner.

WORK SESSION

Commissioner Dobberteen stated that he would like to schedule a work session for a presentation from Larry Franks and the possible partnership with Trine University.

It was the consensus that March 24th would be the 1st choice and March 23rd would be the 2nd choice at 3:00 p.m.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRE:

Lori Holder has been hired as COA In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective March 2, 2011.

Christine Bishop has been hired as COA In-home Services Aide at \$10.05/hr. (COA system, grade 5, minimum) effective March 8, 2011.

RESIGNATION:

Mary Matthews, Nutrition Data Assistant, has resigned effective March 4, 2011.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 12,160.00

INCREASE JUVENILE BRANCH'S BUDGET:

Line item 101-149-844.015 (Foster Care Recruitment) \$ 12,160.00

DECREASE COMMUNITY CORRECTIONS PROGRAM FUND #263:

Line item 263-229-727.000 (Office Supplies) \$ 20.00

INCREASE COMMUNITY CORRECTIONS PROGRAM FUND #263:

Line item 263-229-984.000 (Computer Hardware) \$ 20.00

INCREASE CADE LAKE PARK FUND #217 REVENUES:

Line item 217-751-676.000 (Budgeted Use of Fund Balance) \$ 2,500.00

INCREASE CADE LAKE PARK FUND #217 EXPENDITURES:

Line item 217-751-975.000 (Buildings) \$ 2,500.00

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

FINANCE DIRECTOR'S REPORTS

Mr. Carey presented the following reports:

Per Diem

Robin Baker - 5 half days 2/17, 2/25, 3/2, 3/7 & 3/11/11 & 3 full days 2/18, 2/24 & 2/28/11	\$ 535.00
Allen Balog - 5 half days 2/16, 2/24, 2/28, 3/4 & 3/8/11	250.00
John Dobberteen - 3 half days 3/8, 3/9 & 3/11/11 & 3 full days 2/28, 3/2 & 3/11/11	435.00
Rick Shaffer - 12 half days 1/4, 1/11 x 2, 1/14, 1/28, 2/8, 2/25, 3/2, 3/8, 3/9, 3/11 & 3/14/11	600.00
Jerry Ware - 5 half days 2/25, 2/28, 3/2, 3/7 & 3/11/11	250.00
	\$ 2,070.00

Expenses

Robin Baker	\$ 290.19
John Dobberteen	132.60
Allen Balog	100.98
Rick Shaffer	108.12
Jerry Ware	76.50
	\$ 708.39

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

Financial Statement

	Revenues	Expenditures
February	\$ 1,033,312	\$ 909,328
Year to Date	2,050,120	2,277,190
Period Fund Balance	\$123,984.00	
Year to Date	(\$227,070)	
Percent of budget year elapsed year to date.	16.67%	
Percent of total budgeted funds earned year to date	13.98%	
Percent of total budgeted funds expended year to date	15.53%	

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the financial statement be approved. Motion carried.

CHAIRMAN'S REPORT

Chairman Shaffer stated that it was great having Commissioner Loudenslager back. He also said that there are other issues that need to be discussed in additional work session(s). Issues are direction of MSUE; Clerk/Register combination; and defined contribution/defined benefit plans. It was the consensus that a work session be scheduled for April 12th at 3:00 p.m.

MISCELLANEOUS

Commissioner Ware welcomed Commissioner Loudenslager back.

Commissioner Loudenslager stated that it was good to be back.

Commissioner Balog stated that the Three Rivers Ladycats are Regional Basketball Champions and play in the quarterfinals tonight.

Commissioner Dobberteen welcomed Commissioner Loudenslager back and wished good luck to the Ladycats.

ADJOURNMENT

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

Pattie S. Bender, County Clerk

Rick Shaffer, Chairman