

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 6, 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
John W. Bippus	Robin Baker
Monte Bordner	David J. Pueschel
John L. Dobberteen	

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

AGENDA

Chairman Dobberteen stated that the Emergency Management Performance Grant should be added under new business and the Child Abuse Prevention Month resolution will be moved up on the agenda following Citizens Comments.

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Bordner that the minutes for March 16, 2004 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 19 and March 26, 2004.
2. Letter from Michigan Works!, Re: Legislative Update April 2004.
3. Letter from State Representative Rick Shaffer, Re: Acknowledging receipt of St. Joseph County's resolution concerning Senate Bill 217 (Drain code.)
4. Letter from Colon Community Schools, Re: Acknowledging the service received from the Land Resource Centre.
5. Letter from the City of Sturgis, Re: Notice of public hearing on April 28 to consider issuing an Industrial Facilities Exemption Certificate to Vulcan Industries.
6. Resolution from Washtenaw County, Re: Senate Bill 217 (Drain code.)
7. Resolution from Midland County, Re: Senate Bill 217 (Drain code.)
8. Resolution from Oceana County, Re: Senate Bill 217 (Drain code.)
9. Resolution from Hillsdale County, Re: Senate Bill 217 (Drain code.)
10. Resolution from Ingham County, Re: Senate Bill 217 (Drain code.)
11. Resolution from Berrien County, Re: Senate Bill 217 (Drain code.)
12. Resolution from Antrim County, Re: Supporting Eric Coleman for the office of Second Vice-President of the National Association of Counties.
13. Resolution from Antrim County, Re: House Bill 4234 (business exemption of personal property tax.)
14. Resolution from Newaygo County, Re: PILT Money.
15. Minutes of Family Independence Agency Board meeting of February 24, 2004.
16. Minutes of Community Mental Health Services Board meeting of February 3, 2004 and March 18, 2004.
17. Southwest Michigan Land Conservancy's Newsletter – Spring 2004.
18. Park & Recreation's Quarterly Report – January to March 2004.

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

CHILD ABUSE PREVENTION MONTH

Commissioner Bippus read the following resolution:

RESOLUTION NO. 11-2004

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

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

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

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;

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

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, BE IT RESOLVED, 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 Shafer that the resolution be adopted and second 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.

SHERIFF'S DEPARTMENT BOOKING POLICY AND FEE

Since the last meeting Ms. West-Wing received some clarification on the proposed Booking Policy and Fee at the Sheriff's Department. They would like to charge a \$12.00 booking fee for all arrests at the Sheriff's Department in accordance with P.A. 121 of 2003.

It was moved by Commissioner Baker and supported by Commissioner Bippus that a \$12.00 booking fee be charged to all of those arrested and booked at the Sheriff's Department.

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.

JAIL PROJECT CHANGE ORDER

Ms. West-Wing stated that Change Order #2 on the Jail Project has been reviewed several times by the Committee at their project meetings and they recommended approval.

It was moved by Commissioner Bordner and supported by Commissioner Bippus that Jail Project Change Order #2 in the amount of \$17,209.62 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.

JAIL PROJECT CHANGE REQUEST

Ms. West-Wing stated that the Jail Project bid alternate #2 provided for 3 electric sliding gates. At that time the Board opted not to include this in the project. Since that time Sheriff Lori said that 2 would suffice instead of 3. This would cost between \$18,000 and \$19,000. If the Board would ever want to install these gates, now is the time to place the conduit from the control room in the building to the exterior locations near the gates. This would be in place if it were ever decided to install the gates. The cost to place the conduit now is estimated at \$4,800.

It was moved by Commissioner Bippus and supported by Commissioner Shafer that the conduit for the electric gates for the Jail Project be approved for the estimated cost of \$4,800.

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 VILLAGE ANNEXATION PUBLIC HEARING

Chairman Dobberteen declared the public hearing opened on the Centreville Village Annexation.

Donna Randall, Village Manager, requested approval of the annexation of some property owned by Coachman in Lockport Township to the Village of Centreville. She stated that while the original project that was proposed by Coachman will not be built at this site at this time they would still like to annex the property because this might be the place for future expansion.

Commissioner Bordner commends the Village for going ahead with the annexation.

Dave Allen, EDC Director, stated that we are still jumping through the hoops because they have been encouraged by Coachman that they will consider future expansion on this site.

The following resolution was presented:

RESOLUTION NO. 12-2004

RESOLUTION AND ORDER CHANGING THE CORPORATE VILLAGE BOUNDARIES OF THE VILLAGE OF CENTREVILLE, ST. JOSEPH COUNTY, MICHIGAN

WHEREAS, The Village of Centreville has made and filed a Petition requesting a change of its corporate limits and boundaries by annexing and including the following premises owned by COACHMAN INDUSTRIES, INC.,

Description of Premises:

The East 675.36 feet of the North one-half (N ½) of the Northwest quarter (NW ¼) of Section 25, Town 6 South, Range 11 West, lying Southerly and Easterly of the Prairie River and Northerly of Highway M-86, EXCEPTING the Plat of Kelly’s Addition. Said Parcel Being known as Tax Parcel #009-025-012-00

WHEREAS, the described premises are adjacent and contiguous to the present corporate limits of the Village of Centreville, and

WHEREAS, Notice of the Presentment and hearing on said Petition has been posted/published as required by law, and

WHEREAS, The St. Joseph County Board of Commissioners determined that the Petition and the procedure in which it was presented to be proper order, and the Board is fully advised in the matter.

NOW, THEREFORE, BE IT RESOLVED, that after due deliberation and discussion, the St. Joseph County Board of Commissioners does hereby accept and approve the Petition of the Village of Centreville and does hereby ORDER that the boundaries of the Village of Centreville be altered and changed to include within the corporate limits and boundaries of the Village of Centreville the premises described herein.

It is the further ORDER of the St. Joseph County Board of Commissioners that a copy of this Determination and Resolution be entered upon the records of said Board and that Certified Copies of this Resolution be transmitted to the Centreville Village Clerk and to the Secretary of State of the State of Michigan as required by Statute.

Chairman Dobberteen declared the public hearing closed.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the proposed property be annexed from Lockport Township to the Village of Centreville.

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.

QUIT CLAIM DEED

Ms. West-Wing stated that Keystone Place is requesting the transfer of the property from the County to them that was offered by the County to build a new homeless shelter.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Quit Claim Deed transferring the property to Keystone Place 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.

CADE LAKE PROJECT CHANGE REQUEST

Dave Rachowicz stated that the Parks and Recreation Commission is recommending that several items be added to the Cade Lake Project as follows: remove and fill windows; add culvert under drive; add a feeder to the lower level; add load center and necessary wiring to the barn; upgrade electrical service to 800 amp panel; and add 88 ground rods and necessary wiring at pedestals for a cost of \$9,402.36. To offset this expense the testing; Consumers Power fees; and the picnic shelter are under budget a total of \$10,487.90.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the above stated changes 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.

In addition, Mr. Rachowicz stated that the Parks and Recreation Commission is recommending that the drive into the park be paved at a cost of \$12,000. This will be an independent hire and will not be part of the contract with Brussee/Brady.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the drive coming into Cade Lake Park be paved at a cost not to exceed \$12,000.

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.

FRIEND OF THE COURT ANNUAL REPORT FOR 2003

William Thistlethwaite, Friend of the Court, presented the Annual Report for 2003.

He stated that the primary duty of the Friend of the Court is to enforce child support orders. In 2003 the 2nd highest amount of child support was collected in County history. Michigan ranks 3rd in the nation in total support collected. In the collection vs expense category nationwide the ratio is for every \$3 collected in child support the expense is \$1; statewide it is \$9 to \$1 and for St. Joseph County it is \$20 to \$1.

Mr. Thistlethwaite stated that we are so successful in this County in collecting support because of the staff that he would like to thank.

Their revenue equals or exceeds expenditures resulting in no net cost to the taxpayers. Revenue was \$642,000 and expenditures were \$575,000.

The Federal government pays the State to run child support programs. They pay 100% of the Medical Enforcement employee and 66% of all other employees plus incentives. We will be receiving \$62,000 in added incentives for our performance.

There were 349 new cases opened in 2003 for a total of 4,602 open cases. There were 500 custody investigations last year and he and David Tomlinson acted as referees in over 600 cases.

James Bedell, Warrant Officer, made 192 arrests in 2003 and 302 warrants were cleared. \$250,000 in support money was collected as a result of the Warrant Officer.

In order for there not to be a federal penalty, all counties in the State of Michigan have converted to MICSES which means that the child support disbursements are now done by the State. All employees received 4 days of training prior to the conversion last fall and a massive public relations campaign was conducted. The state paid radio stations and newspapers to inform the public and the County sent letters to each client informing them of the new process.

Mr. Thistlethwaite stated that while the conversion to MICSES was smoother than he predicted it is not up to this County's standards. There have been problems. Now the State has contracted with a new vendor to make software changes so that the system is more reliable. He hopes that in 2 years everything will be up to snuff.

Commissioner Bippus stated that while he understands that the report statistics show that \$11 million plus was collected in 4,000 plus cases, he would like to know what percentage that is compared to what should have been collected if everyone paid what they were supposed to pay. Mr. Thistlethwaite responded by saying that he cannot calculate the potential to collect and he had to wait until the first quarter ended in order for the system to be able to release the statistics that they did in order for him to complete this report.

Mr. Thistlethwaite added that he goes into the high schools on a yearly basis to conduct a program and to answer questions. He stated that over 75% of the payors pay what they are supposed to pay and they spend most of their staff time on 25% of the cases.

Commissioner Loudenslager thanked Mr. Thistlethwaite for the excellent job that he does and is glad that he changed his mind about leaving the County a few years ago.

Commissioner Bordner asked how easy is it to get information from the Friend of the Court Office. Mr. Thistlethwaite responded by saying that they have 6 telephone lines going into the office; the customer can send a letter or email. They have added 2 enforcement clerks and each case has an enforcement clerk and a caseworker assigned to it.

Commissioner Bordner asked what the checks and balances were to this system and Mr. Thistlethwaite said that clients can contact him as he reads all 50-100 pieces of mail received daily.

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

CADE LAKE PARK NAME

Dave Rachowicz stated that he did considerable research on Thomas Cade and it is the recommendation of the Parks and Recreation Commission that the park be named "Cade Lake County Park."

It was moved by Commissioner Shafer and supported by Commissioner Baker that Cade Lake Park be named "Cade Lake County Park." Motion carried.

CADE LAKE COUNTY PARK FEE SCHEDULE

Dave Rachowicz stated that the Parks and Recreation Commission recommended the following fee schedule for Cade Lake County Park:

Electric Site/Night	\$18.00
Non-Electric Site/Night	\$14.00
Day Use County Resident Fee/Car	\$ 4.00
Day Use Non-County Resident Fee/Car	\$ 6.00
Season Pass County Resident	\$20.00
Season Pass Non-County Resident	\$30.00

Camping fees include day use fees for camping unit and one vehicle.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that the Cade Lake County Park Fee Schedule 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.

CADE LAKE COUNTY PARK CAMPGROUND RULES

The following rules are recommended by the Parks and Recreation Commission for the Cade Lake County Park Campground:

1. Do not set up campers/tents until a campsite is assigned and fees are paid.
2. Camping fees are nonrefundable.
3. Occupancy limited to immediate family or up to four single persons. Not more than one trailer and one tent, or two tents and no trailer will be permitted per campsite.
4. Camping permits shall be issued for 14 consecutive nights, but may be renewed.
5. Anyone camping, under the age of 18 shall be accompanied by an adult.
6. Check in time is 3:00 p.m. Check out time 1:00 p.m. and 3:00 p.m. on Sundays.
7. Site renewals for non-reserved sites must be made at the contact station by 10 a.m. on the date the permit expires.
8. Quiet time is 10:00 p.m. – 7:00 a.m. Visitors must leave by 10:00 p.m.
9. Alcoholic beverages are permitted at registered campsites. Alcohol is prohibited in day use area.
10. Fires are permitted only in fire pits and grills. Collecting firewood at Cade Lake County Park is prohibited. Firewood is for sale at the camp store.
11. Fireworks are not permitted.
12. Campsites shall not be left unoccupied for more than 48 hours.
13. All gray water must be disposed of at the designated park dump station.
14. Water outlets are available to obtain water for campsites. Washing of vehicles, dishes, clothes, pets or persons at these outlets is prohibited. No hose will be left attached to any water outlet.
15. One vehicle per site. Additional vehicles and guest vehicles must be parked in day use parking lot.
16. Dogs must be on a leash no more than 6 feet long, at all times. No dog will be allowed to be left unattended. Dogs are not permitted in swimming beach area. Owners must clean up after pets.
17. No person shall engage in any violent, abusive, boisterous, loud, illegal, obscene or similar disorderly conduct which unreasonably interferes with another person's use or enjoyment of a facility. Radios, generators or other amplified devices may not be used in a manner that creates excessive noise.
18. Choosing to violate any of St. Joseph County Parks or Cade Lake Park campground rules may result in eviction and/or prosecution.

It was moved by Commissioner Shafer and supported by Commissioner Baker that the Cade Lake County Park Campground Rules 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.

INCREASE FEES IN COUNTY CLERK'S OFFICE

Ms. West-Wing stated that in accordance with P.A. 238 of 2003, the County Clerk is requesting that a few fees be increased in her office as follows:

Charge for notarizing a document:

Current:	\$1.00/\$2.00
Proposed:	\$2.00/\$3.00

Charge for certifying to a notary:

Current:	\$.50 per document
Proposed:	\$ 5.00 for 1-5 documents
	\$10.00 for 6-10 documents
	Additional \$5.00 for each increment of 5 documents

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the increase in fees in the County Clerk's Office as proposed 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.

DAVID ALLEN, ECONOMIC DEVELOPMENT DIRECTOR
EMPLOYMENT AGREEMENT ADDENDUM #1

Ms. West-Wing stated that the EDC Board is recommending that David Allen's wages be increased 3.5% effective March 11, 2004 to \$56,925.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that David Allen's wages be increased 3.5% effective March 11, 2004 to \$56,925.

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.

REMONUMENTATION CONTRACTS

Carr and Associates

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the Remonumentation Contract with Carr and Associates 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.

Wightman-Petrie, Inc.

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

Mostrom and Associates, Inc.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the Remonumentation Contract with Mostrom and Associates 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.

ESTABLISH HIPAA POLICY

Mr. Cleaver requested approval of the proposed HIPAA Policy that would place the County in compliance with the law.

ST. JOSEPH COUNTY EMPLOYEE PRIVACY NOTICE

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN ACCESS THIS INFORMATION.

Background: The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires health plans to notify plan participants and beneficiaries about its policies and practices to protect the confidentiality of their health information. This document is intended to satisfy HIPAA'S notice requirement with respect to all health information created, received, or maintained by the St. Joseph County Employee/Retiree Health Choice Plan (Plan) and its Third Party Administrators.

The Plan needs to create, receive, and maintain records that contain health information about you to administer the Plan and provide you with health care benefits. This notice describes the Plan's health information privacy policy with respect to your Medical, Prescription Drug, Dental, Vision, and/or Health Care Flexible Spending benefits. The notice tells you the ways the Plan may use and disclose health information about you, describes your rights, and the obligations the Plan has regarding the use and disclosure of your health information. However, it does not address the health information policies or practices of your health care providers.

ST. JOSEPH COUNTY EMPLOYEE/RETIREE HEALTH CHOICE PLAN'S PLEDGE REGARDING HEALTH INFORMATION PRIVACY

The privacy policy and practices of the Plan protects confidential health information that identifies you or could be used to identify you and relates to a physical or mental health condition or the payment of your health care expenses. This individually identifiable health information is known as "protected health information" (PHI). Your PHI will not be used or disclosed without a written authorization from you, except as described in this notice or as otherwise permitted by federal and state health information privacy laws.

Privacy Obligations of the Plan

The Plan is required by law to:

- make sure that health information that identifies you is kept private;
- give you this notice of the Plan's legal duties and privacy practices with respect to health information about you; and
- follow the terms of the notice that is currently in effect.

How the Plan May Use and Disclose Health Information About You

The following are the different ways the Plan may use and disclose your PHI:

- **For Treatment.** The Plan may disclose your PHI to a health care provider who renders treatment on your behalf. For example, if you are unable to provide your medical history as the result of an accident or medical condition, the Plan may advise an emergency room physician about the types of prescription drugs you currently take.
- **For Payment.** The Plan may use and disclose your PHI so claims for health care treatment, services, and supplies you receive from health care providers may be paid according to the Plan's terms. For example, the Plan may receive and maintain information about surgery you received to enable the Plan to process a hospital's claim for reimbursement of surgical expenses incurred on your behalf.
- **For Health Care Operations.** The Plan may use and disclose your PHI to enable it to operate or operate more efficiently or make certain all the Plan's participants receive their health benefits. For example, the Plan may use your PHI for case management or to perform population-based studies designed to reduce health care costs. In addition, the Plan may use or disclose your PHI to conduct compliance reviews, audits, actuarial studies, and/or for fraud and abuse detection. The Plan may also combine health information about many Plan participants in summary fashion so it can decide what coverage the Plan should provide. The Plan may remove information that identifies you from health information disclosed so it may be used without learning who the specific participants are.

• **To the County.** The Plan may disclose your PHI to designated St. Joseph County personnel so they can carry out their Plan-related administrative functions, including the uses and disclosures described in this notice. Such disclosures will be made only to the Human Resources Director and/or County Administrator and members of the Humans Resources / Administrator Departments. These individuals will protect the privacy of your health information and ensure it is used only as described in this notice or as permitted by law. Unless authorized by you in writing, your health information: (1) may not be disclosed by the Plan to any other St. Joseph County employee or department and (2) will not be used by the County for any employment-related actions or decisions or in connection with any other employee benefit plan sponsored by the County.

• **To a Business Associate.** Certain services are provided to the Plan by third party administrators known as “business associates”. For example, the Plan may input information about your health care treatment into an electronic claims processing system maintained by the Plan’s business associate so your claim may be paid. In doing so, the Plan will disclose your PHI to its business associate so it can perform its claims payment function. However, the Plan will require its business associates, through contract, to appropriately safeguard your health information.

• **Treatment Alternatives.** The Plan may use and disclose your PHI to tell you about possible treatment options or alternatives that may be of interest to you.

• **Health-Related Benefits and Services.** The Plan may use and disclose your PHI to tell you about health-related benefits or services that may be of interest to you.

• **Individual Involved in Your Care or Payment of Your Care.** The Plan may disclose PHI to a close friend or family member involved in or who helps pay for your health care. The Plan may also advise a family member or close friend about your condition, your location (for example, that you are in the hospital), or death.

• **As Required by Law.** The Plan will disclose your PHI when required to do so by federal, state, or local law, including those that require the reporting of certain types of wounds or physical injuries.

Special Use and Disclosure Situations

The Plan may also use or disclose your PHI under the following circumstances:

• **Lawsuits and Disputes.** If you become involved in a lawsuit or other legal action, the Plan may disclose your PHI in response to a court or administrative order, a subpoena, warrant, discovery request, or other lawful due process.

• **Law Enforcement.** The Plan may release your PHI if asked to do so by a law enforcement official, for example, to identify or locate a suspect, material witness, or missing person or to report a crime, the crime’s location or victims, or the identity, description or location of the person who committed the crime.

• **Workers’ Compensation.** The Plan may disclose your PHI to the extent authorized by and to the extent necessary to comply with workers’ compensation laws.

• **Military and Veterans.** If you are or become a member of the U.S. Armed Forces, the Plan may release medical information about you as deemed necessary by military command authorities.

• **To Avert Serious Threat to Health or Safety.** The Plan may use and disclose your PHI when necessary to prevent a serious threat to your health and safety, or the health and safety of the public or another person.

• **Public Health Risk.** The Plan may disclose health information about you for public health activities. These activities include preventing or controlling disease, injury, or disability; reporting births and deaths; reporting child abuse or neglect; or reporting reactions to medication or problems with medical products or to notify people of recalls of products they have been using.

• **Health Oversight Activities.** The Plan may disclose your PHI to a health oversight agency for audits, investigations, inspections, and licensure necessary for the government to monitor the health care system and government programs.

• **Research.** Under certain circumstances, the Plan may use and disclose your PHI for medical research purposes. However, all research projects are subject to a special approval process to evaluate proposed research needs with patient's need for privacy of their medical information. For example, a research project may involve comparing the health and recovery of all patients who received one medication to those who received another, for the same condition.

• **National Security, Intelligence Activities, and Protective Services.** The Plan may release your PHI to authorized federal officials: (1) for intelligence, counterintelligence, and other national security activities authorized by law and (2) to enable them to provide protection to the members of the U.S. government or foreign heads of state, or to conduct special investigations.

• **Organ and Tissue Donation.** If you are an organ donor, the Plan may release medical information to organizations that handle organ procurement or organ, eye, or tissue transplantation or to an organ donation bank to facilitate organ or tissue donation and transplantation.

• **Coroners, Medical Examiners, and Funeral Directors.** The Plan may release your PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or to determine the cause of death. The Plan may also release your PHI to a funeral director, as necessary, to carry out his/her duty.

Your Rights Regarding Health Information About You

Your rights regarding the health information the Plan maintains about you are as follows:

• **Right to Inspect and Copy.** You have the right to inspect and copy your PHI. This includes information about your plan eligibility, claim, appeal and billing records, but does not include psychotherapy notes.

To inspect and copy health information maintained by the Plan, submit your request in writing to the Benefits Manager. The Plan may charge a fee for the cost of copying and/or mailing your request. In limited circumstances, the Plan may deny your request to inspect and copy your PHI. Generally, if you are denied access to health information, you may request a review of the denial.

• **Right to Amend.** If you feel that the health information the Plan has about you is incorrect or incomplete, you may ask the Plan to amend it. You have the right to request an amendment for as long as the information is kept by the Plan.

To request an amendment, send a detailed request in writing to the Benefits Manager. You must provide the reason(s) to support your request. The Plan may deny your request if you ask the Plan to amend health information that was: accurate and complete; not created by the Plan; not part of the health information kept by or for the Plan; or not information that would be permitted to inspect and copy.

• **Right to an Accounting of Disclosures.** You have the right to request an "accounting of disclosures". This is a list of disclosures of your PHI that the Plan has made to others, except for those necessary to carry out health care treatment, payment, or operations; disclosures made to you; or in certain other situations.

To request an accounting of disclosures, submit your request in writing to the Benefits Manager. Your request must state a time period, which may not be longer than six years prior to the date the accounting was requested.

• **Right to Request Restrictions.** You have the right to request a restriction on the health information the Plan uses or discloses about you for treatment, payment, or health care operations. You also have the right to request a limit on the health information the Plan discloses about you to someone who is involved in your care or the payment for your care, like a family member or friend. For example, you could ask that the Plan not use or disclose information about a surgery you had.

To request restrictions, make your request in writing to the Benefits Manager. You must state: (1) what information you want to limit; (2) whether you want to limit the Plan's use, disclosure, or both; and (3) to whom you want the limit(s) to apply. Note: the Plan is not required to agree to your request.

• **Right to Request Confidential Communications.** You have the right to request that the Plan communicate with you about health matters in a certain way or at a certain location. For example, you can ask that the Plan send you explanation of benefits forms about your benefit claims to a specific address.

To request confidential communications, make your request in writing to the Benefits Manager. The Plan will make every attempt to accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

• **Right to a Paper Copy of this Notice.** You have the right to a paper copy of this notice. You may write to the Benefits Manager to request a written copy of this notice at any time. Or you may download a copy of the notice from the St. Joseph County Intranet.

• ***Changes to this Notice***

The Plan reserves the right to change this notice at any time and to make the revised or changed notice effective for health information the Plan already has about you, as well as any information the Plan receives in the future. The Plan will have available a copy of the current notice in the Human Resources Department at all times. A copy of this notice will be available on the County website at www.StJosephcountymi.org.

Complaints

If you believe your privacy rights under this policy have been violated, you may file a written complaint with the Human Resources Director at the address listed below. Alternatively, you may complain to the Secretary of the U.S. Department of Health and Human Services, generally, within 180 days of when the act or omission complained of occurred.

Other Uses and Disclosures of Health Information

Other uses and disclosures of health information not covered by this notice or by the laws that apply to the Plan will be made only with your written authorization. If you authorize the Plan to use or disclose your PHI, you may revoke the authorization, in writing at any time. If you revoke your authorization, the Plan will no longer use or disclose your PHI for the reasons covered by your written authorization; however, the Plan will not reserve any uses or disclosures already made in reliance on your prior authorization.

Contact Information

If you have any questions about this notice or wish to file a complaint, please contact:

The St. Joseph County Human Resources Director
Charles H. Cleaver
St. Joseph County Human Resources
Historic County Courthouse
125 W. Main Street
P.O. Box 169
Centreville, MI 49032
(269) 467-5675
(269) 467-5628 (fax)
cleaverc@StJosephcountymi.org (email)

Alternatively, you may file a complaint with the federal government at:

Medical Privacy Complaint Division
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201
(866) 627-7748
TTY: (866) 788-4989
Ocrprivacy@hhs.gov (email)

Notice Effective Date: April 14, 2004

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the HIPAA Policy 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.

FILLING OF VACANT STAFF POSITIONS

Ms. West-Wing stated that the Executive Committee discussed their concern about declining revenue sharing monies and other revenue sources and the vacant positions that there are currently.

It was moved by Commissioner Bippus and supported by Commissioner Baker that the Board adopt a policy that when a position is vacant that it not be filled and the budget amount be eliminated from the department's budget, the department manager or the elected official can appeal to the Executive Committee first and then to the entire Board to get the position reinstated effective April 6, 2004.

Chairman Dobberteen stated that he thought that this was the best way to cut spending without affecting people's lives.

Commissioner Bordner stated that this was rather rash for the hires that are in process. He believes that it is disruptive and disingenuous and he suggested that the system be cleared before implementation of this proposed policy.

Commissioner Bippus agreed.

The motion was amended by Commissioners Bippus and Baker as follows:

It was moved by Commissioner Bippus and supported by Commissioner Baker that effective April 6, 2004 the Board adopt a policy that when a position is vacant that it not be filled and that the budget amount be eliminated from the department's budget, the department manager or the elected official can appeal to the Executive Committee first and then to the entire Board to get the position reinstated, this does not include those positions that the Administrator/Controller has been notified of that have been offered.

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.

EMERGENCY MANAGEMENT GRANT

Ms. West-Wing stated that the Board approved the application for the Emergency Management Grant in August of 2003 and we have just found out the budget numbers for October 1, 2003 to September 30, 2004. The Federal government will be reimbursing the County 39.52235% for the wages and benefits for Jim Barnes.

It was moved by Commissioner Bippus and supported by Commissioner Loudenslager that the Emergency Management Grant 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.

COMMITTEE REPORTS

Law Enforcement

Chairman Dobberteen stated that there was no meeting.

Judiciary

Commissioner Bordner stated that the February 11th minutes are in the packets and the next meeting is scheduled for April 14th at noon.

Physical Resources

Ms. West-Wing stated that the next jail project meeting is scheduled for April 20th at 1:00 for the architects and engineers and at 2:00 for all contractors.

Commissioner Loudenslager asked what the completion time is for the project.

Ms. West-Wing stated that the contractors say that they are on time and the project should be completed by Thanksgiving.

Executive Committee

Commissioner Bordner reported on the following from the Executive Committee Meeting held on April 2nd that have not been discussed tonight:

- Mark Clute was appointed to the Emergency Services Committee replacing the Equalization Director and the G.I.S. Director.
- discussed partnering with the River Country Tourism Council, a proposal will be submitted later.
- received an update on the fines imposed by DEQ regarding the Lake Templene Dam.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

DISMISSAL:

Patches Greenwald, Chief Deputy Register of Deeds, has been dismissed effective March 17, 2004.

Barb Allabach-Richardson, Typist Clerk, has been dismissed effective March 24, 2004.

SEASONAL/TEMPORARY EMPLOYMENT:

Camilla Chrisman has been hired as part-time Telecommunicator at \$8.75/hr. effective April 4, 2004.

David Rowe has been hired as seasonal Park Maintainer at \$7.75/hr. effective April 20, 2004.

Jack Hoffine has been hired as seasonal Park Maintainer at \$7.00/hr. effective April 20, 2004.

MISCELLANEOUS:

Rhonda McGlothlen will change from Receptionist to Typist Clerk at \$11.15/hr. (Soltysiak system, grade 3, step 4) effective March 30, 2004. (This position is 40 hours per week.)

James Clawson, Road Patrol Officer, is on medical leave commencing March 31, 2004 under the Family and Medical Leave Act of 1993.

Create the position of Deputy Drain Commissioner, Rye system, pay grade 4, wage range of \$11.73 to \$14.64/hr. This is a non-contract position.

Cheri Bouterse to change from Drain Commission Clerk to Deputy Drain Commissioner at \$11.73/hr. (Rye system, grade 4, minimum) effective April 6, 2004.

Reclassify the Deputy County Treasurer classification from a pay grade 4 to pay grade 5/Soltysiak system, wage range of \$11.45 to \$14.89/hr. Effective April 6, 2004 the current incumbent's compensation to be adjusted to the pay grade 5 and step that would represent an increase in compensation as follows:

Vicki Anders, Deputy County Treasurer, to \$14.02/hr. (step 6)
 Mary Ives, Deputy County Treasurer, to \$12.74/hr. (step 3)
 June Schultz, Deputy County Treasurer, to \$11.45/hr. (minimum)

Reclassify the Court Liaison Secretary (Prosecutor's Office) classification from a pay grade 4 to pay grade 5/Soltysiak system, wage range of \$11.45 to \$14.89/hr. Effective April 6, 2004 the current incumbent's compensation to be adjusted to the pay grade 5 and step that would represent an increase in compensation as follows:

Joni Kelley, Court Liaison Secretary, to \$14.02/hr. (step 6)
 Anita Herman, Court Liaison Secretary, to \$14.02/hr. (step 6)
 Anne Rohrer, Court Liaison Secretary, to \$11.45/hr. (minimum)

NEW HIRE:

Lisa Youga has been hired as part-time Parks and Recreation Secretary at \$8.79/hr. (Soltysiak system, grade 1, minimum) effective April 7, 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:

FROM APPROPRIATION:

\$192,980.00 from Community Mental Health Appropriation to Community Mental Health Fund.

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

BUDGET ADJUSTMENTS:

DECREASE EDC'S BUDGET:

Line item 244-728-941.000 (Contingency) \$ 2,241.00

INCREASE:

Line item 244-728-705.010 (Wages - Department Head) \$ 1,925.00
 Line item 244-728-715.000 (FICA) 148.00
 Line item 244-728-716.100 (Workers Compensation) 8.00
 Line item 244-728-718.010 (Retirement – Employer) 160.00
 \$ 2,241.00

DECREASE PRINCIPLE RESIDENCE DENIAL FUND:

Line item 270-225-816.000 (Contractual Services) \$11,294.00

INCREASE:

Line item 270-225-707.000 (Wages – Part time) \$ 8,000.00
 Line item 270-225-715.000 (FICA) 612.00
 Line item 270-225-716.100 (Workers Compensation) 32.00
 Line item 270-225-727.000 (Office Supplies) 700.00
 Line item 270-225-900.000 (Advertising) 350.00
 Line item 270-225-985.000 (Software) 1,600.00
 \$11,294.00

INCREASE FRIEND OF THE COURT REVENUES:

Line item 215-141-578.000 (State Reimbursement Grant) \$15,000.00

INCREASE EXPENDITURES:

Line item 215-141-816.000 (Contractual Services) \$15,000.00

INCREASE HOMELAND SECURITY GRANT REVENUES:

Line item 101-301-506.040 (*03 State Homeland Security Grant) \$61,924.00

INCREASE EXPENDITURES:

Line item 101-426-977.040 (Equipment – 03 Federal Grant) \$61,924.00

DECREASE SHERIFF'S DEPARTMENT BUDGET:

Line item 101-301-743.020 (Road Patrol Supplies) \$ 450.00

INCREASE:

Line item 101-301-985.000 (Computer Software) \$ 450.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 6,582.00

INCREASE PROSECUTOR'S BUDGET:

Line item 101-229-706.250 (Wages – Secretary) \$ 2,096.00

Line item 101-229-715.000 (FICA) 161.00

Line item 101-229-716.020 (S & A Insurance) 26.00

Line item 101-229-716.100 (Workers Compensation) \$ 9.00

Line item 101-229-718.010 (Retirement) 174.00

\$ 2,466.00

INCREASE TREASURER'S BUDGET:

Line item 101-253-706.130 (Wages – Deputies) \$ 1,332.00

Line item 101-253-715.000 (FICA) 102.00

Line item 101-253-716.020 (S & A Insurance) 13.00

Line item 101-253-716.100 (Workers Compensation) 6.00

Line item 101-253-718.010 (Retirement) 111.00

\$ 1,564.00

INCREASE DRAIN COMMISSION'S BUDGET:

Line item 101-275-706.130 (Wages – Deputies) \$ 2,391.00

Line item 101-275-715.000 (FICA) 69.00

Line item 101-275-716.020 (S & A Insurance) 13.00

Line item 101-275-716.100 (Workers Compensation) 4.00

Line item 101-275-718.010 (Retirement) 75.00

\$ 2,552.00

DECREASE DRAIN COMMISSION'S BUDGET:

Line item 101-275-706.060 (Wages – Clerical) \$15,814.00

INCREASE:

Line item 101-275-706.130 (Wages – Deputies) \$15,814.00

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	\$ 1,859.20	\$
Due to Townships	130.00	
Appropriations	101,965.83	
County Commission	4,090.25	6,314.84
Circuit Court	111.25	16,520.52
District Court	408.62	63,143.94
Friend of the Court	4,482.20	34,265.78
Jury Commission	68.00	
Probate Court	2,827.78	17,957.97
Juvenile Branch	11,141.98	45,775.99
Appeals Court		1,411.62
Administration		8,673.06
Finance Department	2,147.77	10,949.36
County Clerk	2,260.44	20,898.30
Equalization Department	437.67	15,685.64

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Human Resources	\$	\$ 4,101.58
Geographic Information Systems	516.44	8,698.59
Prosecutor's Office	2,639.24	37,869.46
Central Services	19,004.92	5,065.83
Register of Deeds	84.00	13,429.63
County Treasurer		13,755.12
Cooperative Extension	1,437.88	7,587.26
Information Technology	2,217.57	7,485.82
Buildings & Grounds	5,868.36	14,741.92
Courts Building Security		5,538.63
Drain Commission	80.00	4,210.88
Sheriff Department	16,797.10	80,637.65
Sheriff Reserves	35.00	
Marine Patrol	22.58	
Jail & Turnkey	29,714.09	93,486.56
Emergency Services	9,091.42	3,946.88
Animal Control	2,428.98	8,617.82
Board of Public Works		731.84
Medical Examiners	225.00	
Child Care - Probate	7,974.80	512.61
Veterans Services		503.43
Utilities & General Services	39,573.73	
Total	\$ 269,642.10	\$ 552,518.53

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 339,980.18	\$
Parks & Recreation	1,464.45	7,593.73
Emergency 911 Service	2,438.74	44,799.17
Central Dispatch - Wireless	90.00	3,417.39
Meyer Broadway/Coon Hollow Park	847.29	1,345.83
Friend of the Court		1,299.92
Family Counseling	370.00	
Cade Lake Park	55,381.21	
Waste Management Fund		
County Commission	12,678.00	
Resource Recovery Program	496.35	579.16
Traffic Safety Program Fund	1,203.41	
Economic Development Fund	499.80	7,858.78
Register of Deeds Automation Fund	1,699.12	
Victims' Rights Advocate Fund		2,935.63
Community Corrections Advisory Board	6,386.67	2,596.90
Community Corrections Program	698.51	430.60
Drug Law Enforcement Fund	468.73	
Law Enforcement Fund	33.80	19,145.40
Secondary Road Patrol		7,489.53
Law Library Fund	234.00	
Principal Residence Denial Fund	1,500.00	
Commission on Aging	31,042.80	44,275.62
Community Development Block Grant	1,354.61	
Family Independence Agency	54,532.01	

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Child Care - Probate Court	\$ 28,999.03	\$ 2,831.16
Child Care - Family Independence Agency	15,538.45	
Veterans' Trust Fund	30.45	107.65
Facilities Maintenance Fund	144,063.69	
BPW #14 Constantine Village Sewer Construction	39,755.96	
Inmate Store	2,819.06	
Three Rivers Community Center	2,228.82	240.04
Long Lake Level Revolving Fund	1.86	
Flexible Benefits Insurance Fund	121,615.76	
Total		
Grand Total	\$ 868,452.76	\$ 146,946.51

General Fund Operating Expenditures

Pre-Authorized	\$198,492.67	
Accounts Payable	\$71,149.43	\$ 269,642.10

General Fund Payroll Expenditures \$ 552,518.53

Other Funds Operating Expenditures

Pre-authorized	\$853,409.38	
Accounts Payable	\$15,043.38	\$ 868,452.76

Other Funds Payroll Expenditures 146,946.51

Total Recorded for the Month \$ 1,837,559.90

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

INDEPENDENT CONTRACTOR'S AGREEMENT

Mr. Carey recommended approval of an Independent Contractor's Agreement with Approved Fire Protection Co.

It was moved by Commissioner Bordner and supported by Commissioner Bippus that the Independent Contractor's Agreement with Approved Fire Protection Co. 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.

CHAIRMAN'S REPORT

Chairman Dobberteen stated that St. Joseph County has the pilot program for having Diana Fair of the MSUE staff take care of the Veterans' Services and he was at a birthday party at the Sturgis American Legion Saturday and they are looking forward to working with her.

A work session needs to be set to discuss long range planning. It was decided that this would be set at the next meeting.

MISCELLANEOUS

Commissioner Loudenslager stated that he had the privilege of being invited to a meeting in Lansing to meet with the new directors of the Family Independence Agency, Department of Community Health, Department of Education and a representative from MSHDA. Of the only 4 counties represented to talk to the new Administration and department heads about what human services collaboratives do in the counties, he was the only elected official. None of them had any knowledge of the efficiencies that can be had with these collaboratives.

Commissioner Bippus brought up the issue of the mess around the recycling bin at the Sheriff's Department. A lengthy discussion ensued and Commissioner Shafer stated that it was a Waste Management issue. Steve Siegelin stated that spring is the worst and it gets very full on the weekends and Mondays have the most overflow. He stated that the messes are unacceptable and that he shares the Commissioners' frustrations.

A letter will be drafted to Waste Management to address this issue with a copy to be sent to Senator Cameron Brown and Representative Rick Shaffer.

Commissioner Shafer stated that he enjoyed being a part of the groundbreaking at Keystone Place last Friday.

Commissioner Bordner stated that he heard that 19% more will be cut from revenue sharing. He is glad that MSUE will be handling the veterans' services. He thanked Mr. Siegelin and staff for their "can do" work ethic.

He wishes everyone a Happy Easter.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the St. Joseph County Board of Commissioner adjourn until April 20, 2004. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman