

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 2, 2008, at 5:00 p.m.

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
Michael D. Dunlap	Robin Baker
David J. Pueschel	John L. Dobberteen

Absent: Monte Bordner

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Dunlap that the minutes for August 19, 2008 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, August 29, 2008.
2. Copy of letters to River City Plastic from State Tax Commission, Re: Revocation of Industrial Facility Exemption Certificates.
3. Letter from City of Sturgis, Notice of public hearing on September 24 for establishment of Plant Rehabilitation District at 210 Broadus.
4. Letter from City of Sturgis, Notice of public hearing on September 24 for establishment of a Neighborhood Enterprise Zone at 308 N. Prospect for Bosgraaf Commercial, LLC.
5. Letter from City of Sturgis, Notice of public hearing on September 24 for consideration of a Brownfield Plan at 210 Broadus and 308 N. Prospect for Bosgraaf Commercial, LLC.
6. Resolution from Huron County, Re: Support of H.B. 5398 (Amending the Michigan Vehicle Code.)
7. Minutes of the Community Mental Health Services Board meeting of July 29, 2008.
8. Minutes of the Department of Human Services Board meeting of July 22, 2008.
9. Minutes of the St. Joseph River Basin Commission meeting of June 24, 2008.

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

CITIZENS' COMMENTS

Carol Higgins, Democratic Candidate for State Representative, gave an overview of her platform for this campaign.

Commissioner Bordner was present at this time.

She was thanked for introducing herself.

Maury Kaercher, County Extension Agent, reminded everyone of the fair that will begin on September 14th. He stated that 1,000 4-Hers, our future leaders, will participate and he is proud to be a part of the organization.

OUT-OF-STATE TRAVEL REQUEST FROM THE VETERANS' ADVISORS

Motion to Remove from the Table

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the out-of-state travel expense for the veterans' advisors be removed from the table.

The aye and nay vote was called as follows:

Aye votes cast: 7—Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

Motion to approve request

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the out-of-state travel request from the veterans' advisors be approved.

Commissioner Bordner does not believe that we have leadership to address the issues of veterans in this County. What we have is a referral service. He does not believe that this is training that will be of benefit to staff. He suggests that the Veterans' Affairs Board bring a plan forward to improve services for our veterans.

The aye and nay vote was called as follows:

Aye votes cast: 5—Commissioners Shafer, Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 2—Commissioners Bordner and Dobberteen.

Motion carried.

JUVENILE COURTS ANNUAL REPORT

Probate Judge Thomas Shumaker, gave an overview of the 2007 Juvenile Court Annual Report. There have been many changes since Dennis DeVore retired. Now, they have an administrative team of Terry Evans and Francisco Ortiz and they are doing very well. They have instituted new programs.

Judge Shumaker stated that juvenile statistics and PPO filings are lower than in the past. The Juvenile case peaked a few years ago. But, he said that the harder cases get harder. There have been major changes in the Juvenile Day Treatment Program. They discovered that they did not need an attorney/referee.

The Judge complimented Mr. Evans and Mr. Ortiz on their methods of handling matters. Mr. Ortiz is also helping with Hispanic issues.

The neglect cases are out of control because of the methamphetamine program with the parents. In the juvenile division they are becoming proactive and they are having results.

The Judge believes that there will be more emphasis on the meth issue next year because he believes that the new Prosecutor and Sheriff may be tougher on this issue.

Mr. Ortiz stated that they are addressing juvenile issues at a very early stage with the programs that they have.

Mr. Evans invited the Commissioners to attend hearings every Thursday from 9:00 a.m. to 5:00 p.m. The hearings are mostly related to meth. He said that the County needs to step it up because of all the homeless kids in the County.

The Court also coordinates cases with Community Mental Health.

Mr. Evans added that they are having more hearings, the juveniles are doing what they are ordered to do and the recidivism rate is declining. They are held accountable for their actions. They do not have more people they are having more hearings.

After questions and answers it was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Juvenile Court's Report for 2007 be accepted. Motion carried.

COMMUNITY MENTAL HEALTH FUNDING

Ms. West-Wing stated that the Board, by consensus at their last work session, agreed to pay back funds to Mental Health. She has written a letter to the Bureau of Community Mental Health Services in Lansing explaining our position which is:

- * the Board of Commissioners will appropriate an additional \$65,286 to St. Joseph County CMH prior to September 30, 2008.
- * the Board of Commissioners will increase its annual CMH appropriation to \$257,268 effective with this County's fiscal year which begins on January 1, 2009 and this amount will remain the same for perpetuity.
- * the Board of Commissioners beginning with their fiscal year 2010 will appropriate an additional \$90,000 each year for the five years of 2010, 2011, 2012, 2013 and 2014 for a total of \$450,000. This sum is the total of the appropriation reduction of \$65,286 from 2001, 2002, 2003, 2004, 2005, 2006 and 2007.

Ms. West-Wing stated that a written acceptance of this proposal has been received from the Bureau of Community Mental Health Services in Lansing.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that this proposal be ratified by the Board of Commissioners.

The aye and nay vote was called as follows:

Aye votes cast: 7—Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

COOPERATIVE REIMBURSEMENT AGREEMENT—FRIEND OF THE COURT

Ms. West-Wing recommended approval of the annual Cooperative Reimbursement Agreement for the Friend of the Court for \$541,512 which is 60% reimbursement to the County.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the Cooperative Reimbursement Agreement for the Friend of the Court be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7—Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

COURTS BUILDING HVAC—CHANGE ORDER NO. 1

Ms. West-Wing recommended approval of Change Order No. 1 regarding the Courts Building HVAC for an additional \$1,020. There is a higher voltage requirement that was missed by the architects.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that Change Order No. 1 relating to the Courts Building HVAC be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7–Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

VICTIM RIGHTS GRANT AGREEMENT

Ms. West-Wing recommended approval of the annual Victim Rights Grant Agreement in the amount of \$53,200.

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

The aye and nay vote was called as follows:

Aye votes cast: 7–Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

EMERGENCY SERVICES PROGRAM

Ms. West-Wing stated that the Executive Committee recommended moving the Emergency Services Office to the 911 Building.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Emergency Services Office be moved to the 911 building.

Republican nominee for Sheriff, Bradley Balk, addressed the Board saying that he did not know anything about this until 12:30 this afternoon. He has concerns about this and does not know what prompted the move. He felt that there needs to be more communication with the present sheriff about the elimination of a captain's position in the Sheriff's Department.

There will be new Sheriff's Administration next year and he believes that whoever is elected in November needs to have some input on this matter. He is asking that the Board table this matter until after the election.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that this matter be tabled.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Shafer, Loudenslager, Dunlap, Pueschel and Bordner.

Nay votes cast: 2 - Commissioners Baker and Dobberteen.

Motion carried.

Commissioner Dobberteen left the meeting at this time.

REQUEST TO FORWARD ALLEN EDWIN HOMES INFORMATION TO EMPLOYEES

Ms. West-Wing stated that Joe Bippus, Three Rivers City Manager, requested that information regarding Allen Edwin Homes be provided to County Employees. This allows each County Employee to receive a 4% discount for building a home in the Meadowbrook Farms subdivision providing they qualify.

Ms. West-Wing stated that according to the County's solicitation policy this request must be approved by the Board.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that information regarding Allen Edwin Homes be disseminated to County Employees.

In response to a question, Ms. West-Wing stated that they could provide the information by paychecks or inter-office mail.

After a lot of discussion the aye and nay vote was called as follows:

Aye votes cast: 3 - Commissioners Shafer, Loudenslager and Dunlap.

Nay votes cast: 3 - Commissioners Baker, Pueschel and Bordner.

Absent: 1 - Commissioner Dobberteen.

Motion defeated.

RESOLUTION SUPPORTING H.B. 5398

Commissioner Shafer read the following resolution:

WHEREAS, an individual should not profit from an act that places either citizens or police officers in harm's way; and

WHEREAS, House Bill 5398 (currently before the Michigan House Judiciary Committee) will amend 1949 PA 300, the Michigan Vehicle Code, to prohibit an individual from bringing or maintaining an action for personal injury or property damage sustained as a result of the individual's operation of a motor vehicle while fleeing and eluding a police or conservation officer in violation of 602A;

NOW THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners hereby supports House Bill No. 5398;

BE IT FURTHER RESOLVED, that the St. Joseph County Clerk be directed to forward copies of this Resolution to Governor Jennifer Granholm, Senator Cameron Brown, Representative Rick Shaffer, the Michigan Association of Counties and the other 82 Michigan counties.

It was moved by Commissioner Shafer 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: 6-Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 1-Commissioner Dobberteen.

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Solid Waste Management Planning Committee

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that Eric Shafer, Aaron Cullifer, Krysti Boughton, Robert Robinson, John Dobberteen and Carol Holsinger be nominated and appointed to the Solid Waste Management Planning Committee for terms to expire September 1, 2010. Motion carried.

Commission on Aging

It was moved by Commissioner Shafer and supported by Commissioner Bordner that J.D. Yoder be nominated and appointed to the Commission on Aging for a term to expire June 30, 2010.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that the Law Enforcement Committee had not met.

Judiciary

Commissioner Loudenslager stated that the Judiciary Committee will meet on October 8th at noon.

Physical Resources

Commissioner Shafer stated that the Physical Resources Committee will meet on September 11th at 2:00 p.m.

Executive Committee

Commissioner Pueschel stated that everyone has a copy of the minutes of the Executive Committee Meeting held on August 28, 2008 and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

Tasha Bonds, part-time Corrections Officer, has resigned effective August 18, 2008.

Bellena Parker, In-Home Services Aide, has resigned effective August 14, 2008.

Lyle Garrison, part-time Court Security and Corrections/Transport Officer, has resigned effective September 22, 2008.

NEW HIRE:

Amy Herrick has been hired as In-home Services Aide at \$9.66/hr. (COA grade 5, minimum) effective August 22, 2008.

MISCELLANEOUS:

Andy Goldberger to assume the management and supervision oversight for the Central Services and Human Resource Department until a new director is in place; compensation to be determined.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$4,500.00 from Circuit Court Law Library Appropriation to Circuit Court Law Library Fund.

\$57,460.00 from Secondary Road Patrol Appropriation to Secondary Road Patrol Fund.

BUDGET AMENDMENTS:

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 2,000.00

INCREASE VETERANS' BUDGET:

Line item 101-682-860.000 (Travel) \$ 830.00

Line item 101-682-861.000 (Convention) \$ 1,170.00

DECREASE DISTRICT COURT/CASEFLOW ASSISTANCE FUND #218:

Line item 218-136-676.000 (Budgeted Use of Fund Balance) \$ 345.00

INCREASE DISTRICT COURT/CASEFLOW ASSISTANCE FUND #218:

Line item 218-136-980.000 (Equipment) \$ 145.00

Line item 218-136-984.000 (Computer Hardware) \$ 200.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$64,286.00

INCREASE APPROPRIATIONS:

Line item 101-001-965.065 (CMH Additional Appropriation) \$64,286.00

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

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 6,625.42	\$
Due from Employees	689.50	
Due from Schools	1,458.00	
Appropriations	37,516.00	
County Commission	8,332.90	4,173.54
Circuit Court	90.00	13,377.40
District Court	1,235.60	61,028.53
Friend of the Court	3,504.08	39,138.81
Jury Commission	206.16	19.38
Probate Court	2,340.50	18,945.09
Juvenile Branch	15,299.93	38,882.98
Appeals Court	280.90	
Administration		9,754.31
Elections	672.48	
Finance Department	1,482.32	13,142.22
County Clerk	7,425.09	22,355.97
Equalization Department	7,325.00	15,736.00
Human Resources	304.68	7,068.48
Geographic Information Systems	89.84	7,170.67
Prosecutor's Office	2,734.66	37,128.05
Central Services	6,760.02	5,437.94
Register of Deeds	504.49	13,280.71
County Treasurer	438.00	14,968.86
Cooperative Extension	57.95	8,465.22
Information Technology	1,884.14	11,923.72
Buildings & Grounds	13,459.48	14,158.55
Courts Building Security	160.96	8,519.30
Drain Commission	672.62	5,717.49
Sheriff Department	36,051.34	86,950.35
Sheriff Reserves	236.90	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Marine Patrol	\$ 416.57	\$ 7,033.59
Jail & Turnkey	16,636.36	98,845.77
Planning Commission	69.53	
Emergency Services		5,479.52
Animal Control	562.89	9,303.47
Board of Public Works		663.54
Child Care - Probate	8,947.14	1,658.57
Department of Veterans' Affairs	30.00	
Veterans' Services		1,135.60
Utilities & General Services	25,074.08	
Total	\$ 209,575.53	\$ 581,463.63
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 1,245,012.25	\$
Parks & Recreation	793.84	10,178.62
Emergency 911 Service	10,554.40	51,742.34
Central Dispatch - Wireless	3,200.00	4,040.82
Meyer Broadway/Coon Hollow Park	942.75	2,821.16
Cade Lake Park	3,487.00	3,463.65
Traffic Safety Program Fund	574.81	
Economic Development Fund	2,372.00	7,994.06
Survey & Remonumentation	16,758.96	
Victims' Rights Advocate Fund		3,232.76
Community Corrections Advisory Board	6,486.67	2,929.43
Community Corrections Program	2,669.83	
Drug Law Enforcement Fund	1,218.86	
Law Enforcement Fund	184.00	13,630.84
Secondary Road Patrol		8,780.00
Homeland Security Grant Fund	5,255.40	
Law Library Fund	1,078.00	
Principal Residence Denial Fund		664.14
Commission on Aging	86,228.38	56,868.40
Sheriff's Justice Training Fund	101.79	
Child Care - Probate Court	15,160.75	3,711.87
Veterans' Trust Fund	1,507.45	
Forfeiture & Foreclosure Fund	244.99	
Tax Payment Fund	25,571.52	
Inmate Store	1,760.38	
Three Rivers Community Center	1,753.66	1,010.35
Flexible Benefits Insurance Fund	153,432.78	
Total	\$ 1,586,350.47	\$ 171,068.44
Grand Total	\$ 1,795,926.00	\$ 752,532.07
General Fund Operating Expenditures		
Pre-Authorized	\$185,231.40	
Accounts Payable	24,344.13	
	\$ 209,575.53	
General Fund Payroll Expenditures	\$ 581,463.63	

Other Funds Operating Expenditures		
Pre-authorized	\$1,571,593.59	
Accounts Payable	<u>14,756.88</u>	
		\$ 1,586,350.47
Other Funds Payroll Expenditures		\$ <u>171,068.44</u>
Total Recorded for the Month		\$ 2,548,458.07

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

MISCELLANEOUS

Commissioner Loudenslager provided everyone with a copy of the "Tax Dollars at Work" publication that is published by the Michigan League for Human Services.

Also, MMRMA returned \$18.5 million to members.

Commissioner Dunlap stated that he attended the funeral of fallen soldier Rodgers on Saturday and participated in the motorcycle procession. His sympathies are extended to the family of one of our national heroes.

Commissioner Bordner stated that it is incumbent on our veterans to attend the Veterans' Affairs Board Meetings. We are treating the systems and not the cure for the services that our veterans are entitled to receive. The next meeting is scheduled for September 10th at MSUE.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the St. Joseph County Board of Commissioners adjourn until September 16, 2008 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Chairman