

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 15, 2012 at 5:00 p.m.

Chairman Rick Shaffer called the meeting to order.

The Invocation was given by Chairman Shaffer.

The Pledge to the American Flag was given.

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

Rick Shaffer	Allen Balog
Robin Baker	Jerry Ware
Donald Eaton	John L. Dobberteen

Absent: Gerald E. Loudenslager

Also present were Judy West-Wing, Administrator/Controller and Joni Smith, Finance Director.

AGENDA

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the agenda be approved. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Balog and supported by Commissioner Dobberteen that the minutes for May 1, 2012 be approved. Motion carried.

COMMUNICATIONS

1. Letter from Thurston Woods Village, Re: In support of a Sturgis Senior Center.
2. Letter from Keith Waltke, Sturgis Planning Board Chair, Re: In support of a Sturgis Senior Center.
3. Letter from Judith Ratering, County Treasurer, Re: Consistent with PA 211 of 2007, the County Treasurer has a valid bond for the year 2012 of not less than \$1,000,000.
4. Letter from Bruce Gosling, Commander of the Sons of Union Veterans of the Civil War, Re: Invitation to attend a ceremony on June 9, 2012 to honor Wesley West.
5. Letter from Kelly Eaton, Re: Resignation from Commission on Aging Board.
6. Letter from the Michigan Public Service Commission, Re: Notice of public hearing on June 5, 2012 to consider Indiana Michigan Power Company's application for planned investments in the Cook Nuclear Plant.
7. Letter from the State Department of Human Services, Re: Copy of the May 2, 2012 on-site fiscal and program review of the Child Care Fund.
8. Resolution from Van Buren County, Re: Opposing the proposed rate increase for private foster care agencies.
9. Minutes of the Commission on Aging Board meeting of April 18, 2012.
10. Newsletter from Port of Battle Creek Foreign-Trade Zone 43 – Spring 2012.

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

CITIZENS' COMMENTS

Dave Sadewasser, employee of the Soil Conservation District, stated that he is certified to issue Soil Erosion and Sedimentation Control Act permits and if the Board moves these duties to the Drain Commissioner's Office he will lose his job. He currently has a connection with State and Local Government officials as well as some contractors.

Bruce Bart, Sherman Township Supervisor, stated that 12 of the 16 township supervisors had sent a letter to the Commissioners supporting resetting the permit fees for the Soil Erosion and Sedimentation Act; requesting that additional funding be provided to the Soil Conservation Services; and moving the Drain Commissioner to full time.

PUBLIC HEARING

Commission on Aging Millage Renewal

Chairman Shaffer declared the public hearing opened on the Commission on Aging millage.

The following people spoke in support of the renewal of the Commission on Aging millage citing various reasons including the increasing number of seniors for which they provide services; including the amount of meals provided to seniors in centers and in their homes with their Meals on Wheels program; the increasing home care services that they provide which keeps seniors in their homes; the amount of transportation of seniors that they do; the collaboration with Community Mental Health that they do to provide various types of counseling for seniors in their homes, among others: Lori Witt, Chairman of the COA Board; Steve Todd, Health Officer/Administrator of the Branch, St. Joseph, Hillsdale Health Agency who spoke regarding the Area Agency on Aging services that are provided; Mary Lou Falkenstein, who is the Director of the Sturgis Senior Center; Lillian Carter, COA Board member; Ted Bierdeman, Social Worker who works for AAA; Jean Skalski, COA Board member; Doug Lockwood, who works at CMH; Judy Happel; Paula Smith; Eric Lutz, who volunteers with the COA's Tuesday Toolman program; Ruth Hocker; J D Yoder, who is on the COA Board and volunteers with the Tuesday Toolman program and Lynn Coursey, Executive Director of the COA who stated that she takes her hat off to the employees of COA and the volunteers who have put in over 10,000 hours.

Chairman Shaffer closed the public hearing.

It was moved by Commissioner Dobberteen and supported by Commissioner Eaton that the Commission on Aging millage be renewed and the following ballot language for the August 7, 2012 Primary Election be approved:

Shall the Constitutional limitation upon the total amount of taxes which may be assessed in one year upon all property within the County of St. Joseph, State of Michigan, be renewed by the County and authorized to levy  $\frac{3}{4}$  of a mill (\$0.75 per \$1,000.00 of taxable valuation) for a period of six years, 2012, 2013, 2014, 2015, 2016, and 2017 inclusive, for the sole purpose of operating millage for the continuation of Senior Services through the St. Joseph County Commission on Aging? It is estimated that if this tax levy were spread in 2012 it would generate \$1,391,645 in additional revenue.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

RECESS

Chairman Shaffer called a recess.

After a short time the Board resumed business.

E 9-1-1 CENTRAL DISPATCH BALLOT LANGUAGE

Ms. West-Wing stated that at the last meeting the Board approved placing the E 9-1-1 Central Dispatch millage renewal on the August 7, 2012 Primary ballot and presented the following ballot language for approval:

Shall the Constitutional limitation upon the total amount of taxes which may be assessed in one year upon all property within the County of St. Joseph, State of Michigan, be renewed

by the County and authorized to levy  $\frac{3}{4}$  of a mill (\$0.75 per \$1,000.00 of taxable valuation) for a period of six years, 2013, 2014, 2015, 2016, 2017, and 2018 inclusive, for the purpose of providing centralized E 9-1-1 police, fire and emergency medical dispatch services? It is estimated that if this tax levy were spread in 2012 it would generate \$1,391,645 in additional revenue.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the ballot language be approved for placement on the August 7, 2012 primary ballot.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shaffer, Baker, Ware and Dobberteen.

Nay votes cast: 0

Absent: 3 - Commissioner Loudenslager, Balog and Eaton.

Motion carried.

#### E 9-1-1 CENTRAL DISPATCH ANNUAL REPORT FOR 2011

Jon Uribe, Central Dispatch Director, presented and highlighted the 2011 Annual Report on behalf of himself and Deputy Director, Gary LeTourneau, who was present. He applauded the work of the telecommunicators. He highlighted the trends and roles and responsibilities of the staff.

Mr. Uribe talked about outgoing director Andrew Goldberger who retired December 31, 2011 after almost 17 years as director. During his tenure a new dispatch center was built; mobile data computers and the radio system went online. He also represented the County at the State chapter of the National Emergency Number Association (NENA); the State 9-1-1 Committee (SND); and other state and professional boards. Currently Mr. Goldberger acts as a consultant to the communications industry and remains in St. Joseph County.

Mr. Uribe stated that the dispatchers (telecommunicators) receive emergency information first ensuring that the first responders (fire, medical, police) have the information that they require to safely mitigate emergencies and coach family or friends in techniques of emergency medical care pending the arrival of medical assistance. The dispatchers are in a very stressful work environment. Central Dispatch is the single point of contact for all emergency situations 24 hours a day, 7 days a week ensuring that all calls are handled with urgency and they make sure that the appropriate agency responds as quickly as possible.

In 2011 the dispatchers fielded 123,942 calls for service; 39,958 of them were 9-1-1 calls and 83,984 were non-emergency calls. There were 8,370 calls for fire and emergency medical services up 250 from 2010; 39,809 were police calls, an increase of 5,129 calls; and 34,249 quick calls which were for Law Enforcement activities such as follow-up investigations, traffic stops and motorist assists. Mr. Uribe also added that not only are the dispatchers courteous and professional but they are also active members of the community as some are staff at the fire departments; ordinance departments; some do school transportation services; coach athletics or work with 4-H clubs and instruct our youth in personal safety.

It was moved by Commissioner Baker and supported by Commissioner Ware that the 2011 Central Dispatch Annual Report be accepted. Motion carried.

Commissioner Eaton stated that he only hears good comments about 911. Chairman Shaffer thanked Mr. Uribe for the job that he is doing and asked him to thank the staff as well.

#### TAXABLE VALUE REPORT

Judy Nelson, Equalization Director, presented the 2012 Taxable Value Report. She stated that the Equalization Report shows 50% of the value of property but taxes are collected on taxable value. There was a slight reduction in the taxable value in the County from 2011 of 1.66% or \$96,000.00. There were some sales in commercial and they were at a loss. Kalamazoo County dropped 1.92%; Muskegon County 2.3%; and Berrien County .52%.

Florence Township increased their utility properties so there will be a millage rollback.

She explained some law changes and PRE deadlines will now be twice a year, July 1st and November 1st instead of once. The amount of taxes that a property owner pays if they move will depend on when they move and where. There are a lot more requirements too when there are foreclosures.

The report is as follows:

TOWNSHIP OR CITY	AGRICULTURE	COMMERCIAL	INDUSTRIAL	RESIDENTIAL	DEVELOP- MENTAL	TOTAL REAL PROPERTY
BURR OAK	14,078,159	956,782	700,759	38,578,524		54,314,224
COLON	14,898,053	3,559,330	2,731,542	67,496,439		88,685,364
CONSTANTINE	10,712,340	3,910,820	21,677,771	57,767,685		94,068,616
FABIUS	6,349,746	3,843,700	2,579,122	141,427,205		154,199,773
FAWN RIVER	6,399,820	1,269,940	0	25,359,239		33,028,999
FLORENCE	17,670,886	0	115,217	19,907,977		37,694,080
FLOWERFIELD	9,188,279	467,977	84,047	33,692,152		43,432,455
LEONIDAS	16,540,514	696,661	0	14,880,841		32,118,016
LOCKPORT	13,117,581	3,824,147	903,245	82,685,800		100,530,773
MENDON	14,152,302	2,946,520	4,720,030	38,381,151		60,200,003
MOTTVILLE	10,474,398	1,841,070	8,820,568	25,985,091		47,121,127
NOTTAWA	16,949,742	7,342,256	232,356	85,397,868		109,922,222
PARK	20,221,030	6,467,240	4,798,146	63,962,176		95,448,592
SHERMAN	11,574,241	1,148,430	150,582	101,954,438		114,827,691
STURGIS	8,904,494	9,467,991	1,596,600	28,101,018	205,023	48,275,126
WHITE PIGEON	9,971,831	8,064,399	8,640,164	130,568,465		157,244,859
THREE RIVERS	0	50,653,584	23,475,311	64,489,699		138,618,594
STURGIS CITY	1,113,294	37,355,336	37,737,921	107,332,786		183,539,337
BURR OAK VILL.	45,561	813,987	510,025	6,281,991		7,651,564
COLON VILLAGE	0	559,336	1,847,458	18,991,150		23,397,944
CENT. NOTT	21,430	4,411,941	232,356	12,318,697		16,984,424
CONST. VILL.	113,669	2,900,028	17,395,746	16,359,362		36,768,805
MENDON VILL.	22,092	1,505,521	3,627,816	9,263,155		14,418,584
W. PIGEON VILL.	115,371	5,394,955	4,106,317	16,584,337		26,200,980
CENT. LOCK	0	281,384	762,563	837,091		1,881,038
CO. TOTALS	202,316,710	143,816,183	118,963,381	1,127,968,554	205,023	1,593,269,851

TOWNSHIP OR CITY	COM. PERSONAL	IND. PERSONAL	UTIL. PERSONAL	TOTAL PERSONAL
BURR OAK	103,300	336,000	2,194,700	2,634,000
COLON	1,099,900	1,124,600	2,309,000	4,533,500
CONSTANTINE	1,573,600	15,560,800	3,098,300	20,232,700
FABIUS	1,427,300	443,700	4,493,557	6,364,557
FAWN RIVER	128,200	0	606,300	734,500
FLORENCE	283,300	0	1,438,600	1,721,900
FLOWERFIELD	455,974	40,274	3,588,078	4,084,326
LEONIDAS	112,200	0	3,566,300	3,678,500
LOCKPORT	1,001,400	125,200	2,500,000	3,626,600
MENDON	509,000	9,725,100	8,473,717	18,707,817
MOTTVILLE	2,588,100	4,494,400	3,153,200	10,235,700
NOTTAWA	1,766,900	127,300	2,578,100	4,472,300
PARK	941,600	4,624,200	6,791,599	12,357,399
SHERMAN	217,200	45,000	3,520,100	3,782,300
STURGIS	1,816,300	36,200	1,023,700	2,876,200
WHITE PIGEON	1,084,000	4,000,600	36,831,800	41,916,400
THREE RIVERS	11,117,500	43,469,200	4,757,258	59,343,958
STURGIS CITY	9,144,200	50,103,600	997,100	60,244,900
BURR OAK VILL.	73,600	229,500	410,400	713,500
COLON VILLAGE	543,000	775,400	683,000	2,001,400
CENT. NOTT	818,800	127,300	618,700	1,564,800
CONST. VILL.	1,002,900	10,691,500	941,200	12,635,600
MENDON VILL.	342,700	9,070,100	743,300	10,156,100

TOWNSHIP OR CITY	COM. PERSONAL	IND. PERSONAL	UTIL. PERSONAL	TOTAL PERSONAL
W. PIGEON VILL.	670,400	405,700	1,083,000	2,159,100
CENT. LOCK	7,700	125,200	42,300	175,200
CO. TOTALS	35,369,974	134,256,174	91,921,409	261,547,557

TOWNSHIP OR CITY	REAL & PERS. TAXABLE VALUATIONS	PRE/QUAL FOREST & AG TAXABLE VALUATIONS	COMMERCIAL PERSONAL PROPERTY TAXABLE VALUE	INDUSTRIAL PERSONAL PROPERTY TAXABLE VALUE	PRE, AG/FR PP EXCLUDING COMMERCIAL & INDUSTRIAL TAXABLE VALUE
BURR OAK	56,948,224	44,857,681	103,300	336,000	11,651,243
COLON	93,218,864	56,022,771	1,099,900	1,124,600	34,971,593
CONSTANTINE	114,301,316	56,837,140	1,573,600	15,560,800	40,329,776
FABIUS	160,564,330	93,371,833	1,427,300	443,700	65,321,497
FAWN RIVER	33,763,499	27,101,034	128,200	0	6,534,265
FLORENCE	39,415,980	33,164,905	283,300	0	5,967,775
FLOWERFIELD	47,516,781	37,696,013	455,974	40,274	9,324,520
LEONIDAS	35,796,516	27,847,142	112,200	0	7,837,174
LOCKPORT	104,157,373	79,696,790	1,001,400	125,200	23,333,983
MENDON	78,907,820	45,302,497	509,000	9,725,100	23,371,223
MOTTVILLE	57,356,827	30,854,670	2,588,100	4,494,400	19,419,657
NOTTAWA	114,394,522	77,660,425	1,766,900	127,300	34,839,897
PARK	107,805,991	67,141,725	941,600	4,624,200	35,098,466
SHERMAN	118,609,991	86,803,033	217,200	45,000	31,544,758
STURGIS	51,151,326	33,837,274	1,816,300	36,200	15,461,522
W. PIGEON	199,161,259	84,665,953	1,084,000	4,000,600	109,410,706
THREE RIVERS	197,962,552	49,393,897	11,117,500	43,469,200	93,981,955
STURGIS CITY	243,784,237	84,726,729	9,144,200	50,103,600	99,809,708
BURR OAK VILL.	8,365,064	5,323,542	73,600	229,500	2,738,422
COL. VILLAGE	25,399,344	12,059,849	543,000	775,400	12,021,095
CENT. VILL.	18,549,224	10,777,328	818,800	127,300	6,825,796
CONST. VILL.	49,404,405	12,497,905	1,002,900	10,691,500	25,212,100
MENDON VILL.	24,574,684	7,626,378	342,700	9,070,100	7,535,506
W. PIGEON VILL.	28,360,080	13,286,727	670,400	405,700	13,997,253
CENT. LOCK.	2,056,238	578,367	7,700	125,200	1,344,971
CO. TOTALS	1,854,817,408	1,016,981,512	35,369,974	134,256,174	668,209,748

It was moved by Commissioner Baker and supported by Commissioner Ware that the Taxable Value Report for 2012 be adopted.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Report adopted.

#### SOIL EROSION PERMIT MANAGEMENT

Jeff Wenzel, Drain Commissioner, stated that he emailed a copy of his suggested fees for soil erosion permits if these duties were transferred to the Drain Commissioner's Office. These are comparable to other Counties. He and his Deputy, Bev Thelen, are certified through the Department of Environmental Quality, to issue these permits. He is requesting that he be allowed to hire a part time inspector when they are busy.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the authority to issue permits under the Soil Erosion and Sedimentation Act be moved to the Drain Commissioner's Office which is separate and different from the statutory duties of the Drain Commissioner.

Commissioner Eaton stated that he agrees with the Township Supervisors recommendation that the County needs to support the Soil Conservation and the Drain Commissioner.

Commissioner Dobberteen agrees that the County needs to support the Soil Conservation and the services that they provide.

Chairman Shaffer stated that he would like to publically thank Carol Higgins and the rest of the Soil Conservation Board.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shaffer, Balog, Baker, Ware and Dobberteen.

Nay votes cast: 1 - Commissioner Eaton.

Absent: 1 - Commissioner Loudenslager.

Motion carried.

#### SWEDER NATURE PRESERVE EASEMENT DISPUTE

Ms. West-Wing stated that 2 parcels on Pleasant Lake were donated to the Parks and Recreation Department in August 2009. Since then the Parks Department and Board of Commissioners have tried to resolve the dispute regarding removal of trees, wetlands and ongoing improvement in a 30 foot easement with the affected property owner; a dispute that the previous property owners were unsuccessful in resolving prior to donating the property to the County in hopes that the County would have success in restoring the area back to its original, unimproved stated.

The Parks and Recreation Commission is requesting that the Board of Commissioners engage the services of attorney John Lohrstorfer to resolve the matter. Attorney Lohrstorfer recommends facilitative mediation first, prior to litigation discussions.

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the County retain Attorney Lohrstorfer to enter into facilitative mediation regarding the property in question at Pleasant Lake.

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

#### AGREEMENT WITH VILLAGE OF CENTREVILLE FOR LAW ENFORCEMENT SERVICES

Ms. West-Wing stated that this was a renewal of an agreement with the Village of Centreville for Law Enforcement Services providing 80 hours per week and 6 hours per week clerical with actual costs incurred paid by the Village.

It was moved by Commissioner Baker and supported by Commissioner Ware that the Law Enforcement Services Agreement with the Village of Centreville be approved.

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

### OUT-OF-STATE TRAVEL REQUEST FROM CIRCUIT COURT

It was moved by Commissioner Dobberteen and supported by Commissioner Eaton that the request from Circuit Court for expenses as authorized, not paid by the Association, for the Case Flow Manager to attend a conference in Florida be approved. Motion carried.

### OUT-OF-STATE TRAVEL REQUEST FROM THE SHERIFF'S DEPARTMENT

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Sheriff's Department request for Tim Schuler, Don Heath, Jim Hasbrouck and Eric VanHeukelum to attend training in Nashville, Tennessee; seminars to include Risk Management and Safety in the Jail, Legal Affairs, Discipline, Inmate Grievances and In-Custody Death among others be approved. Motion carried.

### NOTTAWA PARK CAMPGROUND ATTENDANT AGREEMENT

It was moved by Commissioner Baker and supported by Commissioner Eaton that the Nottawa Park Campground Attendant Agreement with Denise and Ronald Franklin be approved.

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

### LEASE AGREEMENT FOR HOUSE AT MEYER BROADWAY PARK

It was moved by Commissioner Ware and supported by Commissioner Dobberteen that the Rental Agreement with Daniel and Sarah Hershberger for the house at Meyer Broadway Park be approved.

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

### MSUE REQUEST FOR TEMPORARY, PART-TIME CLERICAL

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the request from MSUE for temporary, part-time clerical help while an employee is on medical leave for approximately 12 weeks be approved, the amount to be between \$3,800 and \$4,700. Motion carried.

### COMMITTEE REPORTS

#### Law Enforcement

Commissioner Baker stated that the committee had not met.

#### Judiciary

Commissioner Eaton stated that everyone has a copy of the Judiciary Committee minutes from the meeting held on May 9th and he would answer any questions that anyone would have.

#### Physical Resources

Commissioner Ware stated that the committee had not met.

Executive Committee

Commissioner Dobberteen stated that everyone has a copy of the minutes from the Executive Committee meeting held on May 11th and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Erin Lamb, Cartographer, is on medical leave commencing May 7, 2012 under the Family and Medical Leave Act of 1993.

NEW HIRE:

Heather A. Smith has been hired as COA In-home Services Aide at \$10.05/hr. (COA, grade 5, minimum) effective April 20, 2012.

Kelly L. Calvert has been hired as COA In-home Services Aide at \$10.05/hr. (COA, grade 5, minimum) effective April 20, 2012.

Marlissen J. Sandberg has been hired as COA In-home Services Aide at \$10.05/hr. (COA, grade 5, minimum) effective April 20, 2012.

TEMPORARY/SEASONAL EMPLOYMENT:

Denise Franklin has been hired as seasonal Nottawa Campground Attendant at \$8.00/hr. effective May 22, 2012.

Sara J. Anderson has been hired as part-time Telecommunicator at \$8.75/hr. effective May 22, 2012.

RESIGNATION:

Johnny Johnson, COA Escort Driver, has resigned effective May 10, 2012.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$64,317.00 from Community Mental Health Appropriation to Community Mental Health Fund.

\$22,500.00 from CMH Additional Appropriation to Community Mental Health Fund.

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

FINANCE DIRECTOR'S REPORT

Mrs. Smith presented the following reports:

Per Diem

Robin Baker - 7 half days 4/18, 4/25, 4/26, 4/27, 5/9, 5/11 & 5/15/12 & 4 full days 4/23, 5/1 5/2 & 5/3/12	\$ 730.00
Allen Balog - 5 half days 4/18, 4/24, 4/26, 4/27 & 5/8/12	250.00

John Dobberteen - 4 half days 4/25, 4/27, 5/11 & 5/15/12 & 4 full days 4/25, 5/1, 5/2, & 5/3/12	\$ 580.00
Don Eaton - 8 half days 4/15, 4/24 x 2, 4/27, 5/1 x 2, 5/9 & 5/15/12	495.00
Gerald Loudenslager - 6 half days 4/24, 4/26, 4/27, 5/8, 5/11 & 5/12/12	300.00
Jerry Ware - 2 half days 5/2 & 5/11/12	<u>100.00</u>
	\$2,455.00

Expenses

Robin Baker	\$ 372.27
Allen Balog	66.60
John Dobberteen	152.07
Don Eaton	84.92
Gerald Loudenslager	76.59
Jerry Ware	<u>33.30</u>
	\$ 785.75

It was moved by Commissioner Ware and supported by Commissioner Baker that the per diem and expenses be approved. Motion carried.

Finance Statement

	Revenues	Expenditures
April	\$ 1,336,976	\$ 1,219,426
Year to Date	4,716,100	4,709,921
Rev over Exp (Exp over Rev)	\$117,550	
Year to Date	\$6,179	
Percent of budget year elapsed year to date.	33.33%	
Percent of total budgeted funds earned year to date	31.79%	
Percent of total budgeted funds expended year to date	31.75%	

It was moved by Commissioner Dobberteen and supported by Commissioner Eaton that the finance statement be accepted. Motion carried.

CITIZENS' COMMENTS

John Nelson, Vice-Chairman of the Soil Conservation Board, asked what the effective date of the transfer of the issuance of permit fees to the Drain Commissioner's Office would be.

Chairman Shaffer stated that he wanted a smooth transition.

Mr. Nelson asked if the Soil Conservation District was to give back the \$22,000 that the County allocated to them in February; do they give the fees already collected to the County; or are they prorated. He remarked that the Soil Conservation Board was miffed by not being brought into the discussion of transferring the responsibility of the permits to the Drain Commissioner's Office. He stated that at one time the District Health Department had this responsibility, they struggled and failed miserably. The Soil Conservation District could have done more inspections but they did not have the financial backing to do so.

Commissioner Eaton asked the Clerk to ask the Administrator to gather information regarding the questions that Mr. Nelson asked, so that this could be discussed at the next Executive Committee meeting.

Bruce Bart stated that the Township Supervisors are getting calls because citizens would like to begin their building projects and would like to know when they would know what the fees are going to be.

Commissioner Dobberteen assumed that Mr. Wenzel was ready to go and would work with the Soil Conservation District.

After discussion it was moved by Commissioner Dobberteen and supported by Commissioner Eaton that the fees regarding the Soil Erosion Permits as proposed by Mr. Wenzel be adopted and be effective immediately.

They are as follows:

**FEE SCHEDULE**

**SOIL EROSION & SEDIMENTATION CONTROL  
PERMIT, REVIEW & VIOLATIONS**

**PERMIT FEE REQUIREMENTS**

A land owner or developer who contracts for, allows or engages in an earth change in this County shall obtain a permit from the Soil Erosion Control Agent **prior to commencement of an earth change** which disturbs one or more acres of land or if the earth change is within 500 feet of a lake, river, stream, watercourse, or wetland of this County.

- Please allow **15 working days for review, inspection and issuance of permit**
- If construction or earth change is started without a permit or continues without a permit, **the total fee will be doubled.**
- Select SESC Plans may require Professional engineering review. Costs incurred to be added to total fee and invoiced to property owner.
- A project of 3 or more acres will require a Bond, Surety, or Irrevocable Letter or credit.
  - First 3 acres..... \$5,000.00
  - Each additional acre or fraction thereof ..... \$1,000.00

**APPLICATION-PERMIT-INSPECTION FEE SCHEDULE**

<b>RESIDENTIAL-SINGLE OR DUPLEX</b>	
New residential building	\$125.00
Bldg. addition, improvement, pole building/garage, sanitary waste system, addition of beach sand on lakeshores, other related improvement	\$75.00
<b>SUBDIVISION OR PLAT UNIT DEVELOPMENT</b>	
Plat developments, mobile home parks, multiple housing unit/apartments, etc.	1 acre - \$175.00
Each additional acre or fractional acre	\$35.00
<b>RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL</b>	
New construction or site improvements including land balance, clearing, etc.	1 acre - \$125.00
Each additional acre or fractional acre	\$35.00
<b>SERVICE/ GOVERNMENT FACILITIES</b>	
Sanitary landfills, airports, schools, shopping centers, office, etc.	1 acre - \$175.00
Each additional acre or fractional acre	\$35.00
<b>TRANSPORTATION FACILITIES</b>	
Streets, highways, railroad, and mass transit facilities	1 mile - \$175.00
Each additional acre or fractional acre	\$35.00
<b>RECREATIONAL FACILITIES</b>	
Campgrounds, parks, trails, rest areas, etc.	1 acre - 175.00
Each additional acre or fractional acre	\$35.00

**WATER IMPOUNDMENTS, WATERWAY, DRAIN CONSTRUCTION & OTHER WATER IMPROV.**

Seawalls, ponds, drains etc...	1 acre or 1 mile - \$125.00
Each additional acre/mile or fractional acre/mile	\$35.00

**UTILITIES**

Underground cables, conduit, pipelines, etc.	1 mile - \$175.00
Each additional mile or fractional mile	\$35.00

**OIL, GAS, & MINERAL WELLS**

Production operation / flow lines	1 mile - \$175.00
Each additional mile or fractional mile	\$35.00

**SITE EVALUATION / CONSULTATION**

Per hour - \$50.00

**4 - WORKING DAY SERVICE OPTION**

Per permit - \$60.00

**PERMIT EXTENSION**

Residential: One 6 month extension per permit, then new permit must be obtained	\$45.00
All Others: One 6 month exten. per permit, then new permit but be obtained	\$100.00

**PERMIT WAIVER or PERMIT TRANSFER:**

Includes site visit, parcel review, and letter	\$25.00
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**GRAVEL PITS / MINING**

2-year permit - \$250.00

**VIOLATIONS - FINES**

<b>RESIDENTIAL VIOLATIONS</b>			
<b>Separate offences</b>	<b>Fine</b>	<b>Single continuing offence</b>	<b>Fine</b>
1st offence*	WARNING/\$75.00	1st: Notice of Violation*	\$75.00
2nd offence	\$150.00	2nd: Notice of Determination	\$150.00
3rd offence	\$225.00	3rd: Ticket issued; permit revoked**	\$225.00
*Minor violations will be issued a warning and Notice of Violation. Major violations; \$75.00 fine. All corrected measure(s) required and corrective measure completeness will be ultimately left at the discretion of the soil erosion agent.		* After 5 days of non-compliance after receiving Notice of Violation, per Part 91 a minimum \$250 per day fine will be invoked. **Permit must be re-applied for with corresponding fees. A Bond letter must accompany application.	
<b>COMMERCIAL / INDUSTRIAL / RESIDENTIAL DEVELOPMENT VIOLATIONS</b>			
<b>Separate offences</b>	<b>Fine</b>	<b>Single continuing offence</b>	<b>Fine</b>
1st offence	WARNING/\$150.00	1st: Notice of Violation*	\$150.00
2nd offence	\$225.00	2nd: Notice of Determination	\$225.00
3rd offence	\$300.00	3rd: Ticket issued; permit revoked**	\$300.00
*Minor violations will be issued a warning and Notice of Violation. Major violations; \$150.00 fine. All corrected measure(s) required and corrective measure(s) completeness will be ultimately left at the discretion of the soil erosion agent.		* After 5 days of non-compliance after receiving Notice of Violation, per Part 91 a \$2500 per day fine will be invoked. **Permit must be re-applied for with corresponding fees.	

**ADDITIONAL INFORMATION**

- **Permit will not be processed until fee is paid**
- Checks are to be made payable to "ST JOSEPH COUNTY"
- Permits are open for one year unless otherwise stated or permit is closed due to project completion.

Aye votes cast: 6 - Commissioners Shaffer, Balog, Baker, Eaton, Ware and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Loudenslager.

Motion carried.

**ADJOURNMENT**

It was moved by Commissioner Dobberteen and supported by Commissioner Ware that the St. Joseph County Board of Commissioners adjourn until June 5, 2012 at 5:00 p.m. Motion carried.

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Pattie S. Bender, County Clerk

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Rick Shaffer, Chairman