

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 16, 2004, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

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

Eric Shafer	John W. Bippus
Robin Baker	Monte Bordner
David J. Pueschel	John L. Dobberteen

Absent: Gerald E. Loudenslager

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

AGENDA

Chairman Dobberteen stated that a jail project change should be added to new business.

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

MINUTES APPROVED

It was moved by Commissioner Shafer and supported by Commissioner Bordner that the minutes for March 2, 2004 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 5 and March 12, 2004.
2. Letter from Branch County, Re: Invitation to legislative update meeting on March 31, 2004 in Branch County.
3. Letter from Michigan Works!, Re: Legislative update.
4. Letter from the Village of Centreville, Re: Notice of public hearing on April 8, 2004 to consider an application for an Industrial Facilities Exemption Certificate for Viking Recreational Vehicle, LLC.
5. Resolution from Newaygo County, Re: Opposing collection of State minimum fees.
6. Resolution from Newaygo County, Re: Requesting State legislative review of court funding process.
7. Resolution from Lenawee County, Re: Opposition to Senate Bill 217 (Drain Code changes.)
8. Minutes of Community Action Agency Board meeting of February 2, 2004.
9. Minutes of Community Mental Health Services Board meeting of February 3, 2004.
10. Minutes of Southwest Michigan Substance Abuse Advisory Council meeting of February 16, 2004.
11. Summary of St. Joseph River Basin Commission retreat of February 12, 2004.
12. Minutes of Commission on Aging Board meeting of February 18, 2004.

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

CITIZENS COMMENTS

Mark Clute, Land Resource Centre Director, introduced Mike Thiel, Deputy Equalization Director, who comes from Ludington.

JAIL PROJECT CHANGE

Ms. West-Wing stated that at the last meeting a change was added to the Jail Project regarding the electrical service. Now, it is recommended that we purchase the transformer from Consumers Energy for \$6,178 and we will get a deduct from the electrical contractor, amount which is being negotiated.

It was moved by Commissioner Shafer and supported by Commissioner Bippus that the Jail Project change be approved to purchase a transformer from Consumers Energy for \$6,178.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 – Commissioner Loudenslager.

Motion carried.

ROAD COMMISSION MILLAGE RQEUEST

Bruce Jones, Engineer/Manager of the Road Commission, requested that the Board of Commissioners approve the placement of the Road Millage on the ballot in August as a renewal. They would like to ask for 1 mill for 10 years, just like they did in 1994. The Executive Committee suggested to him last Friday that they include wording in the ballot question so that some of the funds could be used for bridges. Mr. Jones provided a list of bridges on the critical list and there are only 8 that do not have a weight bearing limit of 77 tons. He stated that the Road Commission would prefer the same wording so that they can put the word “renewal” in the ballot wording. Mr. Jones added that they are grateful for the money that they have gotten from the County through the years for bridges.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Road Commission millage be placed on the August ballot as a renewal.

Commissioner Bordner stated that the County continues to give the Road Commission \$30,000 each year and said that revenue sharing is slowly going away. He believes that 10 years ago the Board of Commissioners should have worded the ballot proposal to allow monies to be used for bridges. He believes that the people will support the question whether or not it is a renewal or changed to include bridges and believes that this Board should change the wording. He added that it would behoove the Road Commission to have money to finish bridges.

Commissioner Bippus agrees with Commissioner Bordner but would still support the motion for renewal language.

Mr. Jones stated that he would rather have the County’s \$30,000 go away than change the ballot wording.

Commissioner Pueschel agrees with Commissioner Bordner but is afraid of what the public will do.

Commissioner Shafer believes that we maybe over estimating the public but understands Commissioner Bordner’s position.

The aye and nay vote was called as follows:

Aye votes cast: 5 – Commissioners Shafer, Bippus, Baker, Pueschel and Dobberteen.

Nay votes cast: 1 – Commissioner Bordner.

Absent: 1 – Commissioner Loudenslager.

Motion carried.

Commissioner Bordner stated that he favors the road millage but 4 of the bridges on the critical list are in his district.

MICHIGAN STATE UNIVERSITY EXTENSION MEMORANDUM OF AGREEMENT

VETERANS' SERVICES

Ms. West-Wing recommended approval of a memorandum of agreement with Michigan State University Extension for them to assume the Veterans' Services Coordinator's duties. The cost will be between \$8,000 and \$10,000 effective April 1, 2004. This will be a transfer of duties from the Land Resource Centre.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the memorandum of agreement with Michigan State University Extension for a Veterans' Services Coordinator be approved with a cost of between \$8,000 and \$10,000 effective April 1, 2004.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

ESTABLISH SHERIFF'S DEPARTMENT BOOKING FEES

Ms. West-Wing stated that the Sheriff's Department would like to establish a new policy to charge booking fees effective April 1, 2004 consistent with a new law. The fee is \$12.00 with \$10.00 remaining with the County to fund Corrections Officers training and \$2.00 to be sent to the State.

Commissioner Baker asked if this were for all bookings or just for those charged with criminal offenses. After discussion it was decided to place this on the April 6th agenda.

OPPOSITION TO SENATE BILL 217

RESOLUTION NO. 10-2004

Commissioner Bippus presented the following resolution:

WHEREAS, the Michigan Senate, on February 26, 2004, received from the Senate Agriculture and Natural Resources Committee Senate Bill 217 (SB 217) with a recommendation for adoption, and

WHEREAS, SB 217 is the revision of the Michigan Drain Code of 1956, as amended (MCL 280.1 et seq), and

WHEREAS, significant revisions have been drafted into SB 217 that will increase the cost of projects undertaken pursuant to the Drain Code and will increase the delay in the response to request for drainage petitioned by landowners and municipalities, and

WHEREAS, provisions of SB 217 will unduly burden the landowners and municipalities seeking relief under the Drain Code, adversely affecting agriculture, industry and the public health, safety and welfare of the County without providing substantive benefits to the environment or enhanced public accountability.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners urges the State Legislature to reject the amendments to the Michigan Drain Code as set forth in Senate Bill 217 as reported from the Senate Committee on Agriculture and Natural Resources on February 26, 2004.

BE IT FURTHER RESOLVED, that the St. Joseph County Board of Commissioners supports amendments to the Drain Code to facilitate the ability to address the construction, maintenance and improvement of drains in the State of Michigan and which provide for the benefit of agriculture, industry and the environment in the State of Michigan and for the equitable sharing of cost for those projects.

NOW BE IT FURTHER RESOLVED, that copies of the Resolution be submitted to Governor Granholm, Senator Gerald VanWoerkom (Sponsor of SB 217), the Senator and Representatives whose Districts represent the County and the other 82 Michigan County Clerks.

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

Commissioner Shafer stated that the letter from MAC is asking for the Board to hold off adopting this resolution until their Board takes a position.

Commissioner Bippus stated that the Drain Commissioner is requesting that the Board adopt the resolution.

Commissioner Bordner added that there have been 85 amendments to the bill to re-write the Drain Code legislation. If passed the legislation would, in essence, stop any drain work in St. Joseph County. It will be difficult to even do any maintenance on any drains.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 – Commissioner Loudenslager.

Resolution adopted.

NOMINATIONS AND APPOINTMENTS

Community Mental Health

It was moved by Commissioner Baker and supported by Commissioner Pueschel that Tim Carmichael, Marilyn Cheney, Joyce Clay and Gerald Loudenslager be reappointed to the Community Mental Health Board for terms to expire March 31, 2007. Motion carried.

Veterans' Affairs Board

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that William Milliman be reappointed to the Veterans' Affairs Board for a 4 year term that will expire March 1, 2008. Motion carried.

Commission on Aging

It was moved by Commissioner Shafer and supported by Commissioner Baker that John McCluskey and Katie Green be appointed to the Commission on Aging to fill vacancies, McCluskey's term to expire June 30, 2004 and Green's to expire June 30, 2005. Motion carried.

Economic Development Corporation

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that Gary Black be appointed to the Economic Development Corporation for a term to expire August 1, 2009. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Chairman Dobberteen stated that the Law Enforcement Committee has not met.

Judiciary

Commissioner Bordner stated that the next Judiciary Committee Meeting is scheduled for April 14th with Commissioner Baker chairing the meeting.

Physical Resources

Commissioner Shafer stated that the Physical Resources Committee met on March 10th and talked about the change in the jail project. They also received an update on the Animal Shelter Drive, pole barn addition and Annex I tuck pointing and cleaning.

Executive Committee

Commissioner Bordner reported on the following items discussed at the Executive Committee Meeting held on March 12th that have not been discussed tonight:

- talked about the DEQ penalty for the Lake Templene Dam inspection that is being negotiated.
- Drain Commissioner gave an update on the Millburn Peat issue.
- received a recommendation from the Classification and Compensation Committee.
- talked about the F.O.P. Negotiations that will further be considered in closed session tonight.
- Sturgis Chamber of Commerce to hold a candidate forum in the evening on July 21st in the Commissioners' Room.

Human Services Commission

Commissioner Bordner stated that at the HSC Meeting last week Liz O'Dell was honored for her tireless work. She has been nominated for a State Award and Commissioner Bordner commented on all the work that she does in the County and how talented and dedicated that she is and suggested that others congratulate her on her nomination.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RETIREMENT:

Dennis Brandenburg, Sergeant, will retire effective April 19, 2004.

NEW HIRE:

Dennis Brandenburg has been hired as Central Dispatch Shift Supervisor at \$15.92/hr. (Rye system, grade 6, step 3) effective April 20, 2004.

Tammy Miller has been hired as part-time Victim Services Clerk at \$8.79/hr. (Soltysiak system, grade 1, minimum) effective March 9, 2004.

MISCELLANEOUS:

Katherine Fair, Family Court Coordinator, changed from 28 hours per week to 8 hours per pay period (rate of pay to remain the same) effective February 10, 2004. Ms. Fair will also work part-time as needed for the Probate Court at \$8.75/hr. effective February 10, 2004.

Establish the position of Deputy Central Dispatch Director as a pay grade 7 on the Rye system. (March 2, 2004 the Board of Commissioners approved the position with the pay grade and rate of pay to be determined.)

Establish wage for Gary LeTourneau, Deputy Central Dispatch Director, at \$41,000/yr. (rate of pay exceeds the scale) effective March 2, 2004. (March 2, 2004 the Board of Commissioners approved the change of Mr. LeTourneau from shift supervisor to deputy director.)

Darcy Borden, Telecommunicator, will change from part time to full time at \$13.32/hr. (Soltysiak system, grade 7, minimum) effective April 6, 2004.

Catherine Wittenberg, Telecommunicator, will change from part-time to full time at \$13.32/hr. (Soltysiak system, grade 7, minimum) effective April 6, 2004.

RESIGNATION:

Stephen Curtis, Family Division Caseworker, has resigned effective March 16, 2004.

TEMPORARY/SEASONAL EMPLOYMENT:

Patricia Hutson to work as Principal Residence Technician at \$10.00/hr. effective March 22, 2004.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

DECREASE REGISTER OF DEEDS' BUDGET:

Line item 101-236-706.170 (Wages – Chief Deputy) \$ 5,000.00

INCREASE:

Line item 101-236-707.000 (Wages – Part Time) \$ 5,000.00

DECREASE REGISTER OF DEEDS' TECHNOLOGY FUND:

Line item 256-236-706.130 (Wages – Deputy) \$ 5,000.00

INCREASE:

Line item 256-236-707.000 (Wages – Part Time) \$ 5,000.00

DECREASE CENTRAL DISPATCH WIRELESS FUND:

Line item 212-912-941.000 (Contingency) \$48,325.00

INCREASE:

Line item 212-912-706.100 (Assistant) \$34,272.00
 Line item 212-912-715.000 (FICA) 2,622.00
 Line item 212-912-716.000 (Health Insurance) 7,769.00
 Line item 212-912-716.010 (Dental Insurance) 387.00
 Line item 212-912-716.020 (S & A Insurance) 260.00
 Line item 212-912-716.100 (Workers Compensation) 134.00
 Line item 212-912-717.000 (Life Insurance) 46.00
 Line item 212-912-718.010 (Retirement – Employer) 2,835.00

\$48,325.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$45,084.00

INCREASE LRC/EQUALIZATION'S BUDGET:

Line item 101-225-705.010 (Dept. Head) \$ 1,763.00
 Line item 101-225-705.020 (Dept. Head #2) 32,030.00
 Line item 101-225-715.000 (FICA) 2,585.00
 Line item 101-225-716.000 (Health Insurance) 5,275.00
 Line item 101-225-716.010 (Dental Insurance) 258.00
 Line item 101-225-716.020 (S & A Insurance) 208.00
 Line item 101-225-716.100 (Workers Compensation) 133.00
 Line item 101-225-717.000 (Life Insurance) 37.00
 Line item 101-225-718.010 (Retirement – Employer) 2,795.00

\$45,084.00

DECREASE LRC/EQUALIZATION'S BUDGET:

Line item 101-225-706.140 (Supervisor) \$ 5,737.00

INCREASE:

Line item 101-225-705.020 (Dept. Head #2) \$ 5,737.00

DECREASE BOARD OF PUBLIC WORKS' BUDGET:

Line item 101-441-705.010 (Dept. Head) \$ 343.00

INCREASE:

Line item 101-225-705.010 (Dept. Head) \$ 343.00

INCREASE SHERIFF'S DEPARTMENT REVENUES:

Line item 101-301-506.050 (Solution Area Planner Grant) \$34,000.00

Line item 101-301-506.060 (03 Training Grant) 60,200.00

INCREASE EMERGENCY SERVICES EXPENDITURES:

Line item 101-426-816.000 (Contractual Services) \$34,000.00

Line item 101-426-862.020 (03 Training Grant) 60,200.00

FROM APPROPRIATION:

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

It was moved by Commissioner Bippus and supported by Commissioner Bordner 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 2/18 x 2, 2/26, 2/27 x 2, 3/4, 3/10, 3/12 & 3/15/04 & 5 full days 2/23, 3/3, 3/10, 3/12 & 3/13/04	\$ 825.00
Monte Bordner – 6 half days 2/18, 2/19, 2/27, 3/3, 3/9 & 3/12/04 & 3 full days 2/25, 2/26 & 3/15/04	585.00
John Dobberteen – 10 half days 2/16, 2/18 x 2, 2/25, 2/27, 3/1, 3/4, 3/5, 3/8 & 3/12/04	500.00
Gerald Loudenslager – 3 half days 2/18, 3/8 & 3/9/04 & 1 full day 3/15/04	245.00
David Pueschel – 7 half days 2/19, 2/21, 2/27, 3/1, 3/11 & 3/15/04 x 2	350.00
Eric Shafer – 5 half days 2/26, 2/27, 3/2 x 2 & 3/10/04	<u>250.00</u>
	\$2,755.00

Expenses

Robin Baker	\$ 64.88
Monte Bordner	175.50
John Dobberteen	45.75
Gerald Loudenslager	267.00
David Pueschel	67.13
Eric Shafer	<u>24.00</u>
	\$ 644.26

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

Financial Statements

	Revenues	Expenditures
February	\$ 990,058.00	\$ 913,943.00
Year to Date	1,844,215.00	2,069,822.00
Period Fund Balance	\$76,115.00	

Percent of budget year elapsed year to date.	16.67%
Percent of total budgeted funds earned year to date	14.44%
Percent of total budgeted funds expended year to date	16.20%

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

Independent Contractors

It was moved by Commissioner Bippus and supported by Commissioner Bordner that an Independent Contractor's Agreement with Terminix International be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 – Commissioner Loudenslager.

Motion carried.

It was moved by Commissioner Bippus and supported by Commissioner Shafer that an Independent Contractor's Agreement with Primary Mechanical, Inc. be approved.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 – Commissioner Loudenslager.

Motion carried.

CLOSED SESSION

It was moved by Commissioner Bordner and supported by Commissioner Shafer that the Board go into closed session for the purposes of discussing contract negotiations.

The aye and nay vote was called as follows:

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

Nay votes cast: 0

Absent: 1 – Commissioner Loudenslager.

Motion carried.

OPEN SESSION

The Board resumed business in open session.

CHAIRMAN'S REPORT

Chairman Dobberteen commented on an article that was provided to the Commissioners from the Clerk regarding the fact that the first women to vote in Michigan voted in the Sturgis School Election in 1868.

CITIZENS COMMENTS

Tim Carls, Klinger Lake Road, Centreville asked if the Land Use Task Force had met yet and found out that they had not. Commissioner Bordner stated that there are things that they must do before they get started.

Mr. Carls asked some questions regarding P.A. 260 concerning tax bills when the property is sold and wondered if it were recorded. Cynthia Jarratt, Register of Deeds, responded by saying that they were filed in the Register of Deeds office with or without the assessor's signature.

MISCELLANEOUS

Commissioner Shafer congratulated Liz O'Dell on her being nominated as State Social Worker of the Year. He also commented on the recent article in the paper on the Buildings and Grounds Department and a previous one regarding the Prosecuting Attorney.

Commissioner Bordner would like to set a work session on the next agenda to discuss long-range planning. He would like this facilitated by Ann Newenhouse.

Andy Goldberger stated that the transfer of Sturgis Dispatch to Central Dispatch is moving along and is on time to be completed on April 25th.

Commissioner Bordner asked about the Terminix contract.

Mr. Goldberger stated that they have rodents around the generator and ants in the crawl space because the ground was not sterilized before the building was constructed.

ADJOURNMENT

It was moved by Commissioner Bippus and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until April 6, 2004 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman