

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 September 1, 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 |
| Robin Baker | Michael D. Dunlap |
| Jerry Ware | David J. Pueschel |
| John L. Dobberteen | |

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the minutes for August 18, 2009 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, August 21, 2009.
2. Copy of Letter to Senators Levin and Stabenow from Tim Carls, Re: Land Divisions.
3. Resolution from Lake County, Re: Support of House Bill 5019 (limiting benefit package received by our state legislators.)
4. Resolution from Lenawee County, Re: Opposing the language proposed in Section 470 of the S-1 version of the Department of Community Health Budget Bill.
5. Resolution from Schoolcraft County, Re: Support of House Bills 4785 and 4786 (Expansion of unemployment benefits and acceptance of federal stimulus funds.)
6. Resolution from Alger County, Re: Support of House Bill 4893 (Medical Examiner retention of body and organ tissue.)
7. Resolution from Lapeer County, Re: Payments to the State of Michigan.
8. Minutes of the Community Mental Health Services Board meeting of July 28, 2009.
9. Minutes of the St. Joseph River Basin Commission meeting of June 2, 2009.

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

CITIZENS COMMENTS

Nancy Percival, speaking on behalf of the Village of Colon, encouraged the Board to continue the employment of Brad Neumann, Land Use Educator, when the grant ends on September 30th. He has aided the Village and Township in numerous ways in zoning and planning issues; the township's Industrial Park planning; the Citizens' Planner Program; and Farmland Preservation. She would appreciate consideration on renewing his contract.

Mark Honeysett, Constantine Village Manager, stated that Brad Neumann is an invaluable asset to the Village as he has assisted them with the U.S. 131 Bypass issue; he is working with them in a Safe Route to Schools Grant; and planning and zoning continuing education. He urged the Board to renew his contract.

Chuck Eckenstahler who worked extensively in the development of the County's Master Plan Update spoke in support of the renewing of Brad Neumann's contract. He stated that he spent a lot of time with Mr. Neumann during the Master Plan Update process and stated that Mr. Neumann worked as a go between with information between the county and local governments. He is very intelligent and can be a facilitator in implementing the Master Plan. Mr. Neumann has also been instrumental in providing information for easier understanding of the Land Use Plan and how it affects Economic Development.

JUVENILE COURT ANNUAL REPORT

Probate Judge, Thomas Shumaker, gave an overview of the Juvenile Court Annual Report. He explained the recent history of employment changes within the department and everything is now working out well. Terry Evans, Juvenile Court Director/Referee and Don Happel, Caseload Supervisor/Referee were also present.

Judge Shumaker stated that the Parental Responsibility Guide, enhanced by Mr. Happel, has been rewritten and it was printed by the Human Services Commission.

The Judge further stated that we have a new Prosecutor and Sheriff and they are very proactive. A grant for a truant officer was applied for but they were unsuccessful.

They are still working hard with the schools in coordinating efforts as the schools have more and more to do to with less money.

They have a proven success rate with Juveniles and the programs that they offer, but that is not the case with the abuse and neglect. There are continuing family issues within the home as well as methamphetamine issues. Judge Shumaker stated that it is very frustrating to get parents to do what they are supposed to do. They are not making a lot of progress but they will not give up and want to do better.

In the realm of Personal Protection Orders, the Judge stated that he is keeping busy. There is a lot of domestic violence and antagonism within the families.

Commissioner Dunlap stated that Judge Shumaker has a tough job to do in these stressful economic times.

Commissioner Loudenslager asked whether or not the Juvenile System has any Amish.

Judge Shumaker stated that they have very few as that community normally takes care of their own.

Commissioner Dunlap asked if they tracked recidivism.

Judge Shumaker stated that they do not and Mr. Evans stated that it is very low probably around .05%.

When asked about the Hispanic community, Judge Shumaker stated that he thinks that when jobs dried up here that they just moved away.

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the Juvenile Court's Annual Report be accepted. Motion carried.

REQUEST TO FILL VACANT DRAIN COMMISSION OFFICE POSITION

Due to the resignation of the Deputy Drain Commissioner, Drain Commissioner Jeffery Wenzel is requesting that that vacancy be filled.

Ms. West-Wing stated that he appeared before the Executive Committee last Friday and after discussion it is the recommendation that the vacancy be filled on a part time basis.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the vacancy in the Drain Commissioner's Office be filled on a part time basis; 5 hours per day/5 days per week. Motion carried.

EXTENSION ADVISORY COUNCIL'S REPORT

Brad Neumann gave an overview of the annual report of the Extension Advisory Council. He stated that the committee discusses land use, community development and 4-H among other topics.

They identify issues and concerns that can then be addressed by MSUE. He stated that on July 30th they conducted a survey of their members with 10 responding. A summary of the survey suggest the following:

- * Land use education is important for teaching local officials roles and responsibilities and best practices, in addition to coordinating planning and zoning across municipal lines – a strategy that can protect natural resources and agriculture and be an effective economic development strategy.
- * Family Consumer Sciences programs should focus education on budgeting, parenting, and obesity and do more marketing and outreach around program availability and effectiveness.
- * Veteran Affairs programs should be continued at MSUE and expanded to other service locations such as VFW and American Legion posts.
- * Agricultural programming is important for retention of agri-businesses and expansion of the local agricultural economy. Education and outreach regarding agriculture water use issues will be increasingly important to address with agricultural producers and the general population.
- * MSUE should continue to work closely with the St. Joseph County Grange Fair around education.
- * 4-H programs should provide youth with experiences and opportunities around career counseling and general education, in addition to offering mentoring opportunities. New 4-H programming should focus on early elementary to middle school ages and Hispanic populations.

Mr. Neumann added that agriculture is a major player in the expansion of the local economy as are water issues.

Commissioner Loudenslager stated that it was an excellent report and asked how many members were on the Advisory Council.

Mr. Neumann stated that there are 20 members on the Council.

Commissioner Shaffer asked who the members were.

Mr. Neumann stated that there are representatives of the community and some also represent local units of government and they meet every 6 months. Commissioner Dunlap serves on the committee.

Maury Kaercher, Extension Agent, stated that it is a 3 year commitment and that there are openings on the Council.

Commissioner Pueschel stated that Mr. Neumann does a good job.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Extension Advisory Council's Report be accepted. Motion carried.

REGISTER OF DEEDS–ADDITIONAL SOFTWARE REQUEST

Ms. West-Wing stated that in May the Board approved an upgrade for the Register of Deeds' computer system. The vendor left a few pieces out and now needs an additional \$8,820 for the omitted items. The County agreed to loan the Tech Fund \$25,000 for 12 months to pay for these upgrades and with the additional \$8,800 she is requesting that the loan be extended to \$34,000 and the time to pay back be extended to 18 months.

It was moved by Commissioner Dunlap and supported by Commissioner Baker that the additional software request from the Register of Deeds for \$8,820; the increase of the loan to the Tech Fund to \$34,000; and the extension of the loan to 18 months be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

LETTERS OF UNDERSTANDING WITH VARIOUS EMPLOYEES
AT THE SHERIFFS DEPARTMENT TO WORK AT THE FAIR

Ms. West-Wing stated that the issue of Sheriff's Deputies working at the fair was discussed at the last meeting. The Board passed a motion that the Sheriff's Deputies could not wear their County uniforms when in the employ of the Fair Board unless the Fair Board paid for insurance which would pay the County's deductible of \$75,000 for each claim if there were to be an incident. The Fair Board agreed to pay the insurance so the County now needs to approve a letter of understanding with each union group representing these employees.

She stated that a letter of understanding with each bargaining unit needs to be approved just as we had done in the past.

POAM–Road Patrol Unit Employees

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Letter of Understanding with the POAM–Road Patrol Unit be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

POAM–Corrections Unit Employees

It was moved by Commissioner Dunlap and supported by Commissioner Pueschel that the Letter of Understanding with the POAM–Corrections Unit be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

Command Employees

It was moved by Commissioner Loudenslager and supported by Commissioner Shaffer that the Letter of Understanding with the Command Unit be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

FOP Employees

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the Letter of Understanding with the FOP Employees be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

VICTIM RIGHTS GRANT AGREEMENT

Ms. West-Wing stated that this is an annual agreement with the State regarding our Victim Rights Grant. The grant is for \$56,900 which employs 1 person at 35 hours per week and another at 20 hours per week. The term of the grant is from October 1, 2009 through September 30, 2010.

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

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

2008 MSHDA GRANT AMENDMENT #1 EXTENDING GRANT TERM TO DECEMBER 31, 2010

Ms. West-Wing stated that MSHDA wants to extend our grant with them until December 31, 2010 and increase the amount from \$275,000 to \$343,750.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the 2008 MSHDA Grant Amendment #1 be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

VENDOR AGREEMENT WITH JOHN AND CINDY KING

Ms. West-Wing stated that John Pence, Parks and Recreation Director, is recommending approval of a vendor agreement with John and Cindy King doing business as “Weenie Kings.” This agreement authorizes the Kings to park their food trailer at Cade Lake Park; Meyer Broadway Park; and Nottawa Sand Lake Park.

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that the Vendor Agreement with John and Cindy King be approved.

The aye and nay vote was called as follows:

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

Nay votes cast 0

Motion carried.

LAKE TEMPLENE/SAND LAKE–SPECIAL ASSESSMENT ROLL

Ms. West-Wing stated that the Drain Commissioner has proposed a Resolution to the Board to approve the Special Assessment Roll for Lake Templene/Sand Lake for placement on the December tax roll.

Eric Scheske, Attorney representing the Lake Templene Property Owners Association, stated that the association wants to be good neighbors but they have a problem with the property assessment. They believe that the total amount is excessive and believe that some of the amounts that they are being assessed were incurred during the 2004 attempt to set the district.

They are asking that the overall assessment be reduced and that the County should also be included in the assessment district. They think that \$100,000 is a reasonable amount, but not almost \$150,000.

Mr. Scheske stated that he has had several conversations with Ms. West-Wing and she has been very helpful.

Ms. West-Wing stated that this roll has to be filed with the County Clerk by September 16th to be spread on this year's taxes, so she suggested that the matter be tabled and that she, the Drain Commissioner and Mr. Scheske try to work out the differences.

It was moved by Commissioner Dunlap and supported by Commissioner Shaffer that this matter be tabled. Motion carried.

APPOINTMENTS

Solid Waste Management Planning Committee

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that Glenn Nissley, John Smits, Frank Kalasky, Carol Higgins and Mary Conklin be appointed to the Solid Waste Management Planning Committee for 2 year terms expiring September 1, 2011. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Baker stated that the committee had not met.

Judiciary

Commissioner Loudenslager stated that the next Judiciary Meeting is scheduled for October 14th at noon.

Physical Resources

Commissioner Dunlap stated that the committee had not met.

Executive Committee

Commissioner Baker stated that everyone has a copy of the minutes of the Executive Committee Meeting held on August 28, 2009 and would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Robert Sabatini, District Court Probation Officer, to Senior District Court Probation Officer at \$46,804.00 (grade 8, step 4) effective August 31, 2009.

TERMINATION:

Teresa Feller, COA In-Home Service Aide, was terminated effective August 10, 2009.

NEW HIRE:

Gina M. Wagner has been hired as District Court Probation Officer at \$36,009.00 (Rye system, grade 7, minimum) effective September 8, 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 SHERIFFS DEPARTMENT BUDGET:

Line item 101-301-706.130 (Wages–Deputies) \$14,000.00

INCREASE SHERIFFS DEPARTMENT BUDGET:

Line item 101-301-707.000 (Wages–Part-time) \$14,000.00

DECREASE BUILDING AND GROUNDS' BUDGET:

Line item 101-265-935.000 (Grounds Care) \$ 5,000.00

INCREASE BUILDING AND GROUNDS' BUDGET:

Line item 101-265-930.020 (Elevator Expense) \$ 5,000.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$15,000.00

INCREASE BUILDING AND GROUNDS' BUDGET:

Line item 101-265-931.000 (Repair & Maintenance) \$15,000.00

DECREASE SPAY/NEUTER FUND #701

Line item 701-430-265.000 (T & A Spay/Neuter Fund) \$7,000.00

INCREASE ANIMAL CONTROL BUDGET

Line item 101-430-707.000 \$6,400.00

Line item 101-430-715.000 490.00

Line item 101-430-716.100 110.00

\$7,000.00

It was moved by Commissioner Baker and supported by Commissioner Dunlap 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 | \$ 1,885.82 | \$ |
| Appropriations | 40,767.50 | |
| County Commission | 129.02 | 6,977.79 |
| Circuit Court | 933.04 | 13,448.38 |
| District Court | 1,989.93 | 65,887.89 |
| Friend of the Court | 97.22 | 40,344.55 |
| Jury Commission | 101.40 | |
| Probate Court | 2,898.30 | 18,544.47 |
| Juvenile Branch | 18,660.31 | 39,114.09 |
| Appeals Court | 1,399.15 | |
| Administration | | 9,754.42 |
| Elections | 236.30 | |
| Finance Department | 1,554.99 | 13,272.26 |
| County Clerk | | 22,994.32 |
| Equalization Department | 7,850.00 | 16,116.52 |
| Human Resources | | 6,430.16 |
| Geographic Information Systems | | 7,132.74 |
| Prosecutor's Office | 1,730.49 | 34,789.88 |
| Central Services | 4,761.01 | 5,498.61 |

| <u>GENERAL FUND</u> | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
|--|---------------------|----------------|
| Register of Deeds | \$ 195.00 | \$ 13,428.49 |
| County Treasurer | 502.50 | 15,197.88 |
| Cooperative Extension | 780.65 | 8,544.27 |
| Information Technology | 4,012.98 | 12,379.04 |
| Buildings & Grounds | 9,777.68 | 14,536.14 |
| Courts Building Security | | 7,093.78 |
| Drain Commission | | 4,618.89 |
| Sheriff Department | 16,562.85 | 97,605.37 |
| Sheriff Reserves | 216.80 | |
| Marine Patrol | 1,616.67 | 3,861.96 |
| Jail & Turnkey | 16,866.92 | 98,310.61 |
| Emergency Services | 43.23 | 5,514.10 |
| Animal Control | 1,311.53 | 9,167.46 |
| Board of Public Works | | 718.47 |
| Child Care - Probate | 4,932.84 | |
| Veterans' Services | 50.00 | 1,653.00 |
| Utilities & General Services | 30,760.85 | |
| Total | \$ 172,624.98 | \$ 592,935.54 |
| | | |
| <u>OTHER FUNDS</u> | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
| County Road Commission | \$ 483,510.39 | \$ |
| Parks & Recreation | 5,642.81 | 9,492.45 |
| Emergency 911 Service | 24,313.01 | 53,121.84 |
| Central Dispatch - Wireless | 4,879.04 | 4,088.86 |
| Meyer Broadway/Coon Hollow Park | 629.73 | 2,953.68 |
| Family Counseling | 849.00 | |
| Cade Lake Park | 6,846.62 | 3,458.26 |
| Waste Management Fund | | |
| County Commission | 201.00 | |
| Traffic Safety Program Fund | 25.91 | |
| Economic Development Fund | 830.00 | 7,883.58 |
| Survey & Remonumentation | 5,145.93 | |
| Victims' Rights Advocate Fund | | 3,259.20 |
| Community Corrections Advisory Board | 2,625.00 | 2,954.34 |
| Community Corrections Program | 1,146.00 | |
| Local Correction Officers' Training Fund | 24.00 | |
| Drug Law Enforcement Fund | 1,394.12 | |
| Law Enforcement Fund | 667.50 | 17,576.58 |
| Secondary Road Patrol | | 8,629.46 |
| Homeland Security Grant Fund | 5,785.92 | |
| Law Library Fund | 372.00 | |
| Principal Residence Denial Fund | | 719.75 |
| Commission on Aging | 41,396.19 | 59,345.98 |
| Community Development Block Grant | 13,956.00 | |
| Child Care: Probate Court | 35,144.53 | 3,585.38 |
| Veterans' Trust Fund | 1,523.59 | |
| Facilities Maintenance Fund | 2,144.64 | |
| Forfeiture & Foreclosure Fund | 19,447.61 | |
| Tax Payment Fund | 20,310.44 | |
| Inmate Store | 319.93 | |

| <u>OTHER FUNDS</u> | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
|---|---------------------|-------------------|
| Three Rivers Community Center | \$ 1,842.04 | \$ 810.12 |
| Flexible Benefits Insurance Fund | 163,163.31 | |
| Total | \$ 844,136.26 | \$ 177,879.48 |
| Grand Total | \$ 1,016,761.24 | \$ 770,815.02 |
| General Fund Operating Expenditures | | |
| Pre-Authorized | \$128,818.46 | |
| Accounts Payable | 43,806.52 | |
| | \$ 172,624.98 | |
| General Fund Payroll Expenditures | \$ 592,935.54 | |
| Other Funds Operating Expenditures | | |
| Pre-authorized | \$819,591.73 | |
| Accounts Payable | 24,544.53 | |
| | \$ 844,136.26 | |
| Other Funds Payroll Expenditures | \$ 177,879.48 | |
| Total Recorded for the Month | \$ 1,787,576.26 | |

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

CHAIRMAN'S REPORT

Chairman Dobberteen stated that by reducing the help in the Drain Commissioner's Office that all should beware of what may come in the future.

MISCELLANEOUS

Commissioner Loudenslager thanked the Board and the Administrator for being able to serve on the Southwest Michigan Long Term Care Connection for the past 2½ years. They will dissolve this Thursday.

Commissioner Dunlap was in town one of the days that the Courthouse was closed due to a power outage and he thanked Ms. West-Wing for being outside intercepting customers to assist them in any way that she could. He also thanked Mr. Goldberger for doing the same thing.

Ms. West-Wing stated that the Commissioners have received a copy of all of the budgets for funds whose fiscal year ends September 30th. They will be on the agenda on September 15th for Board adoption.

ADJOURNMENT

It was moved by Commissioner Shaffer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until September 15, 2009 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman