

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 5, 2008, at 5:15 p.m.

Chairman Robin Baker called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

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

Eric Shafer	Gerald E. Loudenslager
Robin Baker	David J. Pueschel

Absent: Michael D. Dunlap, Monte Bordner and John L. Dobberteen

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the minutes for April 22, 2008 be approved. Motion carried.

CLOSED SESSION MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the minutes of the closed session on April 22, 2008 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, April 25 and May 2, 2008.
2. Letter from the Michigan Public Service Commission, Re: Notice of hearing on May 15 for the electric customers of Indiana Michigan Power Company regarding power supply cost recovery.
3. Copy of letter from Gordon Evilsizor to Senator Levin, Re: Asking for assistance with MCOLES certification.
4. Investment Activity Quarterly Report from County Treasurer Phyllis Bainbridge in compliance with PA 213 of 2007.
5. Resolution from Kalkaska County, Re: Amending the Master Plan to insure reasonable use of common water.
6. Minutes of the Department of Human Services Board meeting of March 25, 2008.
7. Minutes of the Community Mental Health Services Board meeting of March 25, 2008.

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

FRIEND OF THE COURT ANNUAL REPORT FOR 2007

William Thistlethwaite, Friend of the Court, gave an overview of the 17th Annual Report that he has given.

The most significant thing that happened in 2007 was the consolidation of the Prosecuting Attorney's Child Support Division into the Friend of the Court. Paternity and support are now both established in the Friend of the Court for "one stop shopping." Julie Pond, the Child Support Investigator was added to the staff and one Prosecutor's secretarial position was eliminated. They made some substantial changes in the way that she does business and are working with her so that they are more customer friendly and efficient.

Mrs. Pond schedules settlement conferences with both clients trying to settle differences in a friendly fashion. About 50% of the cases settle this way and then do not have to go to court. This promotes cooperation between the parties which is a good way to start their case.

Commissioner Dunlap was present at this time.

The planning for this consolidation took place over a year and he commended Mrs. Pond for all of her hard work.

In October performance goals were set for Mrs. Pond setting caseload establishment percentages and caseload deadlines. Both 1 and 2 year goals were set and the 1 year goal was met in 6 months and she is well on her way to meeting the 2 year goals.

2007 saw the continuation of a program that was started in 2006. They changed the way that contested child custody cases were handled by the Court. Previous to the beginning of this program the clients would go to Court and the Judge would order a full investigation in the home which would be done by a FOC caseworker and then they would have to write a full comprehensive report. Then the case would be set for a 1 day hearing before Mr. Thistlethwaite. Both parties would incur expensive attorney fees throughout this process.

Now the case comes before Judge Welty or Mr. Thistlethwaite as referees and they then refer the case to a Friend of the Court caseworker for a resolution conference. 111 out of 118 cases that they have handled in this way have settled which is 94%.

Mr. Thistlethwaite stated that the only way that they can get some people to pay is to have them arrested. They have a program that the person arrested, instead of serving jail time, is assigned to a work release program either to the St. Joseph County Parks and Recreation or to the White Pigeon Community Schools. They placed 27 people in this program in 2007 and 15 completed their term; 7 dropped out and were rearrested; 5 found another job and were released from the program. The clients must provide their own transportation and do not qualify for the program if they have a substance abuse problem.

As a result of this program they saved 360 jail days at a cost of \$10,800.

For their 2008 budget they received \$85,000 more than anticipated because in the State budget they made up the difference in the Friend of the Court budget that the federal government had subtracted.

The remodeling of the office is almost complete and will provide a unified space.

The Friend of the Court Office is starting a new survey. There are some systematic barriers that prevent some people from paying their child support. They are conducting a survey either in person or by telephone to find out why some people do not pay. One excuse is they do not have a job. The FOC has referred some people to Michigan Works! and they do a good job but do not have enough funding.

The FOC Office hopes to have a sampling of the survey done in May and hopefully have some new proposals for new programs by summer.

Commissioner Pueschel asked about how the system has been working now that the State has taken over the receipt of payment and the disbursements of funds.

Mr. Thistlethwaite stated that the program has been in place for 5 years now and it is working well. The State receives payment by direct deposit and they disburse funds to payees by direct deposit or directly to their debit card. There are very, very few paper transactions.

Commissioner Shafer commended Mr. Thistlethwaite for being so progressive and he is looking forward to the completion of the survey.

Commissioner Loudenslager commended Mr. Thistlethwaite on his programs and complimented him on the work release program. He does a fantastic job.

Commissioner Dunlap stated that Mr. Thistlethwaite is continually improving his office procedures.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the Friend of the Court Annual Report for 2007 be accepted. Motion carried.

HIGHWAY SAFETY/SAFE COMMUNITIES GRANT AMENDMENT

Ms. West-Wing stated that in November the Board approved a Highway Safety/Safe Communities Grant and in January the Sheriff found out that there were \$29,000 in additional funds available. \$13,000 will be available for Impaired Driving Enforcement Overtime and \$16,000 for specifically identified equipment and they will purchase 1 MVS system for Colon Police Department, 28 PBT's and 5700 mouthpieces to be divided up among several agencies.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Highway Safety/Safe Communities Grant Amendment be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5–Commissioners Shafer, Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 2–Commissioners Bordner and Dobberteen.

Motion carried.

COMPREHENSIVE TRAFFIC SAFETY GRANT

Ms. West-Wing stated that \$44,250 is available in a Comprehensive Traffic Safety Grant and 10 speed display signs will be purchased. Three for the Sheriff's Department and 7 will go to other departments.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Comprehensive Traffic Safety Grant be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5–Commissioners Shafer, Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 2–Commissioners Bordner and Dobberteen.

Motion carried.

DELEGATED AUTHORITY FOR COLON LAMBERSON DAM

Ms. West-Wing stated that she has been the delegated authority for the Colon Lamberson Dam for the last 10 years. The Village of Colon would like to establish a maintenance special assessment roll for this dam. It is now time to turn the delegated authority over to the Drain Commissioner.

The following resolution was presented:

RESOLUTION NO. 11-2008

WHEREAS, on March 4, 1997 the Board of Commissioners adopted Resolution No 8-97 titled Colon Lamberson Dam; and

WHEREAS, said Resolution appointed the County Administrator to serve as the delegated authority under the provisions of the inland lake part of the Natural Resources Environmental Protection Act to oversee the

replacement of the Colon Lamberson Dam and to prepare special assessment rolls to cover the costs of said replacement; and

WHEREAS, the County Administrator has done that and said final assessment roll for the costs associated with the replacement of the Colon Lamberson Dam was completed in September of 2007 and the final payment on the ten-year bond will be made in September of 2008; and

WHEREAS, the County Drain Commissioner was recently asked by the Colon Village Council to establish a maintenance special assessment roll for the Colon Lamberson Dam.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners shall appoint the St. Joseph County Drain Commissioner to serve as the delegated authority under the provisions of the inland lake part of the Natural Resources Environmental Protection Act for all matters pertaining to the Colon Lamberson Dam except that the County Administrator shall continue to oversee and manage the current bond note until its completion which is expected to occur around September 30, 2008.

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

The aye and nay vote was called as follows:

Aye votes cast: 5–Commissioners Shafer, Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 2–Commissioners Bordner and Dobberteen.

Resolution adopted.

#### COMMITTEE REPORTS

##### Law Enforcement

Commissioner Loudenslager stated that the next Law Enforcement Committee Meeting is scheduled for 8:00 a.m. on May 15, 2008.

##### Judiciary

Commissioner Loudenslager stated that there was no report.

##### Physical Resources

Commissioner Shafer stated that the Physical Resources Committee met on April 24th and went over the recommendations of the engineers on the HVAC System in the Courts Building.

The Committee eliminated some suggested items and modified others and determined that the cost will be approximately \$600,000. Ms. West-Wing stated that the engineers will be preparing some contracts and this matter will be brought back to the Board for approval. It was suggested that the Commissioners look closely at the Physical Resources Committee minutes and the study report that is attached.

##### Executive Committee

Commissioner Pueschel stated that everyone has a copy of the Executive Committee Minutes of May 2, 2008.

He stated that he just happened to be at MSU Extension when the man from the State was there reviewing the Veterans' Affairs and he said that they were doing what we should be doing.

#### PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

Debra Steinman, Corrections Officer, has resigned effective April 23, 2008.

NEW HIRE:

Timothy A. Hochstetler has been hired as Maintenance Worker at \$12.69/hr. (Soltysiak system, grade 5, minimum) effective May 6, 2008.

David G. Moore has been hired as Assistant Prosecuting Attorney I at \$47,692.00 (Rye system, grade 9, step 3) effective May 13, 2008.

Mary VanDeraa has been hired as Nutrition Sub at \$8.66/hr. (COA grade 2, minimum) effective April 28, 2008.

Douglas Fisher, Prosecuting Attorney, stated that he pledged that if he is elected to another term that he will serve the entire 4 years.

Mr. Fisher wanted to explain the reason for the dismissal of John McDonough. He stated that Mr. McDonough had given him a 5 day warning that he was going to file for the Prosecuting Attorney’s position. Mr. Fisher stated that they have a small tight staff in the Prosecutor’s Office with himself and 4 assistants. When there is a big case to be tried at least 3 prosecutors have input and sometimes all 5. He said that they have to have absolute trust among each other and as we all know elections can breed distrust.

He stated that either he had to go or Mr. McDonough did and he made the decision that Mr. McDonough would be dismissed.

Now, he would like to fill the vacancy with David G. Moore, who is ethical, committed, deserving of the step recommended and it is a necessity that he make this much with 4 small children. Mr. Moore is very capable and will be taking a big cut in pay. He is currently doing defense work and wants to prosecute. He has lived in Three Rivers for 6 years.

Chairman Baker thanked Mr. Fisher for his explanation.

Commissioner Loudenslager stated that an assistant prosecutor from the county or a city in Kalamazoo County wrote a letter to the editor defending the actions of Mr. Fisher.

Commissioner Pueschel stated that an attorney in Sturgis who is a former assistant prosecutor stated that he would have done what Mr. Fisher did.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

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

BUDGET AMENDMENT:

INCREASE SHERIFFS DEPARTMENT REVENUES:

Line item 101-301-539.000 (Michigan State Police Highway Safety Grant) \$ 60,960.00

INCREASE EXPENDITURES:

Line item 101-301-712.000 (Wages–Overtime) \$ 8,660.00

Line item 101-301-715.000 (FICA) 663.00

Line item 101-301-718.050 (Retirement–MERS) 953.00

Line item 101-301-716.100 (Worker’s Compensation) 240.00

Line item 101-301-816.000 (Contractual Services)	28,715.00
Line item 101-301-743.000 (Supplies–Operating)	5,731.00
Line item 101-301-977.060 (Equipment)	<u>15,998.00</u>
	\$ 60,960.00

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel 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>
Due from State	\$ 6,745.93	\$
Appropriations	47,900.00	
County Commission	1,697.98	8,931.65
Circuit Court	202.50	13,377.40
District Court	995.30	57,201.07
Friend of the Court	2,686.19	39,241.29
Probate Court	3,515.07	18,643.70
Juvenile Branch	17,274.85	39,501.27
Appeals Court	2,327.06	
Administration	345.44	10,208.71
Elections	632.44	
Finance Department	1,138.43	13,142.23
County Clerk	8,855.65	19,665.24
Equalization Department		15,482.78
Human Resources	150.40	6,965.58
Geographic Information Systems		6,632.12
Prosecutor's Office	4,278.85	38,690.75
Central Services	7,084.75	5,437.94
Register of Deeds	691.58	13,071.63
County Treasurer		15,244.81
Cooperative Extension	1,088.46	8,426.48
Information Technology	2,152.08	11,625.56
Buildings & Grounds	5,199.04	18,551.57
Courts Building Security	153.00	9,224.14
Drain Commission		5,634.26
Sheriff Department	95,107.35	95,218.65
Sheriff Reserves	1,146.50	460.20
Marine Patrol	12.00	209.92
Jail & Turnkey	13,819.67	102,995.25
Planning Commission	254.54	
Emergency Services	78.40	5,479.52
Animal Control	433.37	10,319.95
Board of Public Works	99.75	681.67
Child Care - Probate	10,798.87	
Veterans' Services	70.00	1,135.60
Utilities & General Services	15,349.84	
Total	\$ 252,285.29	\$ 591,400.94

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 690,981.25	\$
Parks & Recreation	1,224.53	7,527.84
Emergency 911 Service	5,007.48	54,434.73
Central Dispatch - Wireless	4,741.58	3,863.72
Meyer Broadway/Coon Hollow Park	443.06	2,207.56
Family Counseling	210.00	
Cade Lake Park	152.52	
Traffic Safety Program Fund	4,530.84	
Economic Development Fund	14,032.33	8,328.55
Survey & Remonumentation	600.00	
Register of Deeds Automation Fund	149.99	
Victims' Rights Advocate Fund		3,232.78
Community Corrections Advisory Board	7,166.67	2,929.42
Community Corrections Program	5,245.00	
Drug Law Enforcement Fund	502.95	
Law Enforcement Fund	36.06	12,682.58
Secondary Road Patrol		8,412.35
Homeland Security Grant Fund	735.50	
Law Library Fund	787.52	
Principal Residence Denial Fund	241.78	655.34
Commission on Aging	41,295.14	57,547.61
Community Development Block Grant	5,880.00	
Child Care - Probate Court	23,734.42	4,319.07
Veterans' Trust Fund	180.00	
Tax Payment Fund	76,757.73	
Inmate Store	370.54	
Three Rivers Community Center	2,375.72	1,020.18
Flexible Benefits Insurance Fund	157,225.92	
Total	\$ 1,044,608.53	\$ 167,161.73
Grand Total	\$ 1,296,893.82	\$ 758,562.67
General Fund Operating Expenditures		
Pre-Authorized	\$172,337.81	
Accounts Payable	79,947.48	
	<hr/>	
	\$ 252,285.29	
General Fund Payroll Expenditures	\$ 591,400.94	
Other Funds Operating Expenditures		
Pre-authorized	\$995,346.58	
Accounts Payable	49,261.95	
	<hr/>	
	\$ 1,044,608.53	
Other Funds Payroll Expenditures	\$ 167,161.73	
Total Recorded for the Month	\$ 2,055,456.49	

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

CHAIRMAN'S REPORT

Chairman Baker stated that he was absent from the last Commissioners' Meeting because he was attending a Homeland Security Conference stating that it was a good conference.

ADJOURMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the St. Joseph County Board of Commissioners adjourn until Monday, May 19, 2008 at 5:00 p.m. Motion carried.

-----  
Pattie S. Bender, County Clerk

-----  
Robin Baker, Chairman