

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

Chairman Monte Bordner 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	Gerald E. Loudenslager
Robin Baker	Monte Bordner
David J. Pueschel	

Absent: John W. Bippus and John L. Dobberteen

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the minutes for March 15, 2005 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 18, March 25 and April 1, 2005.
2. Letter to the Michigan Association of Counties from Alger County Board of Commissioners, Re: Senate Bill 1105 (PILT payments.)
3. Letter from Lillian Carter, Re: Withdrawing her name for reappointment to the Community Mental Health Board due to health reasons.
4. Letter from Mary Silvers, Re: Friend of the Court.
5. Resolution from Newaygo County, Re: In support of the Michigan Youth Correctional Facility.
6. Resolution from Antrim County, Re: Funding cuts to the Health Department for HIV/AIDS testing and counseling.
7. Resolution from Lake County, Re: Re-establishing funds to local public health operations for hearing and vision screening.
8. Resolution from Lake County, Re: Proper wearing of the United States Flag.
9. Resolution from Lake County, Re: Appreciation to Representative William Huizenga regarding the amendment of Michigan Records Media Act.
10. Resolution from Lake County, Re: Support of continued HIV testing and counseling dollars to low impact counties.
11. Minutes of the Family Independence Agency Board meeting of February 22, 2005.
12. Minutes of the Community Mental Health Services Board meeting of February 22, 2005.

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

CITIZENS COMMENTS

Rebecca Shank, 12302 Corey Lake Road, Three Rivers, Chairman of a Coalition in Fabius Township stated that last fall a grant was awarded for the study of evasive species in the Great Lakes Area and St. Joseph County in particular. There have been zebra mussels found in several of the lakes in St. Joseph County. There will be a booth at Earth Day in order to bring awareness to the community. She also applauded the Commissioners on adopting the Farmland Preservation Ordinance.

AMENDED FARMLAND PRESERVATION ORDINANCE

Ms. West-Wing stated that at the last meeting the Board adopted the Farmland Preservation Ordinance and now there is a proposed amendment. Chuck Eckenstahler, who had several comments at the public hearing, has reviewed the document, comments and grammatical corrections as suggested by Bill Hokanson have been worked into the document, but the primary issue in the amendment is the mitigation language.

Chairman Bordner stated that the document adopted at the last meeting was not apt to be approved by the State therefore it would not be eligible for funding.

The point system is still not included in the document but can be added at a later date as applications for funding would not be made until September.

It was moved by Commissioner Pueschel and supported by Commissioner Shafer that the Amended Farmland Preservation ordinance be adopted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Bippus and Dobberteen.

Ordinance adopted.

INTRODUCTION OF NEW COUNTY EXTENSION DIRECTOR

Sally Stuby, Regional Director for MSUE, introduced Maury Kaercher as the new County Extension Director and asked for Board support. Mrs. Stuby gave some background information on Mr. Kaercher. Mr. Kaercher stated that he has been in the County as Livestock Agent for 2 years and has recently been the Interim MSUE Director and believes that being the Director is a good fit for him. He has never been more sure of anything in his life.

Mrs. Stuby stated that in honoring MSUE long time commitment to the County, Chairman Bordner and County Commissioner Pueschel served on the selection committee along with Human Resources Director, Charles Cleaver. Also, on the committee were Bill Johnson, Fair Manager, as they have a long standing relationship with the Fair and Deanna Mumby, employee at MSUE served on the committee as well.

It was moved by Commissioner Shafer and supported by Commissioner Pueschel that Maury Kaercher be accepted as the new MSUE Director. Motion carried.

ECONOMIC DEVELOPMENT CORPORATION LEASE

Ms. West-Wing stated that EDC has moved into a 2nd larger office at Annex II therefore their lease needed to be amended. The lease is for 1 year, April 1, 2005 through March 31, 2006 at \$1,911.80 per year.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the EDC Lease be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.
Nay votes cast: 0
Absent: 2 - Commissioners Bippus and Dobberteen.
Motion carried.

NOTTAWA PARK ATTENDANT AGREEMENT

Ms. West-Wing stated that Bud and Brenda Leonard have agreed to be the Nottawa Park Campground Attendants this summer from April 15th to September 16th.

It was moved by Commissioner Shafer and supported by Commissioner Pueschel that the Nottawa Park Attendant Agreement be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.
Nay votes cast: 0
Absent: 2 - Commissioners Bippus and Dobberteen.
Motion carried.

AMENDED ARTICLES OF INCORPORATION
ST. JOSEPH COUNTY TRANSPORTATION AUTHORITY

Ms. West-Wing stated that when the Board approved the Articles of Incorporation for the Transportation Authority that there was no limit on the terms of office. This amendment in Article IX states that the terms will be for 2 years effective April 1, 2005.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Amended Articles of Incorporation for the St. Joseph County Transportation Authority be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.
Nay votes cast: 0
Absent: 2 - Commissioners Bippus and Dobberteen.
Motion carried.

FAIR HOUSING MONTH

RESOLUTION NO. 5-2005

Pat Maye, Coordinator/Fair Housing Specialist from the Kalamazoo Office of the Fair Housing Center of Southwest Michigan was present to request approval of a resolution declaring April as Fair Housing Month.

Commissioner Shafer read the following resolution:

WHEREAS, the United States Congress passed the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended to prohibit housing discrimination when based on race, color, national origin, religion, gender, familial status and disability, and declared that equal housing opportunity is a basic right of every American; and

WHEREAS, the Michigan State Legislature passed the Elliott-Larsen Civil Rights Act of Michigan in 1976 further deeming it unlawful to discriminate based on age and marital status; and

WHEREAS, the Michigan State Legislature passed the Michigan Persons with Disabilities Civil Right Law of 1976 to protect individuals with disabilities from housing discrimination; and

WHEREAS, equal opportunity in housing can best be accomplished through leadership, example, education and the mutual cooperation of all those affiliated with the housing industry and the public.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners does hereby proclaim the month of April 2005 as Fair Housing Month in hopes that this observance will promote fair housing practices throughout the County.

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

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Bippus and Dobberteen.

Resolution adopted.

Commissioner Shafer presented the resolution to Ms. Maye.

COUNTY CRIME VICTIMS' RIGHTS WEEK

Commissioner Shafer read the following resolution:

Resolution No. 6-2005 County Crime Victims' Rights Week

Whereas, President Ronald W. Reagan first declared "National Crime Victims' Rights Week" in 1981 to focus our Nation's attention on the plight of crime victims; and

Whereas, this Silver Anniversary of National Crime Victims' Rights Week provides a national opportunity to reflect on the devastating impact of crime and terrorism on victims and our entire Nation, and to strengthen our national resolve to ensure that victims' needs are identified and addressed; and

Whereas, since 1981, the crime victim assistance field has expanded from a handful of assistance programs to include over 10,000 community and justice system-based programs, and in 2005, there are more than 32,000 federal and state statutes that define and protect victims' rights; and

Whereas, America as a Nation, and we as individuals and communities, recognize that justice isn't served until crime victims are, that crime and violence in America affects us all, and that victims' rights are a critical component of "justice for all;" and

Whereas, justice isn't served until all crime victims and those hurt by crime – our mothers and fathers, sons and daughters, sisters and brothers, neighbors and friends – are provided support and assistance in the aftermath of victimization; and

Whereas, despite impressive accomplishments over the past 25 years in crime victims' rights and services, there remain many challenges to ensure that all crime victims and survivors are treated with dignity and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them; and

Whereas, America as a Nation recognizes that we serve justice by serving victims of crime and that by helping victims and survivors of crime, we help make our homes and neighborhoods, communities and Nation stronger, safer and more secure; and

Whereas, America has joined together annually for the past 25 years to recognize the needs and rights of crime victims and survivors during National Crime Victims' Rights Week each April.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners proclaims the week of April 10 to 16, 2005, to be County Crime Victims' Rights Week, and honors crime victims and those who serve them during this week and throughout the year.

BE IT FURTHER RESOLVED, that as individuals, communities and a Nation, we value justice in America that includes and involves crime victims, and seek to serve justice by serving victims of crime.

BE IT FURTHER RESOLVED, that this proclamation be presented to the Victim Rights unit of the St. Joseph County Prosecuting Attorney on Tuesday, April 5, 2005.

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

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Bippus and Dobberteen.

Resolution adopted.

Linda Baker, Crime Victims' Rights Coordinator, thanked the Board for the proclamation. She stated that there is a Crime Victims' Office in every Prosecuting Attorney's Office in Michigan. The purpose is for victims to feel comfortable. She stated that they had 3,400 contacts by mail and telephone plus probably an equal number of customers that came into the office.

AGREEMENT WITH TITLE CHECK, LLC

Phyllis E. Bainbridge, County Treasurer, stated that if the Board adopts this resolution there will be a contract drawn up for signatures with Marty Spaulding from Title Check.

Resolution No. 7-2005

WHEREAS, the provisions of Section 78, Subsection (3) of Act No. 206 of the Michigan Public Acts of 1893, as amended, permits a County to adopt a resolution to rescind its election to have property forfeited to its county treasurer pursuant to Act 206 foreclosed by the State of Michigan; and

WHEREAS, on December 7, 2004, the St. Joseph County Board of Commissioners passed resolution no. 27-2004, to rescind the resolution electing to have the State of Michigan foreclose property forfeited to the County Treasurer; and

WHEREAS, it is the desire of the County Treasurer to enter into an agreement with Title Check, LLC. to perform foreclosure tasks on behalf of the St. Joseph County Treasurer.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners supports the decision of the County Treasurer to enter into an agreement with Title Check, LLC to perform foreclosure tasks on behalf of the County Treasurer as the Foreclosing Governmental Unit as authorized under Public Act 123 of 1999.

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

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Bippus and Dobberteen.

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Community Mental Health

It was moved by Commissioner Baker and supported by Commissioner Pueschel that Alice Happel, Barbara Parker, Gregory Hackman and Gwen Donmyer be nominated and appointed to the Community Mental Health Board for 3 year terms to expire March 31, 2008. Motion carried.

Transportation Authority

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that Lynn Coursey, Joseph Haas, Jean Skalski, Karen Carlisle, Kenneth Parker, Glenn Oxender and John Dobberteen be nominated and appointed to the St. Joseph County Transportation Authority for 2 year terms beginning April 1, 2005. Motion carried.

Commission on Aging

Commissioner Shafer nominated Jack Brooks, Audrey L. Althaus and Lorrie C. Witt to the Commission on Aging.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Baker stated that the next meeting is scheduled for April 13, 2005.

Physical Resources

Commissioner Shafer stated that there was no report.

Executive

Chairman Bordner stated that the Executive Committee met on April 1, 2005 and discussed the following:

- the Administrator explained some problems that the Friend of the Court has been facing with the State's Computer System (MiCSES). The State handles all collections and disbursements and therefore the local Friend of the Court Offices cannot resolve issues with clients.
- the Department of Natural Resources Director will be at the Conservation Club on Featherstone Road on April 11th at 7:00 p.m. and she plans to come early so that Chairman Bordner can give her a tour of Cade Lake Park.
- the next commission meeting is scheduled for April 26th and not April 19th.
- the Community Forum is scheduled for April 25th at Glen Oaks Community College at 7:00 p.m.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Joshua Shook will change from part-time to full-time Telecommunicator at \$13.32/hr. (Soltysiak system, grade 7, minimum) effective April 6, 2005.

Joan E. Kelley, Court Liaison Secretary, is on medical leave commencing March 31, 2005 under the Family and Medical Leave Act of 1993.

Tammy Miller, Victim Services Clerk, to work part-time in the Prosecutor's Office.

Lisa Youga will change from part-time Parks & Recreation Secretary to full-time Friend of the Court Receptionist/Clerk at \$9.05/hr. (Soltysiak system, grade 1, minimum) effective April 11, 2005. Lisa Youga will move to the 6-month step at \$9.23/hr. effective April 12, 2005.

NEW HIRE:

Jane Eley has been hired as part-time Telecommunicator at \$8.00/hr. effective April 6, 2005.

Dee Lynne Frye has been hired as part-time (20 hours/week) Data Entry/Imaging Clerk at \$9.97/hr. (Soltysiak system, grade 3, minimum) effective April 5, 2005. This position is funded through the Technology Fund.

SEASONAL/TEMPORARY EMPLOYMENT:

Clarence Lemon has been hired as Cade Lake Park Attendant at \$6.75/hr. effective April 5, 2005.

Anne Roth has been hired as Cade Lake Park Attendant at \$7.25/hr. effective May 3, 2005.

Michelle Kelley has been hired as Cade Lake Park Attendant at \$7.25/hr. effective May 3, 2005.

Beth Behrends has been hired as Cade Lake Park Attendant at \$7.25/hr. effective May 3, 2005.

David Rowe has been hired as Seasonal Park Maintainer at \$7.75/hr. effective May 3, 2005.

Eric Weiderman has been hired as Seasonal Park Maintainer at \$7.25/hr. effective May 3, 2005.

Brenda Leonard has been hired as Nottawa Campground Attendant at \$6.75/hr. effective May 3, 2005.

Linda Molter has been hired as temporary, part-time for Animal Control at \$7.00/hr. effective April 5, 2005.

Penny Conklin has been hired as temporary, part-time for Animal Control at \$7.00/hr. effective April 5, 2005.

Carl Propst has been hired as temporary, part-time for Animal Control at \$8.75/hr. for road, \$7.75/hr. for clerical effective April 5, 2005.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

DECREASE JUVENILE COURT'S BUDGET:

Line item 101-149-805.000 (Transcripts) \$ 300.00

INCREASE JUVENILE COURT'S BUDGET:

Line item 101-149-978.000 (Furniture/Fixtures) \$ 300.00

INCREASE HOMELAND SECURITY GRANT FUND REVENUES:

Line item 268-426-506.050 (Solution Area Planner Grant) \$ (860.00)

Line item 268-426-506.060 (2003 Training Grant) 19,613.00

Line item 268-426-080 (2004 Homeland Security Grant) 330,844.00

\$ 349,597.00

INCREASE HOMELAND SECURITY GRANT EXPENDITURES:

Line item 268-426-816.000 (Contractual Services)	\$ 19,140.00
Line item 268-426-862.020 (Training-03 Training Grant)	19,613.00
Line item 268-426-977.045 (Equipment-04 Federal Grant)	268,544.00
Line item 268-426-999.000 (Operating Transfer Out)	<u>42,300.00</u>
	\$ 349,597.00

INCREASE LAW ENFORCEMENT FUND REVENUES:

Line item 266-301-699.000 (Operating Transfer In)	\$ 42,300.00
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DECREASE LAW ENFORCEMENT FUND REVENUES:

Line item 266-301-580.600 (School District Reimbursement)	\$ 42,300.00
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FROM APPROPRIATION:

\$30,000.00 from County Road Bridge Appropriation to County Road Bridge Fund.

FROM GENERAL FUND CONTINGENCY:

- \$ 850.00 to Prosecutor’s budget, line item 101-229-706.250 (Wages – Secretary)
- \$ 65.00 to Prosecutor’s budget, line item 101-229-715.000 (FICA)
- \$ 85.00 to Prosecutor’s budget, line item 101-229-718.010 (Retirement)
- \$1,000.00

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer 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>
Employee Receivable	\$ 884.85	\$
Due to Townships	213.00	
Appropriations	109,915.91	
County Commission	1,226.61	8,370.70
Circuit Court	9,111.88	13,988.56
District Court	1,445.99	67,545.21
Friend of the Court	4,463.48	36,437.81
Probate Court	954.68	18,419.15
Juvenile Branch	7,856.17	36,233.90
Appeals Court	4,186.86	1,000.24
Administration		9,573.76
Finance Department	1,017.66	11,703.25
County Clerk		22,427.00
Equalization Department	425.76	10,916.38
Human Resources	312.95	6,486.86
Geographic Information Systems	225.00	9,404.54
Prosecutor's Office	2,490.55	41,679.02
Central Services	14,655.94	5,445.63
Register of Deeds	350.00	12,223.78
County Treasurer	133.86	15,605.24
Cooperative Extension	1,433.70	8,238.12
Information Technology	1,975.17	10,881.20
Buildings & Grounds	6,291.91	14,650.85
Courts Building Security		5,589.41
Drain Commission		4,994.44
Sheriff Department	14,498.72	80,227.49

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Sheriff Reserves	\$ 148.47	\$
Marine Patrol	12.00	
Jail & Turnkey	28,973.90	96,701.89
Emergency Services	829.50	4,493.16
Animal Control	2,592.93	8,519.65
Board of Public Works		551.33
Medical Examiners	1,575.00	
Child Care - Probate	5,461.01	1,352.40
Utilities & General Services	<u>25,382.78</u>	<u> </u>
	\$ 249,046.24	\$ 563,660.97
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 389,968.86	\$
Parks & Recreation	695.59	6,705.35
Emergency 911 Service	13,438.00	49,386.88
Central Dispatch - Wireless		5,437.54
Meyer Broadway/Coon Hollow Park	448.31	2,063.83
Friend of the Court		1,399.26
Family Counseling	774.50	
Cade Lake County Park	687.56	
State Court - Caseflow Assistance	467.70	
Waste Management Fund		
County Commission	6,678.56	
Resource Recovery Program	7.00	712.41
Traffic Safety Program Fund	473.59	
Economic Development Fund		8,163.76
Survey & Remonumentation	1,128.00	
Register of Deeds Automation Fund	54.46	
Victims' Rights Advocate Fund		3,189.84
Community Corrections Advisory Board	6,171.67	2,821.99
Community Corrections Program	2,301.88	236.83
Drug Law Enforcement Fund	950.97	
Law Enforcement Fund	185.79	15,097.76
Secondary Road Patrol		7,635.52
Homeland Security Grant Fund	35,845.20	
Law Library Fund	940.10	
Principal Residence Denial Fund		885.05
Commission on Aging	43,937.48	41,211.10
Community Development Block Grant	151.59	
Sheriff's Justice Training Fund	695.00	
Family Independence Agency	29,173.53	
Child Care - Probate Court	39,136.35	2,859.04
Child Care - Family Independence Agency	9,664.18	
Veterans' Trust Fund	3,575.00	
BPW #16 Lockport Twp Water Supply System Construction	33,320.69	
Tax Payment Fund	9,579.21	
Inmate Store	1,103.60	
Three Rivers Community Center	2,725.37	347.43
Flexible Benefits Insurance Fund	<u>138,583.72</u>	<u> </u>
	\$ 772,583.72	\$ 148,153.59

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

CHAIRMAN'S REPORT

Commissioner Bordner reminded everyone that the next meeting of the Board is April 26th and that the Community Forum is on April 25th at 7:00 p.m. at Glen Oaks. Also, there is a work session scheduled for 8:30 a.m. tomorrow. He cannot attend but he has filled in the facilitator on his issues.

MISCELLANEOUS

Commissioner Loudenslager stated that he attended a meeting regarding the emerald ash borer last night and 3 definite outbreaks have been identified in Nottawa Township and they began marking trees this morning.

Commissioner Shafer stated that Lillian Carter resigned from the Community Mental Health Board and he regrets her decision.

Commissioner Shafer stated that the Website Committee met today and reported that the IT Department continues to chip away at the survey provided by Capital Consultants. Also, in answer to a question by Tim Carls regarding social security numbers on deeds, Commissioner Shafer stated that they are not on the deeds but the potential exists.

Chairman Bordner encouraged each Commissioner as they attend the township board meetings in their districts that they talk about the Farmland Preservation Ordinance as the townships have to put together a local plan.

ADJOURNMENT

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until April 26, 2005 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Monte Bordner, Chairman