

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 May 4, 2009, at 5:00 p.m.

Vice-Chairman Robin Baker 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	Robin Baker
Jerry Ware	David J. Pueschel

Absent: John L. Dobberteen

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the minutes for April 21, 2009 be approved. Motion carried.

CLOSED SESSION MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Ware that the closed session minutes for April 21, 2009 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, April 24, 2009.
2. Letter from Representative Matt Lori, Re: Thank you for resolution supporting restoration of revenue sharing.
3. Letter from Representative Matt Lori, Re: Thank you for resolution in support of holding counties harmless from the settlement of lawsuits against DHS.
4. Letter from Southwest Michigan Land Conservancy, Re: Invitation to "Spring into Adventure!" event on May 9 at Scidmore Park, Three Rivers.
5. Investment Activity Quarterly Reports from County Treasurer Phyllis Bainbridge in compliance with PA 213 of 2007. (Reports of December 2008 and March 2009)
6. Resolution from Bay County, Re: Support of legislation entitled "Hire Michigan First."
7. Resolution from Luce County, Re: Support of restoration of State Revenue Sharing.
8. Resolution from Allegan County, Re: Supporting adequate State funding to hold counties harmless from the DHS lawsuit settlement agreement.
9. Resolution from Antrim County, Re: Lawsuits.
10. Minutes of the Community Mental Health Board meeting of March 31, 2009.
11. Minutes of the Parks and Recreation Commission meeting of April 1, 2009.

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

DRAIN COMMISSIONERS' ANNUAL REPORT

Jeffery Wenzel, Drain Commissioner, presented the Annual Report for 2008. He said that everything is going well and that he was learning a lot. The report was prepared by Cheri Bouterse, Deputy Drain Commissioner, and he asked if there were any questions.

Commissioner Loudenslager asked Mr. Wenzel if he wanted to point out any highlights.

Mr. Wenzel stated that all lake levels have been established except for four. He will be going to Circuit Court to get special assessment districts established.

He has been working very hard on the Section 4 Drain in Park Township.

Commissioner Dunlap asked about the special assessment district at Lake Templene. Mr. Wenzel stated that Circuit Judge, Paul Stutesman, ruled that all that have deeded lots and also those with water frontage will be in the special assessment district.

Commissioner Pueschel asked if that ruling will apply to all of the special assessment districts. Mr. Wenzel responded that it would not. Those special assessment districts previously set by the Court will remain as they were established.

Commissioner Shaffer stated that there used to be no drain activity and now there is a lot and asked Mr. Wenzel how he prioritizes.

Mr. Wenzel stated that the Section 4 Drain in Park Township has kept him very busy. He was there with the engineer today and within the next month Mr. Wenzel said that he will be making some decisions.

Mr. Wenzel mentioned that the County has 148 drains.

Vice-Chairman Baker asked if he has received any calls about the high lake level of Corey Lake.

Mr. Wenzel stated that he had along with many others, especially all of those in the Fabius Township vicinity, i.e. Harwood (Cass County), Clear, Long, Mud, Kaiser that are all affected by another lake.

Commissioner Dunlap stated that the Drain Code is very complicated and Mr. Wenzel is faced with a lot of work.

Commissioner Loudenslager stated that it was an excellent report and he thanked Mr. Wenzel for the job that he is doing.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Drain Commissioners' Annual Report for 2008 be accepted. Motion carried.

E-911 CENTRAL DISPATCH ANNUAL REPORT FOR 2008

Andrew Goldberger, Director of Central Dispatch, presented the 2008 Annual Report, which is his 14th. He stated that it has been a pleasure to serve the citizens of St. Joseph County.

He stated that the report reflects the entire County and all emergency services as they dispatch them. The number of police, fire and emergency medical calls that were dispatched is shown in the report by each agency and community. In addition, on the police side, the number of quick calls, which are officer initiated calls, are tracked at the Center.

The 911 Policy Board meets once per quarter. Those on the Board for 2008 were: Sandy Cole, representing medical; Phyllis Youga, representing the citizens of St. Joseph County; Chief Lynn Baker, representing the Village Police Departments; Director Dave Northrop, City of Sturgis; Chief Max Kulpinski, representing the Fire Chiefs; Lt. Mike Risko, Michigan State Police; Chief Tom Bringman, City of Three Rivers; and former Sheriff Matt Lori. In 2009, Sheriff Balk sits on the Board. In 2008 the County Board's Representative was Commissioner Dunlap and now it is Commissioner Shaffer.

Mr. Goldberger stated that also attending the meetings is Administrator, Judy West-Wing who keeps them all on track.

As he has said before, Mr. Goldberger remarked that he stands before the Board to give his annual report but it is the members of the staff, the Telecommunicators (dispatchers) and Supervisors that do the heavy lifting. They take the calls and deal with the public and the agencies. Gary LeTourneau, Deputy Director does more for this agency than anyone will ever know. He is Mr. Goldberger's right and left hand. Furthermore, he said that all of the staff must be acknowledged as being professional and the best in the profession.

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that the E-911 Central Dispatch Annual Report for 2008 be accepted.

Commissioner Loudenslager asked if Leonidas Firemen will be provided radios. Mr. Goldberger responded that they will be.

Vice-Chairman Baker asked how the radio project is going. Mr. Goldberger stated that they are ¾ done. All of the equipment is in the County and being worked on. 4 of 5 of the tower sites are done. There are issues in Sturgis and they are continuing to search for a site for the tower that will provide a clear signal to and from Centreville in all seasons. When everything is up and running there will be only about 3% dead spots.

Commissioner Shaffer remarked on the last page of the report that lists bullet points of Mr. Goldberger's activities for 2008 and said that the mere mention of his work in getting laws passed for funding for 911 has certainly been downplayed. Commissioner Shaffer stated that he appreciates all that Mr. Goldberger does and he is well respected by his peers and the work that he does with legislative issues should be a huge bullet point.

Motion carried.

HUMAN SERVICES COMMISSION
JUVENILE DELINQUENCY PREVENTION IMPLEMENTATION GRANT APPLICATION

Chris Kudalski, Director of the Department of Human Services and Chairman of the HSC, requested that the Board approve their application for a Federal Grant for Juvenile Delinquency Prevention Planning. The grant is for \$32,000 and does not require any match. He stated that the County has to apply for the grant and that they must act as the grant's fiduciary if the grant is awarded.

Five of twelve counties will be awarded the grant and will then be eligible to apply for a 3 year implementation grant. The 1st year of the implementation grant could be up to \$90,000; the 2nd year up to \$70,000 and \$40,000 for year three. The match for the 1st year is \$45,000; the 2nd year, \$65,000; and the 3rd year \$95,000. There is no required cash match, as it would be all in-kind.

Commissioner Dunlap asked about the \$200,000 match after the 1st year if awarded the grant. Mr. Kudalski and Jan Reed, Director of HSC, assured the Board that the match would be entirely in-kind.

Mr. Kudalski stated that the oversight of the development of the plan and all the data reporting would be done by the HSC.

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the grant application be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Pueschel.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

REMONUMENTATION CONTRACT WITH GLOBAL LAND SURVEYING, LLC

Mrs. West-Wing stated that this contract is similar to the ones that were previously adopted.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Remonumentation Contract with Global Land Surveying, LLC be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Pueschel.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

AGREEMENT FOR FRIEND OF THE COURT WARRANT OFFICER

Ms. West-Wing stated that for several years the Friend of the Court has had a warrant officer as an independent contractor who has now resigned to take another position.

According to MCOLES, the agency that certifies police officers has changed their requirements for this position. This certified officer must now be a Sheriff's Department employee. The position will continue to be no more than 24 hours per week, but will be under the jurisdiction of the Sheriff's Department and will get their assignments from the Friend of the Court.

The Friend of the Court will reimburse the Sheriff's Department for the warrant officer and it will be reimbursable at 66% through the Cooperative Reimbursement program.

There is no added cost to the County.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that this agreement for the Friend of the Court Warrant Officer be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware and Pueschel.

Nay votes cast: 0

Absent: 1 - Commissioner Dobberteen.

Motion carried.

JUSTICE ASSISTANCE GRANT (JAG) APPLICATION/MEMORANDUM OF UNDERSTANDING

Ms. West-Wing stated that the U.S. Department of Justice, Bureau of Justice Assistance is seeking applications for funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program which has allocated the following funds: St. Joseph County, \$14,936; Three Rivers, \$43,130; and Sturgis \$23,159.

The Sheriff and staff met with the Police Chiefs of both cities and all have identified how they will utilize the funds.

The Sheriff will use the County's funds to assist with the continued funding of a drug enforcement officer.

Only one entity can apply for the grant for all 3 and only one will be the fiduciary. The City of Three Rivers has agreed to apply for the grant and to act as the fiduciary and grant administrator. The County and the City of Sturgis will pay the City of Three Rivers up to 10% out of their grant funds for this service.

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the JAG Application/Memorandum of Understanding be approved. Motion carried.

NOMINATIONS/APPOINTMENTS

Planning Commission

Commissioner Shaffer stated that the interview committee consisting of himself and Commissioners Pueschel and Ware met and interviewed 2 candidates for the vacancy on the Planning Commission. A 3rd candidate withdrew. Bob Horton, Chairman of the Planning Commission was present at the interviews and is present this evening.

Commissioner Shaffer stated that the Committee is recommending that Gary Herndon be appointed to the Planning Commission.

It was moved by Commissioner Shaffer and supported by Commissioner Ware that Gary Herndon be nominated and appointed to the Planning Commission for a term to expire January 1, 2011. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Loudenslager reminded everyone of the hearing to be held by the Supreme Court in the Commissioners' Room on May 13, 2009 at 2:00 p.m. A luncheon will be held at 11:30 a.m. on that day as well. The cost for a ticket is \$15.00.

Physical Resources

Commissioner Dunlap stated that there was no report.

Executive Committee

Commissioner Pueschel stated that everyone had received a copy of the Executive Committee minutes of May 1, 2009 and asked if anyone had any questions.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRES:

Mary L. Willma has been hired as Nutrition Data Assistant at \$10.36/hr. (COA, grade 6, minimum) effective April 24, 2009.

Becky S. Williams has been hired as part-time In-home Services Aide at \$9.85/hr. (COA, grade 5, minimum) effective April 24, 2009.

MISCELLANEOUS:

Marty Chiddister, Payroll Clerk, is on intermittent leave commencing March 31, 2009 under the Family and Medical Leave Act of 1993.

TEMPORARY/SEASONAL EMPLOYMENT:

Sherry Bowen has been hired as seasonal Park Maintenance at \$8.00/hr. effective May 6, 2009

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

REQUISITIONS

Ms. West-Wing presented the following report:

One Dell Latitude E5500 laptop for Veterans' Advisor (MSU to reimburse 50% of final cost)	\$ 852.48
One Samsung Electronic Cash Register Model 5115 for Cade Lake Park	\$ 499.95

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

<u>DECREASE GENERAL FUND CONTINGENCY:</u>	
Line item 101-890-941.00 (Contingency)	\$ 860.00
<u>INCREASE VETERANS' SERVICES BUDGET:</u>	
Line item 101-682-984.00 (Computer Hardware)	\$ 860.00
<u>INCREASE LAW ENFORCEMENT FUND REVENUES:</u>	
Line item 266-301-580.010 (FOC Reimbursement)	\$ 14,136.00
<u>INCREASE LAW ENFORCEMENT FUND EXPENDITURES:</u>	
Line item 266-301-706.130 (Deputy-FOC Warrant Officer)	\$ 12,840.00
Line item 266-301-715.000 (County Share of FICA)	983.00
Line item 266-301-716.100 (Worker's Compensation)	<u>313.00</u>
	\$ 14,136.00
<u>DECREASE CADE LAKE PARK FUND:</u>	
Line item 217-751-941.000 (Contingency)	\$ 500.00
<u>INCREASE CADE LAKE PARK FUND:</u>	
Line item 217-751-977.000 (Equipment)	\$ 500.00

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

HEALTH DEPARTMENT

Commissioner Dunlap stated that he should have reported this during committee reports. He recently attended a meeting at the Health Department with Vice-Chairman Baker and Commissioner Shaffer and they received a report on the swine flu. The Health Department is monitoring it very well and they have everything under control. There is no concern now.

BILLS

Mr. Carey presented the following report:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 3,946.91	\$
County Commission	10,620.65	6,940.13
Circuit Court	803.13	13,448.38
District Court	959.34	63,050.68
Friend of the Court	41.50	39,609.58
Probate Court	3,538.30	18,273.42
Juvenile Branch	20,497.74	39,711.76
Appeals Court	2,885.85	
Administration		9,754.42

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Elections	\$ 8,595.39	\$
Finance Department	1,037.12	13,105.83
County Clerk		22,355.50
Equalization Department		14,442.13
Human Resources		6,326.67
Geographic Information Systems	696.06	6,896.15
Prosecutor's Office	6,606.38	34,551.24
Central Services	7,972.79	5,457.11
Register of Deeds		13,179.00
County Treasurer		15,192.29
Cooperative Extension	1,492.72	8,298.15
Information Technology	1,321.91	12,066.24
Buildings & Grounds	7,937.23	14,201.96
Courts Building Security		8,078.24
Drain Commission	188.29	5,306.71
Sheriff Department	11,309.00	94,532.87
Sheriff Reserves	1,227.50	
Marine Patrol	66.30	48.44
Jail & Turnkey	18,839.01	94,825.07
Emergency Services	86.62	5,514.10
Animal Control	725.90	10,280.77
Board of Public Works		667.62
Medical Examiners	400.00	
Child Care - Probate	4,935.57	
Veterans' Services		1,621.07
Utilities & General Services	26,552.92	
Total	\$ 143,284.13	\$ 577,735.53

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 660,564.11	\$
Parks & Recreation	8,007.98	7,616.51
Emergency 911 Service	409,021.46	54,460.60
Central Dispatch - Wireless	2,596.62	4,218.05
Meyer Broadway/Coon Hollow Park	299.51	2,253.54
Family Counseling	220.00	
Cade Lake Park	95.58	
Waste Management Fund		
County Commission	47,861.27	
Traffic Safety Program Fund	775.91	
Economic Development Fund	55.00	8,448.74
Survey & Remonumentation	840.00	
Victims' Rights Advocate Fund		3,195.61
Community Corrections Advisory Board	6,976.67	2,896.46
Community Corrections Program	4,000.00	
Drug Law Enforcement Fund	515.16	
Law Enforcement Fund	150.00	12,595.72
Secondary Road Patrol		8,862.36
Homeland Security Grant Fund	4,970.14	
Law Library Fund	341.00	
Principal Residence Denial Fund		667.60
Commission on Aging	60,510.76	55,328.62

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Community Development Block Grant	\$ 11,141.00	\$
Sheriff's Justice Training Fund	2,096.20	
Child Care - Probate Court	43,215.53	3,538.76
Veterans' Trust Fund	2,121.34	
Facilities Maintenance Fund	46,322.10	
Forfeiture & Foreclosure Fund	425.00	
Tax Payment Fund	16,682.12	
Inmate Store	223.81	
Three Rivers Community Center	2,968.76	832.56
Flexible Benefits Insurance Fund	162,493.35	
Total	\$ 1,495,490.38	\$ 164,915.13
 Grand Total	 \$ 1,638,774.51	 \$ 742,650.66
 General Fund Operating Expenditures		
Pre-Authorized	\$131,107.59	
Accounts Payable	<u>12,176.54</u>	
	\$ 143,284.13	
 General Fund Payroll Expenditures	 \$ 577,735.53	
 Other Funds Operating Expenditures		
Pre-authorized	\$1,493,978.81	
Accounts Payable	<u>1,511.57</u>	
	\$ 1,495,490.38	
 Other Funds Payroll Expenditures	 \$ <u>164,915.13</u>	
Total Recorded for the Month	\$ 2,381,425.17	

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

CHAIRMAN'S REPORT

Work Session Set

Ms. West-Wing stated that it was previously suggested by the Executive Committee that a work session be set to discuss the Land Use Policy Position, Brad Neumann. Both Mr. Neumann and Maury Kaercher would be present for this discussion.

The work session was set for 5:00 p.m. on May 28, 2009.

MISCELLANEOUS

The Clerk stated that she has tickets to the luncheon with the Supreme Court on May 13th.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until May 19, 2009. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Vice-Chairman