

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 July 7, 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 and Dan Carey, Finance Director.

AGENDA

Chairman Dobberteen stated that the Auditor will be arriving late so his report will be moved until later in the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the minutes for June 16, 2009 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, June 19, June 26 and July 2, 2009.
2. Letter from the U.S. Census Bureau, Re: The opening of 12 local offices in October of 2009.
3. Letter from Attorney Eric Scheske, Re: Fishing Tournaments at Lake Templene.
4. Copy of letter to Jan Reed from State D.H.S., Re: Approval of St. Joseph County's planning grant application for the Juvenile Delinquency Prevention Initiative.
5. Resolution from Bay County, Re: Health Care Reform.
6. Resolutions from Huron County, Re: Support of HB 5019 (pare back legislative benefits); Opposing cuts to funding for local health departments and revenue sharing; Opposing bills to make use of motorcycle helmets optional.
7. Resolutions from Lake County, Re: Opposing Senate Joint Resolution H (taxable values); Support of House Bill 4893 (medical examiner retention of body and organ tissue).
8. Resolutions from Hillsdale County, Re: Support of State revenue sharing; Hold counties harmless in DHS lawsuit; Opposing cuts to funding for local health departments and revenue sharing.
9. Resolution from Ingham County, Re: Support of HB 4785 and 4786 (expansion of unemployment benefits and acceptance of Federal stimulus funds).
10. Resolution from Sheridan Township, Re: Opposing Senate Joint Resolution H (taxable values).
11. Resolution from Antrim County, Re: Opposing Senate Joint Resolution H (taxable values).
12. Minutes of the Southwest Michigan Substance Abuse Advisory Council meeting of June 15, 2009.
13. Minutes of the Department of Human Services Board meeting of May 26, 2009.
14. Minutes of the Community Mental Health Services Board meeting of May 26, 2009.

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

DEPARTMENT OF HUMAN SERVICES REQUEST FOR ADDITIONAL CHILD CARE FUNDS

Chris Kadulski, Director of DHS, stated that he is requesting an additional \$60,000 in the DHS Child Care Fund for this year. He spoke with the Executive Committee along with Probate Judge Thomas Shumaker on July 2nd.

Mr. Kadulski said that there were an unusual number of expensive cases this year and there were some bills carried over from 2008 that were paid in January.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that an additional \$60,000 be allocated to the DHS Child Care Fund.

Ms. West-Wing remarked that Mr. Kadulski mentioned that this \$60,000 may not be enough to finish the year. Mr. Kadulski confirmed that that was true. In March an additional \$22,000 was allocated to this fund as well.

Commissioner Dunlap asked if this had anything to do with the recent law suit regarding foster homes.

Mr. Kadulski said that it did not.

Commissioner Shaffer asked if this would be coming from general fund monies.

Ms. West-Wing stated that it will be coming from the Contingency Fund. \$200,000 was budgeted for this fund for 2009 and some of it has already been spent. This fund will likely be depleted before the end of the year.

Commissioner Pueschel stated that at the Executive Committee Mr. Kadulski confirmed that he will be working with Judge Shumaker, staff and the Prosecutor's Office to try to reduce costs to this fund.

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.

HVAC CHANGE ORDER NO. 6

Ms. West-Wing stated that Change Order No. 6 is for \$2,098 and is for some sheaths in the air handling units to allow proper air flow in the areas served.

It was moved by Commissioner Dunlap and supported by Commissioner Ware that HVAC Change Order No. 6 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.

HVAC CHANGE ORDER NO. 7

Ms. West-Wing stated that Change Order No. 7 is for \$4,603 and is to change the current 8" ducts and diffusers to the required 12" size in the Probate Courtroom and District Courtroom C. The plans for the building stated that they were 12" but they were not.

It was moved by Commissioner Dunlap and supported by Commissioner Ware that HVAC Change Order No. 7 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.

RESOLUTION NO. 11-2009
ST. JOSEPH COUNTY
FISH LAKE
LAKE LEVEL RESOLUTION
PURSUANT TO MCL 324.30701 et seq

Ms. West-Wing presented the following resolution approving the Fish Lake Assessment Roll for a project to maintain the lake level as determined by the Circuit Court.

WHEREAS, a normal lake level for Fish Lake was established under the Inland Lake Level Act, formerly Act 146 of the Public Acts of 1961 on October 28, 1994 at a maximum level of 854.0 feet above sea level; and

WHEREAS, the St. Joseph County Circuit Court established and confirmed the boundaries of a special assessment district for the lake level of Fish Lake on April 24, 1995; and

WHEREAS, the St. Joseph County Drain Commissioner serves as delegated authority and has prepared a computation of costs pursuant to MCL 324.30712 and has prepared a special assessment roll for the purpose of assessing costs for maintaining the lake level pursuant to MCL 324.30714; and

WHEREAS, the St. Joseph County Drain Commissioner, upon proper notice, held a hearing to review the project costs and the special assessment roll pursuant to MCL 324.30714(2), and after such hearing approved the cost of the project and the special assessment roll; and

WHEREAS, the Board of Commissioners has reviewed the project cost and the special assessment roll prepared by the Drain Commissioner.

NOW, THEREFORE BE IT RESOLVED:

1. The St. Joseph County Board of Commissioners hereby approves the project cost and the special assessment roll developed by the Drain Commissioner.
2. The Board of Commissioners hereby directs the Drain Commissioner to levy special assessments for the cost of the project consistent with Part 307 of the Natural Resources and Environmental Protection Act, MCL 327.30701, *et seq.*, after the expiration of the appeal period.

It was moved by Commissioner Dunlap and supported by Commissioner Baker 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.

NOMINATIONS/APPOINTMENTS

Economic Development Corporation

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that Daryl Threadgill be nominated and appointed to the EDC for a 6 year term expiring June 1, 2015. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that they had not met.

Judiciary

Commissioner Loudenslager stated that the Judiciary Committee would be meeting tomorrow at noon.

Physical Resources

Commissioner Dunlap stated that the Physical Resources Committee met last week and recommended approval of the HVAC change orders approved today.

Executive Committee

Commissioner Baker stated that the Executive Committee met on July 2, 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:

NEW HIRE:

Gretta Schermerhorn has been hired as In-Home Services Aide at \$9.85/hr. (COA, grade 5, minimum) effective June 15, 2009.

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:

BUDGET AMENDMENTS:

DECREASE PROBATE COURT'S BUDGET:

Line item 101-148-978.000 (Furniture and Fixtures) \$ 175.00

INCREASE COURTS BUDILING SECURITY'S BUDGET:

Line item 101-266-978.000 (Furniture and Fixtures) \$ 175.00

DECREASE BUILDING AND GROUNDS' BUDGET:

Line item 101-265-931.000 (Equipment Repair) \$ 4,196.00

INCREASE BUILDING AND GROUNDS' BUDGET:

Line item 101-265-977.000 (Equipment) \$ 4,196.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$60,000.00

INCREASE DHS CHILD CARE APPROPRIATION:

Line item 101-001-965.120 (DHS Child Care Appropriation) \$60,000.00

FROM APPROPRIATION:

\$60,000.00 from DHS Child Care Appropriation to DHS Child Care Fund.

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

BILLS

Mr. Carey presented the following report:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 3,701.07	\$
County Commission	2,272.00	6,138.14
Circuit Court	5,758.75	13,448.38
District Court	1,655.09	64,864.93
Friend of the Court	358.10	43,228.48
Jury Commission		453.08
Probate Court	1,485.40	19,142.96
Juvenile Branch	27,154.80	42,884.28
Appeals Court	732.85	174.55
Administration		9,754.42
Elections	17,177.61	
Finance Department	1,556.22	14,129.49
County Clerk		24,141.18
Equalization Department	4,731.41	16,562.34
Human Resources	99.00	6,430.17
Geographic Information Systems		7,294.22
Prosecutor's Office	2,390.19	35,505.20
Central Services	8,146.56	5,712.06
Register of Deeds	500.70	13,967.09
County Treasurer		16,125.16
Cooperative Extension	330.65	9,414.97
Information Technology	835.49	12,379.04
Buildings & Grounds	11,682.26	15,566.36
Courts Building Security		8,216.29
Drain Commission	99.00	5,395.15
Sheriff Department	79,617.80	95,338.93
Sheriff Reserves	40.00	
Marine Patrol	830.00	3,300.02
Jail & Turnkey	12,304.03	93,783.07
Planning Commission	1,688.75	
Emergency Services	461.67	5,514.10
Animal Control	140.46	9,685.59
Board of Public Works		743.14
Medical Examiners	4,020.80	
Child Care - Probate	5,469.32	
Department of Veterans' Affairs	4,200.00	
Veterans' Services		1,818.92
Utilities & General Services	29,318.55	
Total	\$ 228,758.53	\$ 601,111.71
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 481,454.25	\$
Parks & Recreation	2,257.42	9,750.00
Emergency 911 Service	24,183.34	53,163.26
Central Dispatch - Wireless	759.03	4,088.86
Meyer Broadway/Coon Hollow Park	1,829.32	3,212.25
Family Counseling	947.50	

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Cade Lake Park	\$ 3,474.93	\$ 2,839.41
Traffic Safety Program Fund	18,834.91	
Economic Development Fund	8,907.64	7,883.58
Victims' Rights Advocate Fund		3,585.08
Community Corrections Advisory Board	9,068.34	3,252.53
Community Corrections Program	3,252.50	
Drug Law Enforcement Fund	1,102.58	
Law Enforcement Fund	895.60	15,754.18
Secondary Road Patrol		8,792.87
Homeland Security Grant Fund	8,567.63	
Law Library Fund	341.00	
Principal Residence Denial Fund		743.12
Commission on Aging	82,670.48	61,680.21
Child Care: Probate Court	39,827.48	3,531.56
Facilities Maintenance Fund	15,300.49	
Forfeiture & Foreclosure Fund	2,977.74	
Tax Payment Fund	2,961.58	
Inmate Store	1,725.60	
Three Rivers Community Center	1,930.50	828.31
Information Technology Improvement Fund	2,293.98	
Flexible Benefits Insurance Fund	171,410.79	
Total	\$ 886,974.63	\$ 179,105.22
 Grand Total	 \$ 1,115,733.16	 \$ 780,216.93
 General Fund Operating Expenditures		
Pre-Authorized	\$194,355.46	
Accounts Payable	<u>34,403.07</u>	
	\$ 228,758.53	
 General Fund Payroll Expenditures	 \$ 601,111.71	
 Other Funds Operating Expenditures		
Pre-authorized	\$842,441.78	
Accounts Payable	<u>44,532.85</u>	
	\$ 886,974.63	
 Other Funds Payroll Expenditures	 \$ 179,105.22	
Total Recorded for the Month	\$ 1,895,950.09	

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

ADDITIONAL EDC APPOINTMENT

It was moved by Commissioner Baker and supported by Commissioner Pueschel that Marty Barth's appointment be moved from the Township position to the At-Large position and the expiration of his term will change to August 1, 2012. Motion carried.

RECESS

Chairman Dobberteen called a recess to wait for the Auditor.

2008 ANNUAL AUDIT

Dave Fisher, from the auditing firm of Rehmann and Robson stated that the 2008 Audit for the County was clean. It is an unqualified audit which is the best that there is. He gave an overview of the General Fund as well as the Revenue Sharing Fund and the Special Revenue Funds.

He stated that our ending fund balance for 2008 was \$3,907,639 in the General Fund. Property taxes constitute 64% of the budget with 29% of it in unreserved fund balance. There were savings in 2008 in the Elections, Sheriff and Jail budgets. \$534,000 in fund balance was budgeted in 2008 but only \$127,684 was actually used.

The Revenue Sharing Reserve Fund which was created when revenue sharing payments ceased from the State in 2004 required a tax shift to create the funds. Now, we have to have 8 months of cash to pay bills before property taxes begin coming in during August. In 2010 the Revenue Sharing Reserve Fund will be exhausted and hopefully the State will begin making payments as they are scheduled to do.

The largest business-type fund that we have is the Delinquent Tax Fund with a balance of \$17,294,385 which is mostly cash. Monies put into this fund are delinquent property taxes which includes interest and a 4% collection fee.

The County has no long-term indebtedness except in the Drain Commissioner's funds which will be paid by special assessments.

Mr. Fisher stated that there is the Single Audit Act with which we need to comply because of the federal grants that we receive. There are special tests that need to be done on internal controls. There were no disallowed expenditures.

Again they had to make some audit adjustments because the standards changed.

In addition, the recommendations that they made after the 2007 audit have been corrected.

He stated that the County is in good financial health, the books are in good condition and his staff enjoys working here. They had no disagreements with management and no difficulties in performing the audit.

The audit recommends that we change the way that we make journal entries, which should be able to be accomplished without too much difficulty.

They also recommend that the bank reconciliations be better documented showing a clear evidence trail. They recommended using a standard bank reconciliation form which would be signed or initialed by the person conducting the reconciliation.

Also, the Animal Control Trust and Agency account needs a monthly reconciliation.

He apologized for being late.

Commissioner Dunlap asked what the purpose was of depreciating County property. Mr. Fisher responded by saying that is for allocation of costs and obviously not for tax purposes.

Commissioner Loudenslager reiterated that our tax levy does not begin until summer therefore we need cash to pay bills from January through the summer.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Audit Report 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.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Single Compliance Audit 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.

MISCELLANEOUS

Commissioner Loudenslager stated that there were 2 Lake Templene property owners in the audience today. They had requested that the County adopt an ordinance limiting the number of fishing boats that can be in a bass tournament on the lake. Previous Prosecutors have opined that such an ordinance would be unenforceable.

Commissioner Dunlap drew everyone's attention to a communication regarding the 2010 census and the fact that people will be hired from 6 months to 1½ years and the wages would range from \$13.00 per hour up to \$60,000 per year.

Ms. West-Wing stated that there is a vacancy on the Parks and Recreation Board due to the death of Gotch Cronin who was from the Colon area. There is currently one applicant to fill the unexpired term.

According to policy Commissioners Dunlap and Ware would serve on the committee to recommend a new member because they currently serve on the Parks and Recreation Commission. The rest of the commissioners' names were put into an envelope and Commissioner Loudenslager drew his own name to serve on the selection committee.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until July 21, 2009 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman