

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 August 2, 2005, at 5:00 p.m.

Vice-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: John W. Bippus, Monte Bordner and John L. Dobberteen.

Also present were Judy West-Wing, Administrator/Controller, Dan Carey, Finance Director and Charles Cleaver, Human Resources 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 July 19, 2005 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, July 22 and July 29, 2005.
2. Letter from Marilyn Cheney, Re: Resignation from Community Mental Health Board.
3. Resolution from Clare County, Re: To reduce State spending on Corrections and shift the money saved to other State budgets by increasing the use of parole to the extent consistent with public safety.
4. Resolution from Iron County, Re: Rights of eminent domain within the State Constitution.
5. Minutes of Community Action Agency Board meeting of June 20, 2005.
6. Minutes of Community Mental Health Services Board meeting of June 28, 2005.
7. Minutes of Department of Human Services Board meeting of June 28, 2005.

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

ROAD COMMISSION ANNUAL REPORT FOR 2004

Bruce Jones, Engineer/Manager of the Road Commission, introduced office manager Cheryl Arver and Commissioners Chet Dobrowolski, serving as Chairman, Robert Spillar and Donald Lancaster.

Mr. Jones stated that he has been Engineer/Manager for 47 years and his Assistant Michael Elliott has been there almost 40 years.

He stated that they maintain 1020 miles of roads, 690 miles are local and 330 are primary. They have 3 garages, the main garage in Centreville has 15 hourly employees, M-66 Garage is split into two sections - the Burr Oak area which is managed by Earle Bontrager with 8 employees and the Leonidas area managed by Duane Gross with 8 employees and the 3rd garage is the M-60 Garage managed by Larry Shingledecker with 8 employees.

Most of their funds come from the Michigan Transportation Fund which is the gas tax. Also, last year the sale of permanent trailer plates increased their revenue drastically and it is \$100,000 less so far this year.

Several of their big projects in 2004 were local projects with cooperation from the townships.

All bridges worked on in 2004 were on the local road system and can bear weight of 50 tons. Mr. Jones stated that he appreciates the County's \$30,000 allocation to the Bridge Fund.

The Haybridge Road bridge was completed with critical bridge fund monies.

They purchased several upgrades to road equipment along with 4 snow plows and 2 sanders in 2004.

Mr. Lancaster applied for and the Road Commission received a \$120,000 grant for the repair of the Covered Bridge although there are extensive compliance issues. Mr. Jones stated that the bridge seems to have twisted making repair more complicated.

In response to several questions by the Commissioners, Mr. Jones stated that the \$140,000 listed in the report as other contributions was from a Land Developer in Fabius Township to build roads. The County Road Commission will take over the maintenance of the road. All roads that are built by other contractors are built according to County specifications. He also does not anticipate any decrease in federal income and should, in fact, receive a slight increase.

Commissioner Loudenslager thanked him, the Board and Mrs. Arver for being here tonight and he also wanted to apologize for the manner in which he (Mr. Jones) and Mr. Lancaster were treated earlier this year by this Board. He stated that the County Board of Commissioners has enough to do on their plates without worrying about Mr. Jones' and the Road Commissioners' jobs.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Road Commission Annual Report for 2004 be accepted. Motion carried.

COUNTY CLERK'S ANNUAL REPORT FOR 2004

Pattie S. Bender, County Clerk, presented the annual report for 2004. She introduced staff that was present, Phyllis Lung, Kathy Kline, Sandy Bowen, Chief Deputy and Ladena Wyckoff and thanked them for the job that they do.

She gave an overview of the report and presented the following financial and statistical report:

2004 COUNTY CLERK'S ANNUAL REPORT
COLLECTION OF FEES AND OTHER FUNDS
January 1, 2004 through December 31, 2004

GENERAL FUND

			<u>2003</u>		<u>2004</u>
1	Pistol Permits	\$			\$
	County Share*	190	3,010.00	391	10,166.00
	Replacements	2	20.00	1	10.00
2	Marriage Licenses				
	County	435	2,175.00	495	2,475.00
	Out of State	27	405.00	39	585.00
3	Professional Registrations	3	75.00	1	25.00
4	State Drug Caseflow Reimbursement		390.19		350.87
5	Jury Compensation Reimbursement**				23,934.30
6	Entry Fees		8,230.00		15,159.00
	Fee Cases	550		487	
	Waiver Cases	103		76	
	No Fee Cases	671		654	
7	Motion Fees		6,490.00		5,280.00

			<u>2003</u>		<u>2004</u>
8	Jury Fees		\$ 3,780.00		\$ 2,160.00
9	Appeal Fee to Circuit Court	1	85.00		0.00
10	Appeal Fee to Appeals Court	12	300.00	12	300.00
11	Filiation (Paternity) Fee	24	216.00	12	108.50
12	Court Costs - Probation		29,705.63		37,660.12
13	Attorney Fees		23,294.12		23,912.13
14	Crime Victims Rights		1,240.27		1,145.40
15	Forensic Fee		911.38		610.66
16	Garnishment Fee/Judgment Debtor		1,305.00		1,425.00
17	10% County Share DNA		472.92		276.58
18	Certified Copies				
	1st Copy Birth	2128	21,280.00	2099	20,990.00
	Additional	859	2,577.00	858	2,574.00
	1st Copy Death	786	7,860.00	792	7,920.00
	Additional	3227	9,680.00	3351	10,053.00
	1st Copy Marriage	318	3,180.00	284	2,840.00
	Additional	72	216.00	68	204.00
	Judgments & Orders	279 Pages	2,790.00	244 Pages	2,440.00
	Additional	1594 Pages	1,594.00	1483 Pages	1,483.00
	Assumed Names	68	136.00	48	96.00
	Copartnerships	1	2.00	2	4.00
	Certified Copies Total		<i>49,315.00</i>		<i>48,604.00</i>
19	Partnership Filings	8	80.00	6	60.00
20	Partnership Dissolutions	6	60.00	1	10.00
21	Partnership Non-Resident		\$	2	\$ 4.00
22	Assumed Names Filings	518	5,180.00	526	5,260.00
23	Assumed Name Dissolutions	28	280.00	26	260.00
24	Assumed Name Non-Res.	4	8.00	7	14.00
25	Notary Bond Filing Fee***	132	132.00	163	793.00
26	Notarial Certificates****	34	17.00	16	44.00
27	Passport Execution Fees	506	15,180.00	533	15,990.00
28	Laminating Fees	203	203.00	334	334.00
29	Qualified Voters File		731.25		529.00
30	Voter Registration Processing		713.12		1,028.00
31	Record Copy				
	Copies		1,314.70		1,980.70
	Searches	504 years	504.00	504 years	504.00
32	Marriage Waivers	31	155.00	28	140.00
33	Services				
	Secret Marriage	2	50.00	2	50.00
	Notarizing		97.00		79.00
	License Correction	2	50.00	3	75.00
34	Election Recount	1	10.00		
35	Filing Fee in Lieu of Petitions			1	100.00
36	Late Campaign Filing				100.00
37	Cremation Permits	172	860.00	195	975.00
38	10% Bond Costs		2,348.00		1,480.00
39	Bond Forfeitures		2,450.00		2,400.00
40	Cash short/over		-10.00		-15.00
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			\$ 161,833.58		\$ 206,382.26

*State Increased County Share as of July 1, 2003

**New fund as of January 1, 2004

***State increase in fee as of April 1, 2004

****Increase in fee as of April 6, 2004

FRIEND OF THE COURT FUND	\$	5,830.00		
Custody and/or Parenting Time			\$	6,040.00
Support Fee				30.00
MARRIAGE COUNSELING FUND	\$	6,990.00	\$	8,010.00
EMBEZZLERS FEE FUND			\$	900.00
LIBRARY FUND	\$	330.00	\$	2,314.52

CIRCUIT COURT

TRUST AND AGENCY FUND

		<u>2003</u>		<u>2004</u>
1	Due to other Funds	\$ 60.00	\$	0.00
2	Judge's Retirement Fund	8,268.75		0.00
3	Legislative Retirement Fund	2,205.00		0.00
4	Community Dispute Resolution Fee	882.00		0.00
5	Pistol Permits due State*	8,350.00		25,024.00
6	Notary Fees due State			180.00
7	State General Fund (Entry Fee)**	2,315.25		
	Civil Filing Fee***	12,971.00		58,191.00
8	Crime Victims Rights - Due State	11,246.47		10,306.07
9	State Court Fund	32,083.00		5,280.00
10	Bonds Payable	99,814.65		82,662.00
11	Court Orders Payable	6,251.68		49,883.89
12	Restitutions Payable	87,015.43		148,188.11
13	Refunds	552.60		986.98
14	Customers Deposits Payable	1,134.28		2,314.52
15	Filiation (Paternity) Fee - Due State	631.50		387.40
16	Misdemeanor & Felony State Cost	900.00		6,874.14
17	Jury Reimbursement Fund	1,600.00		925.00
18	Forensic Fee - Due State	5,163.97		3,460.16
19	65% DNA - Due State	3,113.05		1,798.02
20	25% DNA Investigating Agency	1,197.32		691.53
21	Child Support Bench Warrant			440.00
		\$ 285,765.95	\$	397,592.82

*State Increased County share as of July 1, 2003

**Prior to October 1, 2003

***After October 1, 2003

JUVENILE DIVISION

GENERAL FUND

		<u>2003</u>		<u>2004</u>
1	Court Appointed Attorney Fees	\$ 40,247.62	\$	46,178.09
2	Juvenile Court Service Fees	6,655.00		8,060.00
3	Probation Service Fees	6,533.00		6,849.50
4	Juvenile Child Care - Parent	11,452.58		9,858.76
5	Probate Court Fees	324.00		329.00
6	Child Care Court Cost	1,145.17		1,224.60
7	Crime Victim Rights	239.00		315.54
8	Forensic Fees	304.51		282.25
9	10% County Share DNA	60.50		29.50
		\$ 66,961.38	\$	73,127.24

JUVENILE DIVISION

TRUST AND AGENCY FUND

		<u>2003</u>		<u>2004</u>
1	Restitutions Payable	\$ 18,893.32	\$	20,502.05
2	Bonds Payable	14,340.92		14,123.40
3	Crime Victim Rights - Due State	2,187.00		2,760.96
4	Probate Court - Due State	450.00		468.00
5	Misdemeanor & Felony State Cost	95.00		6,220.83
5	Forensic Fees-Due State	885.49		782.75
6	65% DNA-Due State	393.25		191.75
7	25% DNA Investigating Agency	151.25		73.75
		\$ 37,396.23	\$	45,123.49

RECAPITULATION

		<u>2003</u>		<u>2004</u>
	Credit to Co. Clerk General Fund	\$ 161,833.58	\$	206,382.26
	Credit to Juvenile Ct. General Fund	66,961.38		73,127.24
	Friend of the Court Fund	5,830.00		6,070.00
	Marriage Counseling	6,990.00		8,010.00
	Embezzlers Fee Fund			900.00
	Library Fund	330.00		2,314.52
	Trust and Agency Fund	285,765.95		397,592.82
	Trust and Agency Fund - Juvenile	37,396.23		45,123.49
		\$ 565,107.14	\$	739,520.33

ST. JOSEPH COUNTY CLERK
STATISTICAL INFORMATION - 1994 - 2004

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Births Recorded	578	626	610	616	539	584	657	713	660	731	709
Deaths Recorded	483	524	490	521	551	525	529	474	497	485	507
Marriage Applications	516	455	513	471	462	525	523	529	514	465	535
Pistol Permits Issued	119	101	115	100	114	126	94	356	297	190	313
Passport Applications	325	392	365	485	530	511	527	482	650	506	533
Businesses Filed	418	415	443	399	442	461	585	570	508	518	533
Circuit Court Cases Filed											
Divorce w/kids	241	222	206	205	225	214	208	197	204	203	169
Divorce w/o kids	164	168	213	175	144	185	205	179	161	161	165
Paternity	96	117	113	95	80	108	130	136	96	44	83
Domestic Other	271	427	463	443	188	211	225	284	219	198	181
Civil	155	146	223	186	126	151	136	168	199	173	121
Criminal	269	358	304	331	416	285	321	328	407	406	458
PPOs					350	388	394	431	455	464	353
Delinquent Petitions Filed											
Formal					546	647	427	526	478	402	450
Deferred and Unauthorized					446	355	345	168	241	113	232
Neglect and Abuse Petitions											
Neglect					41	38	38	61	51	43	42
Abuse					28	20	27	20	16	17	14
Sex Abuse					3	10	7	9	3	5	6

After some compliments to the Clerk it was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the County Clerk's Annual Report for 2004 be accepted. Motion carried.

LAPTOP COMPUTERS AND E-CITATIONS PROJECT

Andy Goldberger, Central Dispatch Director, presented the Laptop Computers and E-Citations Project. He stated that he would like to send, if approved by the Board tonight, RFPs to 11 laptop vendors; 4 e-citation vendors; 4 modem; 6 printer and 9 installers.

He explained that part of the project will be paid for from a grant awarded by the Traffic Safety Commission.

Vice-Chairman Baker stated that this project will provide more time for the deputies to do their jobs and is the best thing that has happened in law enforcement since radar.

It was moved by Commissioner Shafer and supported by Commissioner Pueschel that the Laptop Computers and E-Citations Project proceed to the bidding process.

The aye and nay vote was called as follows:

Aye votes cast: 4 – Commissioners Shafer, Loudenslager, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 – Commissioners Bippus, Bordner and Dobberteen.

Motion carried.

REQUEST TO FILL VACANT ASSISTANT PROSECUTING ATTORNEY POSITION

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the vacant Assistant Prosecuting Attorney position be filled. Motion carried.

HOMELAND SECURITY GRANT AGREEMENT

Ms. West-Wing stated that we have been awarded a Homeland Security Grant in the amount of \$268,357 and the Local Planning Committee has met to recommend the spending of the grant. The grant is effective from October 2004 through January 2007.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Homeland Security Grant Agreement in the amount of \$268,357 be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 4 – Commissioners Shafer, Loudenslager, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 – Commissioners Bippus, Bordner and Dobberteen.

Motion carried.

NOMINATIONS/APPOINTMENTS

Solid Waste Management Planning Committee

Commissioner Shafer nominated Glenn Nissley, John Smits, Russell Gordon, Michael McCarthy and Frank Kalasky to the Solid Waste Management Planning Committee for 2 year terms.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that they are in the process of setting a meeting of the Law Enforcement Committee.

Judiciary

Vice-Chairman Baker stated that the next Judiciary Committee Meeting will be held in October.

Physical Resources

Commissioner Shafer stated that the Physical Resources Committee had not met.

Executive Committee

Vice-Chairman Baker reported on the Executive Committee Meeting held on July 28th as follows:

- * a letter of support was signed by the Chairman for MSU Extension to submit a grant application for a Kellogg Foundation Grant for a Land Policy Educator.
- * Judy Nelson has almost achieved her level IV Assessment Certification.
- * Drain Commissioner suggests that the County be added to the Colon Township Lake Special Assessment District.
- * discussed changes in staffing in Circuit Court.
- * laptop issue in the Prosecuting Attorney's Office resolved.
- * discussed waste discharge problem at the jail.

Investment Advisory Committee

Ms. West-Wing stated that everyone has received a copy of the Investment Advisory Committee meeting minutes of July 19th and would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

Adam Mitchell, Assistant Prosecuting Attorney I, has resigned effective August 12, 2005.

NEW HIRE:

John McDonough has been hired as Assistant Prosecuting Attorney I at \$38,793.00 (Rye system, grade 9, minimum) effective August 15, 2005.

Brian Douglas Brown has been hired as Road Patrol Officer at \$17.92/hr. effective August 9, 2005.

POSITIONS ELIMINATED:

The position of Circuit Court Administrator/Law Clerk has been eliminated. The employment of Mark R. Brown, Circuit Court Administrator/Law Clerk, will end effective August 31, 2005.

The position of Circuit Court Judicial Secretary has been eliminated; effective date to be determined.

The position of Circuit Court Recorder has been eliminated; effective date to be determined.

NEW POSITIONS:

Establish the position of Circuit Court Judicial Secretary/Court Recorder as a pay grade 5 under the Rye system.

Establish the position of Circuit Court Caseflow Manager as a pay grade 6 under the Rye system.

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

Commissioner Shafer stated that he would like to thank Mark R. Brown for all that he has done for the County and to make it known that Judge Stutesman had nothing to do with the eliminating of his position.

Commissioners Pueschel and Loudenslager agreed with Commissioner Shafer's comments.

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Employee Receivables	\$ 457.00	\$
Appropriations	255,565.82	
County Commission	6,637.59	10,787.90
Circuit Court	2,690.24	21,061.17
District Court	1,447.16	98,922.28
Friend of the Court	4,084.89	53,190.35
Jury Commission		470.99
Probate Court	1,244.66	27,833.58
Juvenile Branch	4,754.00	72,897.18
Appeals Court		601.93

GENERAL FUNDEXPENDITURESPAYROLL

Elections	\$ 2,296.16	\$
Finance Department	1,519.10	17,570.45
County Clerk	253.10	33,671.75
Equalization Department	297.82	16,556.75
Human Resources	110.00	10,165.49
Geographic Information Systems	562.50	13,685.61
Prosecutor's Office	1,801.59	62,164.85
Central Services	7,368.09	8,168.45
Register of Deeds		18,540.03
County Treasurer	622.00	19,817.40
Cooperative Extension	33,358.18	12,303.29
Information Technology	701.97	16,321.80
Buildings & Grounds	1,290.75	22,000.50
Courts Building Security		6,956.27
Drain Commission	542.70	7,651.06
Sheriff Department	5,776.93	125,691.64
Sheriff Reserves	706.95	664.75
Marine Patrol		6,040.09
Jail & Turnkey	2,123.72	144,312.02
Planning Commission	870.08	
Emergency Services	20.77	7,126.77
Animal Control	652.98	13,324.15
Board of Public Works		971.46
Medical Examiners	4,750.00	
Child Care - Probate	7,323.57	1,182.93
Department of Veterans' Affairs	1,500.00	
Veterans' Affairs	5,341.64	368.48
Utilities & General Services	<u>21,526.34</u>	<u> </u>
Total	\$378,198.30	\$865,920.27

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission	\$ 961,891.51	\$
Parks & Recreation	2,515.12	13,684.56
Emergency 911 Service	13,137.91	83,300.64
Central Dispatch - Wireless		7,739.72
Meyer Broadway/Coon Hollow Park	302.09	3,907.17
Friend of the Court		2,113.52
Family Counseling	844.50	
Cade Lake County Park	1,825.99	6,660.88
Waste Management Fund		
County Commission	14,371.33	
Resource Recovery Program	18,069.06	1,437.10
Traffic Safety Program Fund	389.24	
Economic Development Fund		12,783.58
Survey & Remonumentation	4,635.00	
Register of Deeds Automation Fund		1,460.44
Victims' Rights Advocate Fund		4,414.86
Community Corrections Advisory Board	6,841.67	4,232.99
Community Corrections Program	1,678.95	366.02
Drug Law Enforcement Fund	1,724.10	

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Law Enforcement Fund	\$ 285.22	\$ 29,796.66
Secondary Road Patrol		16,052.52
Homeland Security Grant Fund	29,532.00	
Principal Residence Denial Fund		1,133.91
Commission on Aging	32,121.15	64,763.37
Community Development Block Grant	4,283.69	
Department of Human Services	19,934.42	
Child Care - Probate Court	43,815.38	4,328.93
Child Care - Department of Human Services	15,553.00	
Veterans' Trust Fund	400.00	
Facilities Maintenance Fund	123,326.85	
Forfeiture and Foreclosure Fund	5,106.02	
Tax Payment Fund	22,999.97	
Inmate Store	238.28	
Three Rivers Community Center	2,077.24	771.22
Long Lake Level Revolving Fund	22.10	
Flexible Benefits Insurance Fund	<u>136,951.55</u>	
Total	\$ 1,464,873.34	\$ 258,948.09
 Grand Total	 \$ 1,843,071.64	 \$ 1,124,868.36
 General Fund Operating Expenditures		
Pre-Authorized	\$357,769.51	
Accounts Payable	<u>20,428.79</u>	
	\$ 378,198.30	
 General Fund Payroll Expenditures	 \$ 865,920.27	
 Other Funds Operating Expenditures		
Pre-authorized	\$1,456,082.66	
Accounts Payable	<u>8,790.68</u>	
	\$ 1,464,873.34	
 Other Funds Payroll Expenditures	 \$ <u>258,948.09</u>	
 Total Recorded for the Month	 \$ 2,967,940.00	

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

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the St. Joseph County Board of Commissioners adjourn until August 17, 2005 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Vice-Chairman