

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 June 16, 2009, at 5:00 p.m.

Chairman John L. Dobberteen 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
John L. Dobberteen	

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

#### AGENDA

Ms. West-Wing stated that the Sheriff's Auction should be added to the agenda under new business.

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

#### MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Shaffer that the minutes for June 2, 2009 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, June 5 and June 12, 2009.
2. Copy of Letter from the State Tax Commission to Universal Forest Products, Re: Revocation of Industrial Facilities Exemption certificate.
3. Letter from Elizabeth O'Dell, CMH Executive Director, Re: Michigan's Fiscal Health.
4. Letter from Manistee County, Re: Invitation to Michigan Energy Fair, June 26-28.
5. Letter from Robert Truitt, Re: Health Care.
6. Resolutions from Alger County, Re: Support of stimulus monies for Remonumentation Program; opposition to Senate Joint Resolution H (taxable values); support of State Revenue Sharing; support of Hire Michigan First legislation; support of Health Department State funding of public health services; support of Brownfield site redevelopment.
7. Resolutions from Oscoda County, Re: Support for third option to fill vacant Road Commission seats; support of State funding for DHS lawsuit settlement; opposition to Senate Joint Resolution H (taxable values); proclaiming July 12-18 as Road Rage Awareness Week; Ordinance regarding off-road vehicles on roads.
8. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of May 18, 2009.
9. Minutes of the Commission on Aging Board meeting of May 20, 2009.

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

#### SHERIFF'S AUCTION

Ms. West-Wing stated that Sheriff Balk is requesting approval to hold a Public Auction for stolen, unclaimed, forfeited and surplus County property according to P.A. 54 of 1959.

It was moved by Commissioner Baker and supported by Commissioner Dunlap that the Sheriff's Public Auction be held on July 14, 2009 at 5:00 p.m. at the St. Joseph County Grange Fairgrounds. Motion carried.

TAXABLE VALUE REPORT

Judy Nelson, Equalization Director, presented the Taxable Value Report for 2009. She stated that she was glad that she had met with the Executive Committee last Thursday and hoped that she could continue to do that in the future. She believes that it is important that the Commissioners understand the process.

The report follows:

TOWNSHIP OR CITY	AGRICULTURE	COMMERCIAL	INDUSTRIAL	RESIDENTIAL	DEVELOP- MENTAL	TOTAL REAL PROPERTY
BURR OAK	12,749,127	891,659	943,859	41,858,918		56,443,563
COLON	14,105,532	4,296,986	2,719,227	72,128,298		93,250,043
CONSTANTINE	10,296,022	5,113,840	19,820,460	63,866,931		99,097,253
FABIUS	6,015,431	4,243,774	2,771,322	136,931,036		149,961,563
FAWN RIVER	6,219,658	1,392,491	0	26,470,617		34,082,766
FLORENCE	16,419,524	10,154	76,999	18,816,444		35,323,121
FLOWERFIELD	8,779,425	829,032	121,007	34,852,237		44,581,701
LEONIDAS	15,951,944	914,623	0	16,969,910		33,836,477
LOCKPORT	11,506,246	4,245,223	983,923	85,613,506		102,348,898
MENDON	12,388,360	3,316,885	4,262,619	43,204,824		63,172,688
MOTTVILLE	9,070,749	1,949,048	8,617,341	27,110,866		46,748,004
NOTTAWA	17,265,084	9,072,013	246,549	88,644,842		115,228,488
PARK	18,768,936	4,307,250	5,224,781	68,059,709		96,360,676
SHERMAN	10,668,695	1,391,729	144,608	103,731,754		115,936,786
STURGIS	8,131,587	11,113,156	2,047,287	30,406,241	196,892	51,895,163
WHITE PIGEON	9,988,172	9,079,644	6,912,858	129,577,383		155,558,057
THREE RIVERS	0	61,469,558	28,400,894	71,304,838		161,175,290
STURGIS CITY	489,749	49,507,839	44,830,800	125,744,365		220,572,753
BURR OAK VILLAGE	63,670	662,002	687,610	7,912,141		9,325,423
CENT. VILLAGE	20,581	6,159,837	1,062,794	15,168,623		22,411,835
COLON VILLAGE	0	3,193,514	1,866,626	22,471,057		27,531,197
CONST. VILLAGE	109,169	3,939,170	16,667,231	19,067,337		39,782,907
MENDON VILLAGE	21,217	2,098,848	3,205,576	12,188,137		17,513,778
WHITE PIGEON VILL.	110,800	6,498,206	3,547,648	17,300,016		27,456,670
COUNTY TOTALS	188,814,241	173,144,904	128,124,534	1,185,292,719	196,892	1,675,573,290

TOWNSHIP OR CITY	PERSONAL PROPERTY TAXABLE VALUATIONS	TOTAL REAL & PERSONAL PROPERTY TAXABLE VALUATIONS	HOMESTEAD & QUALIFIED AGRICULTURE & QUALIFIED FOREST TAXABLE VALUATIONS	COMMERCIAL PERSONAL PROPERTY TAXABLE VALUE	INDUSTRIAL PERSONAL PROPERTY TAXABLE VALUE	NON- HOMESTEAD & NON- QUALIFIED FOREST NON-QUALIFIED AGRICULTURAL TAXABLE VALUATIONS EXCEPT COMMERCIAL & INDUSTRIAL
BURR OAK	2,489,600	58,933,163	47,386,718	140,700	416,800	10,988,945
COLON	4,262,800	97,513,843	59,496,283	1,072,800	1,250,400	35,694,360
CONSTANTINE	21,975,200	121,072,453	62,125,017	3,994,800	15,260,100	39,692,536
FABIUS	6,159,336	156,120,899	93,035,161	1,524,800	278,200	61,282,738
FAWN RIVER	689,300	34,772,066	28,462,665	310,600	0	5,998,801
FLORENCE	1,455,100	36,778,221	31,732,315	230,000	0	4,815,906
FLOWERFIELD	4,774,911	49,356,612	39,080,648	766,074	137,199	9,372,691
LEONIDAS	1,050,500	34,886,977	29,882,051	130,400	0	4,874,526
LOCKPORT	3,447,600	105,796,498	83,150,370	1,337,300	62,100	21,246,728

TOWNSHIP OR CITY	PERSONAL PROPERTY TAXABLE VALUATIONS	TOTAL REAL & PERSONAL PROPERTY TAXABLE VALUATIONS	HOMESTEAD & QUALIFIED AGRICULTURE & QUALIFIED FOREST TAXABLE VALUATIONS	COMMERCIAL PERSONAL PROPERTY TAXABLE VALUE	INDUSTRIAL PERSONAL PROPERTY TAXABLE VALUE	NON- HOMESTEAD & NON- QUALIFIED FOREST NON-QUALIFIED AGRICULTURAL TAXABLE VALUATIONS EXCEPT COMMERCIAL & INDUSTRIAL
MENDON	14,887,126	78,059,814	47,896,611	667,500	8,278,000	21,217,703
MOTTVILLE	7,338,400	54,086,404	31,735,849	1,691,400	3,196,300	17,462,855
NOTTAWA	3,753,900	118,982,388	80,677,001	1,403,300	200,600	36,701,487
PARK	12,548,526	108,909,202	71,307,543	679,000	4,503,800	32,418,859
SHERMAN	3,181,000	119,117,786	88,151,389	292,500	51,700	30,622,197
STURGIS	2,865,300	54,760,463	36,273,747	1,846,000	54,800	16,585,916
W. PIGEON	15,448,700	171,006,757	86,569,252	1,353,000	4,570,400	78,514,105
THREE RIVERS	46,228,050	207,403,340	55,169,042	10,190,500	31,918,950	110,124,848
STURGIS CITY	63,173,300	283,746,053	102,240,151	10,220,100	51,993,900	119,291,902
B.O. VILL.	689,900	10,015,323	6,729,489	53,000	304,100	2,928,734
CENT. VILL.	1,803,200	24,215,035	13,397,659	890,500	262,700	9,664,176
COL. VILLAGE	2,068,800	29,599,997	14,979,999	540,000	861,700	13,218,298
CONST. VILL.	18,646,900	58,429,807	14,614,513	3,185,100	14,684,000	25,946,194
MENDON VILL.	9,070,200	26,583,978	10,174,095	471,400	8,019,500	7,918,983
W. P. VILL.	2,619,100	30,075,770	14,279,387	828,900	844,700	14,122,783
CO. TOTALS	215,728,649	1,891,302,939	1,074,371,813	37,850,774	122,173,249	656,907,103

Commissioner Dunlap asked what the losses were. Mrs. Nelson responded by saying that that would be buildings that were burned or they were removed and other things like the personal property in Mendon Village decreased because there was a 38% reduction in the work force at Lear.

She further stated that taxable value is based on inflation.

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the Taxable Value Report for 2009 be adopted.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Report adopted.

2010-2012 MULTI-YEAR AND 2010 ANNUAL IMPLEMENTATION PLAN FOR  
AREA AGENCY ON AGING

Laura Sutter, Coordinator for the Area Agency on Aging presented the 3 year and the 2010 annual implementation plan for the Area Agency on Aging.

Their mission is to provide a full range of high quality services, programs and opportunities which promote the independence and dignity of older adults while supporting those that care for them throughout Branch and St. Joseph Counties. They are one of 16 AAA's in the state who are responsible for administering the Older Americans Act and the Older Michigianians Act for adults over 60 and family caregivers.

The 3 year plan outlines and prioritizes funding and program development objectives which serve as a framework for their "contract" with the Office of Services to the Aging and it also serves as the strategic plan for services.

The plan was developed utilizing the 2000 Census data and their most recently completed needs assessment to identify and prioritize services based on data and feedback.

Home Care Assistance, Senior Nutrition Programs and In-Home Respite remain a high priority for older adults and community leaders. Transportation is also very important and over 90% of key leaders feel that the awareness of services is the most important improvement needed in service delivery across the planning and service area. They support family caregivers with services that include the new Kinship Support Services, medication management, supplemental services, care management and adult day services.

The contract through their well-established aging network providers and the services and programs provided include: home care assistance, chore, in-home respite, home delivered and congregate meals, adult day services, disease prevention/health promotion, legal services, home repair, caregiver supplemental services, kinship support services, transportation, counseling, caregiver education, support and training, senior center staffing and case coordination and support.

Care Management is a service that they administer offering nursing and/or social work assessment, monitoring and the arrangement of needed services. They continue to expand and serve 60 people each year.

They are now beginning to outreach to veterans through the Veterans' Directed Home and Community Based Program.

They have also developed a brochure in-house so they can do more effective marketing and outreach at little cost.

After several questions and answers Mrs. Sutter said that their funds have been cut, but the federal initiatives are moving forward so that they may receive more funding in the future.

Commissioner Loudenslager presented the following resolution:

RESOLUTION NO. 9-2009

WHEREAS, the Branch-St. Joseph Area Agency on Aging (Region IIIC) has been designated as the area agency on aging to serve Branch and St. Joseph Counties since 1996 under the Federal Older Americans Act (Public Law 89-73, and subsequent amendments), and the State Older Michigianians Act (Public Act 180, and subsequent amendments); and

WHEREAS, the Branch-Hillsdale-St. Joseph Community Health Agency Board of Health has been designated and approved as the Policy Board for Region IIIC; and

WHEREAS, Region IIIC is required to develop a Multi-Year Area Implementation Plan for fiscal years 2010, 2011, and 2012 and an Annual Implementation Plan for fiscal year 2010; and

WHEREAS, the Region IIIC Policy Board has developed, reviewed and accepted the Plan after two input sessions and two public hearings; and

WHEREAS, the Region IIIC Policy Board has taken into consideration the views expressed at the public hearings for the final draft of the Multi-Year Area Implementation Plan and Annual Implementation Plan; and

WHEREAS, the Region IIIC Policy Board substantiates that these documents meets the Michigan Office of Services to the Aging approval criteria.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners endorses the submission of this final planning document to the Michigan Commission on Services to the Aging for final review and approval.

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

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Resolution adopted.

COURTS BUILDING HVAC – CHANGE ORDER NO. 5

Ms. West-Wing requested approval of Change Order No. 5 on the Courts Building HVAC Project which is a credit of \$1,200. The original contract included connecting the controls for only the Courthouse corridors and Commission Room to the remote monitoring program. As it turned out the present controls are not digital capable and it would cost an additional \$10,000 to be able to do this. The Physical Resources Committee is not recommending that this be done; therefore we are due a credit of \$1,200.

It was moved by Commissioner Dunlap and supported by Commissioner Ware that the Courts Building HVAC - Change Order No. 5 be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Motion carried.

PURCHASING POLICY REVISIONS

Ms. West-Wing stated that changes have been made in the purchasing policy consistent with the Board change made in March 2009 removing reference to a central services department and a few other changes were made for clarification.

It was moved by Commissioner Baker and supported by Commissioner Ware that the Purchasing Policy Revisions be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Motion carried.

EMERGENCY MANAGEMENT GRANT AGREEMENT

Ms. West-Wing stated that this Agreement is for the time period of October 1, 2008 through September 30, 2009 and pays 36.6% of wages and fringe benefits for the Emergency Management Coordinator.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Emergency Management Grant Agreement be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Motion carried.

CAFETERIA PLAN AMENDMENT

Ms. West-Wing stated that according to a new federal law that the County is required to amend the Cafeteria Plan. The change allows special enrollment for eligible but not enrolled employees or dependent children who have lost their coverage under a Medicaid or State Children's Health Insurance Plan or become eligible for group health plan premium assistance under Medicaid or State Children's Health Insurance Plan.

RESOLUTION NO. 10-2009  
COUNTY OF ST. JOSEPH, STATE OF MICHIGAN  
CAFETERIA PLAN AMENDMENT

WHEREAS, the St. Joseph County Board of Commissioners (the "Employer") previously adopted a Code Section 125 plan, referred to as the Cafeteria Plan (the "Plan"); and

WHEREAS, effective April 1, 2009, the Children's Health Insurance Program Reauthorization Act of 2009 (the "Act") permits a Plan to allow special enrollment for eligible but not enrolled employees or dependent child who either (1) lose coverage under a Medicaid or a State Children's Health Insurance Plan (SCHIP) under titles XIX and XXI of the Social Security Act, respectively, or (2) become eligible for group health plan premium assistance under Medicaid or SCHIP ("Special Enrollment Right"); and

WHEREAS, the County's Third Party Administrator on May 29, 2009 informed us that we need to amend our Plan to be in compliance with this Act; and

WHEREAS, effective April 1, 2009 the Employer desires to amend the Plan as set forth in the Summary of Material of Modifications (listed below) to allow for a Special Enrollment Right that is consistent with the requirements set forth in the Act.

SUMMARY OF MATERIAL MODIFICATIONS TO  
ST. JOSEPH COUNTY CAFETERIA PLAN

This summarizes important changes to your Cafeteria Plan (see page 6, part 2, question 8 of the Summary Plan Description). If you have any questions regarding the changes summarized in this Summary of Material Modifications ("SMM"), you should contact BASIC. You should keep a copy of this SMM with your Summary Plan Description for future reference.

Effective April 1, 2009, eligible employees and participants will have a "Special Enrollment Right" under the Flexible Benefits Plan that allows certain eligible, but un-enrolled employees and participants to enroll in a Benefit Plan Option that is a group health plan if the dependent child or employee: 1) loses coverage under a Medicaid Plan under Title XIX of the Social Security Act; 2) loses coverage under State Children's Health Insurance Program (SCHIP) under Title XXI of the Social Security Act; or 3) becomes eligible for group health plan premium assistance under Medicaid or SCHIP. The eligible employee or participant must request an election change to enroll in the group health plan coverage as provided above within 60 days from the date (1) the coverage terminates under the Medicaid or SCHIP plan or (2) the employee or dependent child is determined eligible for state premium assistance.

If you believe you are eligible for a Special Enrollment, you must contact the Human Resource Department to request an election form as soon as possible. A request for enrollment must be made in writing on the form provided by your employer. A request for a Special Enrollment right must be made within 60 days of an event described above that occurs on or after April 1, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners has hereby reviewed the Summary of Material Modifications and does hereby approve the adoption of the Special Enrollment Right as set forth therein;

BE IT FURTHER RESOLVED, that the Human Resource Department is authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

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: 7 - Commissioners Shaffer, Loudenslager, Dunlap, Baker, Ware, Pueschel and Dobberteen

Nay votes cast: 0

Resolution adopted.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that they had not met.

Judiciary

Commissioner Loudenslager stated that there was no report.

Physical Resources

Commissioner Dunlap stated that they had not met.

Executive Committee

Commissioner Baker stated that the Executive Committee met on June 11, 2009 and everyone has a copy of the minutes and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Jay Parker, Road Patrol Officer, is on medical leave commencing June 9, 2009 under the Family and Medical Leave Act of 1993.

Jeanette Cage, COA In-home Services Clerical Aide, is on medical leave commencing June 8, 2009 under the Family and Medical Leave Act of 1993.

Kristen Carpenter, part-time Telecommunicator, change to \$10.25/hr. effective June 16, 2009. Ms. Carpenter has completed her in-house training.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$70,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following report:

Per Diem

Robin Baker - 6 half days 5/27, 5/28, 6/8, 6/10 & 6/11/09 & 2 full days 5/28 & 6/12/09	\$ 440.00
John Dobberteen - 7 half days 5/9 x 2, 5/28 x 2, 6/4, 6/10 & 6/12/09 & 1 full day 6/13/09	445.00
Michael Dunlap - 5 half days 5/28 x 2, 6/3 & 6/9/09 x 2 and 1 full day 6/12/09	345.00
David Pueschel - 8 half days 5/1, 5/7, 5/13, 5/15, 5/20, 5/28, 6/11 & 6/15/09 & 1 full day 5/20/09	495.00
Jerry Ware - 2 half days 5/28 & 6/3/09	<u>100.00</u>
	\$1,825.00

Expenses

Robin Baker	\$134.20
John Dobberteen	98.10
Michael Dunlap	117.15

Gerald Loudenslager	\$116.64
David Puschel	72.05
Jerry Ware	<u>33.00</u>
	\$571.14

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

Financial Statement

	Revenues	Expenditures
May	\$ 1,164,306	\$ 1,053,505
Year to Date	5,622,264	5,583,690
Period Fund Balance	\$110,801.00	
Year to Date	38,571.00	
Percent of budget year elapsed year to date.	41.67%	
Percent of total budgeted funds earned year to date	38.05%	
Percent of total budgeted funds expended year to date	37.79%	

It was moved by Commissioner Baker and supported by Commissioner Dunlap that the financial statement be accepted. Motion carried.

MISCELLANEOUS

Commissioner Ware stated that part of the work session that was held on May 28th was a discussion regarding Brad Neumann's position as the Land Policy Educator. Commissioner Ware stated he has talked to a few people in Fawn River Township who are unaware of all that Mr. Neumann can do. He believes that he could be a valuable tool to the whole County, but he and the Extension Department need to market him so that others know what he can do for them.

Commissioner Loudenslager stated that the Water Festival is being held in Three Rivers this Thursday through Saturday; Covered Bridge Days in Centreville will take place June 26th and 27th; and there are festivities in Colon on the 4th of July.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until July 7, 2009 at 5:00 p.m. Motion carried.

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

-----  
John L. Dobberteen, Chairman