

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, 2010, at 5:00 p.m.

Chairman Michael Dunlap called the meeting to order.

The Invocation was given by Commissioner Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Gerald E. Loudenslager
Michael D. Dunlap	Jerry Ware
David J. Pueschel	

Absent: Robin Baker and John L. Dobberteen

Also present were Dan Carey, Finance Director and Elishia Arver, Human Resource Director.

#### AGENDA

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

#### MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the minutes for March 16, 2010 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, March 19 and April 1, 2010.
2. Letter from the City of Three Rivers, Re: Notice of public hearing on April 6, 2010 to consider a request for an Obsolete Property and Rehabilitation District and exemption at 51 North Main Street, Three Rivers.
3. Letter from the City of Sturgis, Re: Notice of public hearing on April 12, 2010 to consider an amended Industrial Facilities Exemption Certificate to LTI Printing, Inc.
4. Letter from Park Township, Re: Notice of public hearing on April 14, 2010 to consider an Industrial Facilities Exemption Certificate to American Metal Fab.
5. Copy of Letter from Tim Carls to Congressman Upton, Re: Nottawa Township's public access for Lake Templene.
6. Letter from Anthony Lang, Re: Resignation from Road Commission Board.
7. Resolution from Leelanau County, Re: State Mandated Services.
8. Resolution from Cheboygan County, Re: Objecting to Election Management System License renewal fees.
9. Resolution from Bay County, Re: Stopping the migration of the Asian carp into the Great Lakes.
10. Resolution from Lake County, Re: Stopping the migration of the Asian carp into the Great Lakes.
11. Resolutions from Antrim County, Re: Opposing the MiWater Ballot Initiative; State Mandated Services; Migration of the Asian Carp into the Great Lakes; Support of the Back Forty Joint Venture.
12. Minutes of the Department of Human Services Board meeting of January 26, 2010.
13. Minutes of the Community Mental Health Services Board meeting of January 26, 2010.
14. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of March 15, 2010.
15. Southwest Michigan Land Conservancy's Newsletter, Spring/Summer 2010.

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

HAZARDOUS MATERIALS EMERGENCY PLANNING 2009-2010 GRANT ACCEPTANCE

Jim Barnes, Emergency Management Coordinator, stated that we have been awarded our annual grant for Hazardous Materials Emergency Planning. Mr. Barnes stated that Commissioner Loudenslager sits on the Local Emergency Planning Committee and the Committee identifies those businesses, etc., that have/use hazardous materials. Then they make sure that they have a plan in place in case of a “spill.” The grant is for \$1,720.00.

Commissioner Shaffer asked how many sites that there were and Mr. Barnes stated that the amount varies from year to year but probably between 16 and 18. The plans have to be developed by July 1st and if some places are now out of business they can be dropped off the list.

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the Hazardous Materials Emergency Planning 2009-2010 Grant be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

MICHIGAN HIGHWAY SAFETY 2010 EQUIPMENT GRANT ACCEPTANCE

Mrs. Arver stated that the Sheriff’s Department has been awarded a grant for one LED light bar for a patrol car and to upgrade existing flashlights.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Michigan Highway Safety 2010 Equipment Grant be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

SHERIFF’S DEPARTMENT - WEEKENDER FEE INCREASE

Mrs. Arver stated that the Sheriff’s Department is requesting the weekender fee to increase from \$16 per day to \$20 per day.

Commissioner Shaffer asked how many there are on weekends.

Undersheriff Lillywhite responded that it varies, sometimes 6/month or sometimes 14/month or sometimes they do not have any. He further stated that these folks pay otherwise they have to stay.

Commissioner Pueschel asked how much it costs to house them per day and Mr. Lillywhite said about \$15.

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the weekender fee at the Sheriff’s Department be increased from \$16/day to \$20/day.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

P.A. 2 FUNDS RECOMMENDATION

Pam Pellerito, Regional Coordinating Agency Director of the Kalamazoo Community Mental Health & Substance Abuse Services stated that she met twice at the Direction of the Board of Commissioners, with Liz O’Dell, Sally Reames, Probate Judge Shumaker and District Judge Middleton to come up with a recommendation to the Board on the disbursement of the P.A. 2 funds which must be used for substance abuse services. They determined that the number one priority should be women’s specialty services and number two should be outpatient and residential services.

Mrs. Pellerito stated that they anticipate that there will be \$81,655 to disburse and those funds come from the following sources: the Regional Coordinating Agency will do a budget transfer of \$20,000 in the form of a Kalamazoo Block Grant to St. Joseph County to fund the women’s specialty program; CMH has a carry-over of \$27,629 and they have agreed to allow \$20,414 to be used; \$18,000 comes from the United Way; and \$23,475 from the Block Grant which is mandated. The Committee came to a consensus and suggested that the money be disbursed as follows: \$41,000 for the jail project; SPF/SIG will be restored in the amount of \$8,092; and the meth project will be funded for \$35,698; which should leave a carry forward in the amount of \$4,080 which has already been pledged to CMH.

It was moved by Commissioner Pueschel and supported by Commissioner Shaffer that the Administrator/ Controller be authorized to proceed with the disbursement of P.A. 2 monies as specified above.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

RENEWAL OF AN AGREEMENT WITH THE VILLAGE OF CENTREVILLE  
FOR LAW ENFORCEMENT SERVICES

Mrs. Arver presented the Renewal of an Agreement between the County and the Village of Centreville to provide for Law Enforcement Services. The agreement is for 2 officers for 80 hours per week and the agreement is effective beginning April 1, 2010 and expires March 31, 2011.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Agreement Renewal between the County and the Village of Centreville for Law Enforcement Services be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

ADDENDUM TO RADIO TOWER LEASE AGREEMENT WITH THE CITY OF STURGIS

Andy Goldberger, Central Dispatch Director, stated that an Addendum to the Radio Tower Lease Agreement with the City of Sturgis is being recommended for approval by the Board because the Federal Aviation Administration stated that the tower had to be reduced in size.

Mr. Goldberger stated that the reduction in the height of the tower should not have any affect on the radio reception between the City and Central Dispatch.

It was moved by Commissioner Shaffer and supported by Commissioner Pueschel that the Addendum to the Radio Tower Lease Agreement with the City of Sturgis be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

#### REQUEST TO FILL VACANT PART-TIME DEPUTY TREASURER POSITION

Mrs. Arver stated that the County Treasurer is requesting that the part-time Deputy Treasurer position be filled after the person currently in the job resigns effective May 7, 2010.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the vacant part-time Deputy Treasurer position be filled. Motion carried.

#### RENEWAL OF THE LEASE AGREEMENT WITH THE ECONOMIC DEVELOPMENT CORPORATION

Mrs. Arver presented a renewal of a Lease Agreement with the EDC for 220 square feet of office space in Annex II for \$1,911.80 per year.

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the Renewal of the Lease Agreement with the EDC be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

#### CRIME VICTIMS' RIGHTS WEEK

Linda Baker, Victims' Rights Coordinator, thanked the Board for recognizing April 18-24 as National Crime Victims' Rights Week. She stated that it is important for people to be aware of crime victims. She stated that the money that supports the program comes from criminal assessments and is very valuable to victims. She stated that the following resolution, which she read, also raises awareness on child abuse prevention.

#### RESOLUTION NO. 7-2010 CRIME VICTIMS' RIGHTS WEEK, APRIL 18-24, 2010

WHEREAS, 21 million Americans suffer the indignity of crime each year and may experience emotional, physical, psychological, and financial harm as a result of such crime; and

WHEREAS, a just nation acknowledges crime's impact on individuals, families, and communities and ensures that victims are treated with fairness, dignity, and respect as they interact with the criminal justice system; and

WHEREAS, 25 years ago the President's Task Force on Victims of Crime drew attention to the poor treatment of victims in the criminal justice system, calling it "indifferent" to victims' needs; and

WHEREAS, a decades-long struggle to balance the scales of justice resulted in victims' rights laws in every state and more than 32 state constitutional victims' rights amendments that enshrine the ideals of fairness, dignity, and respect for victims of crimes; and

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities and promoting confidence in public safety; and

WHEREAS, there is more to be done to advance these ideals as too many victims are denied their right to attend trial, present an impact statement at sentencing, or receive notice of the release of an offender; and

WHEREAS, we must work to ensure fair treatment of crime victims by providing protections for child and sexual assault victims, ordering and enforcing victim restitution from offenders, and notifying victims of their right to compensation and services, thereby giving hope to victims that the system and society will work to restore dignity and respect their needs and rights; and

WHEREAS, National Crime Victims' Rights Week, April 18-24, 2010, provides an opportunity for us to raise awareness of the foundation of victims' rights—fairness, dignity, and respect—and to recommit to honoring those values by ensuring that all victims are afforded their legal rights and provided with assistance as they face the financial, physical, and psychological impact of crime; and

WHEREAS, the St. Joseph County Prosecuting Attorney's Office is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout St. Joseph County, the State of Michigan and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners proclaims the week of April 18-24, 2010, to be St. Joseph County Crime Victims' Rights Week, and reaffirms this County's commitment to respect and enforce victims' rights and address their needs during Crime Victims' Rights Week and throughout the year and express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

BE IT FURTHER RESOLVED, that this proclamation be presented to the St. Joseph County Prosecutor's Office, Victim Rights Division, on this 6<sup>th</sup> day of April, 2010.

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

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Resolution adopted.

#### COMMITTEE REPORTS

##### Law Enforcement

Commissioner Loudenslager stated that they had not met.

##### Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet on April 14th at noon.

##### Physical Resources

Commissioner Ware stated that they had not met.

Executive Committee

Commissioner Pueschel stated that everyone has a copy of the Executive Committee minutes from the meeting held April 1, 2010 and he would answer any questions that anyone may have.

PERSONNEL REPORT

Mrs. Arver presented the following report:

RESIGNATION:

Georgia Oldenberg, part-time Deputy Treasurer, has resigned effective May 7, 2010.

MISCELLANEOUS:

Virginia Trattles, Deputy Register of Deeds, was on medical leave from March 22 through April 6, 2010 under the Family and Medical Leave Act of 1993.

Approve COA In-Home Services Clerical classification change from pay grade 5 to pay grade 6 with 495 points under the COA compensation system.

Laurie Wilcox, In-Home Services Clerical, will change to \$10.57/hr. (COA, grade 6, minimum) effective April 9, 2010.

RETIREMENT:

Carolyn Blankenship, Deputy District Court Clerk, is retiring effective April 28, 2010.

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

REQUISITIONS

Mrs. Arver presented the following report:

One Whelen 48" Liberty Red/Blue light bar with take down Alley lights at \$1800; 18 TLE-ST1 LED upgrade kits for Streamlight Stinger flashlight at \$30 each; 13 TLE-300 MR-EX LED upgrade kits for MagLite rechargeable flashlights at \$50 each for Sheriff's Department (Highway Safety Grant Funds 100%) - \$2,990.00

Prep and install a Polyaspartic coating with anti-slip additive to dorm restroom and shower area floor at Sheriff's Department - \$1,775.00

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the requisitions be approved. Motion carried.

BUDGET ADJUSTMENTS

Mrs. Arver presented the following report:

BUDGET AMENDMENTS:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 3,000.00

INCREASE SHERIFF'S BUDGET:

Line item 101-301-977.000 (Equipment) \$ 3,000.00

INCREASE REVENUES INMATE STORE FUND #546:

Line item 546-301-643.020 (Commissary Commissions) \$ 7,000.00

INCREASE EXPENDITURES INMATE STORE FUND #546:

Line item 546-301-931.020 (Computer Maintenance) \$ 3,000.00

Line item 546-301-976.000 (Building Improvement) 3,400.00

Line item 546-301-984.000 (Computer Hardware) 600.00

\$ 7,000.00

DECREASE ANIMAL CONTROL'S BUDGET:

Line item 101-430-706.250 (Wages Secretary) \$ 12,031.00

INCREASE ANIMAL CONTROL'S BUDGET:

Line item 101-430-707.000 (Wages Part-time) \$ 12,031.00

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

BILLS

Mr. Carey presented the following:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 3,328.99	\$
Appropriations	7,033.60	
County Commission	1,487.76	6,622.55
Circuit Court	17,296.15	13,445.88
District Court	653.16	60,035.29
Friend of the Court	199.25	41,277.46
Jury Commission	67.00	
Probate Court	3,216.30	19,690.11
Juvenile Branch	16,728.93	30,925.31
Appeals Court	1,997.60	
Administration		9,749.30
Elections	6,856.25	
Finance Department	1,062.24	10,798.46
County Clerk		22,978.06
Equalization Department	294.38	13,724.95
Human Resources	5,495.75	8,710.12
Geographic Information Systems		7,292.73
Prosecutor's Office	3,691.02	35,639.88
Register of Deeds	1,639.15	12,511.78
County Treasurer		15,531.20
Cooperative Extension	777.92	8,616.58
Information Technology	2,875.75	12,374.62
Buildings & Grounds	6,475.83	10,914.99
Courts Building Security		6,789.05
Drain Commission		3,970.92
Sheriff Department	14,556.21	91,022.41
Sheriff Reserves	40.00	
Marine Patrol	30.00	
Jail & Turnkey	19,865.70	99,737.04
Emergency Services	132.90	236.83
Animal Control	1,485.41	9,553.42
Board of Public Works		711.87
Medical Examiners	1,613.25	
Child Care - Probate	1,244.46	247.80
Veterans' Affairs	1,200.00	
Veterans' Services		1,686.17
Utilities & General Services	26,690.40	
Total	\$ 148,035.36	\$ 554,794.78

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission		\$ 537,006.35	\$
Parks & Recreation		427.49	7,536.16
Emergency 911 Service		17,255.51	53,655.15
Central Dispatch - Wireless		3,137.89	4,189.47
Meyer Broadway/Coon Hollow Park		761.09	
Family Counseling		772.50	
Cade Lake Park		374.06	
Traffic Safety Program Fund		628.50	
Economic Development Fund		14,903.24	7,878.10
Victims' Rights Advocate Fund			3,351.84
Community Corrections Advisory Board		4,841.67	3,010.11
Community Corrections Program		825.00	
Drug Law Enforcement Fund		2,153.25	
Law Enforcement Fund			13,733.42
Secondary Road Patrol			9,380.79
Homeland Security Grant Fund		3,037.38	3,789.28
Law Library Fund		846.46	
Principal Residence Denial Fund			712.51
Commission on Aging		66,138.01	58,254.75
Community Development Block Grant		19,580.00	
Sheriff's Justice Training Fund		2,215.00	
Child Care: Probate Court		25,354.80	11,354.69
Veterans' Trust Fund		1,964.00	
Facilities Maintenance Fund		42,564.85	
Forfeiture and Foreclosure Fund		3,235.28	
Tax Payment Fund		6,549.75	
Inmate Store		1,574.08	
Three Rivers Community Center		3,922.01	
Long Lake Level Revolving Fund		10,201.13	999.16
Information Technology Improvement Fund		1,037.50	
Flexible Benefits Insurance Fund		219,813.51	
Total		\$ 991,120.31	\$ 177,845.43
Grand Total		\$ 1,139,155.67	\$ 732,640.21
General Fund Operating Expenditures			
Pre-Authorized	\$72,283.66		
Accounts Payable	<u>75,751.70</u>		
		\$ 148,035.36	
General Fund Payroll Expenditures		\$ 554,794.78	
Other Funds Operating Expenditures			
Pre-authorized	\$901,446.03		
Accounts Payable	<u>89,674.28</u>		
		\$ 991,120.31	
Other Funds Payroll Expenditures		\$ <u>177,845.43</u>	
Total Recorded for the Month		\$ 1,871,795.88	

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

INDEPENDENT CONTRACTOR'S AGREEMENT

Mr. Carey recommended approval of an Independent Contractor's Agreement for Douglas A. Brousseau to perform commercial and industrial appraisals and sales/appraisals for the Equalization Department.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Independent Contractor's Agreement with Douglas A. Brousseau be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Loudenslager, Dunlap, Pueschel and Ware.

Nay votes cast: 0

Absent: 2 - Commissioners Baker and Dobberteen.

Motion carried.

CITIZEN'S COMMENT

Forrest Lammon stated that he had his dog at a Meyer-Broadway Park and other dogs were not on a leash or they had snapped their leash and those dog(s) injured his dog ripping off the side of his face. He said that half of the dogs that go to this park are not on a leash. He said that it is hard to find the phone number for John Pence, Parks and Recreation Director. He called the Sheriff's Department and that said that it is an Animal Control issue and when he contacted Animal Control they said that it was up to Mr. Pence and he will not do anything about it.

Chairman Dunlap stated that the Parks and Recreation Commission is working on bigger signage regarding dogs and Mr. Lammon stated that he has offered to pay for them.

Commissioner Shaffer suggested that Mr. Lammon come to a Parks and Recreation Commission meeting and speak during the public comments portion of the agenda.

MISCELLANEOUS

Commissioner Ware stated that the Tea Party Express will be in Grand Rapids, Saturday at 4:00 p.m.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until April 20, 2010 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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Michael D. Dunlap, Chairman