

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 4, 2007 at 5:00 p.m.

Chairman 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
Monte Bordner	David J. Pueschel
John Dobberteen	

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the minutes for August 21, 2007 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, August 24 and August 30, 2007.
2. Letter from the Michigan Association of Counties, Re: Thank you for resolution opposing Senate Bill 232.
3. Copy of Letter to Lear Corporation from State Tax Commission, Re: Revocation of personal property component of Industrial Facilities Exemption Certificate No. 2006-356.
4. Resolution from Ottawa County, Re: Opposing House Bill 4852 (surcharge on phones.)
5. Resolution from Newaygo County, Re: Supporting county acceptance of passport applications.
6. Resolution from Saginaw County, Re: Opposing the closure of the Secretary of State office in Buena Vista Charter Township.
7. Resolution from Saginaw County, Re: Opposing House Bill 4852 (surcharge on phones.)
8. Minutes of the Community Mental Health Services Board meeting of July 31, 2007.
9. Minutes of the Commission on Aging Board meeting of July 18, 2007.
10. Minutes of the Community Action Agency Board meeting of July 23, 2007.
11. Minutes of the Department of Human Services Board meeting of June 26, 2007.
12. Minutes of the St. Joseph River Basin Commission meeting of June 5, 2007.

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

CITIZENS' COMMENTS

Bill Warnock, 13556 Pleasant View Drive, Three Rivers stated that he has had a home on Pleasant Lake for over 30 years. He could not get to the Court Hearing that established the Special Assessment District. He has property on the lake and property off the lake and he does not feel that he should be assessed for the property that is not on the lake. He mentioned that David Hassenger, Drain Commissioner, has cleared up a lot of his concerns.

Chairman Baker stated that he believes that Mr. Warnock has received some incorrect information and asked him to stay after the meeting so that he could talk to him and give him some answers.

ASSESSMENTS TO MUNICIPALITIES FOR LAKE LEVELS

Ms. West-Wing stated that the Executive Committee is recommending that a municipality be assessed at zero in all Lake Level Special Assessments unless they actually own property on the lake.

It was moved by Commissioner Dunlap and supported by Commissioner Dobberteen that all municipalities be assessed at zero dollars in all Lake Level Special Assessment Districts unless they actually own property on the lake.

Commissioner Pueschel asked if White Pigeon Township's assessment in the Special Assessment District regarding Klinger Lake would be retracted and Ms. West-Wing responded by saying that the motion above waiting for a vote would refer to any Special Assessments regarding lakes from this date forward.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner & Dobberteen

Nay votes cast: 1 - Commissioner Pueschel

Motion carried.

PLEASANT LAKE SPECIAL ASSESSMENT ROLL

Ms. West-Wing presented the Pleasant Lake Special Assessment Roll for approval according to the Circuit Court Ruling setting up the Special Assessment District last March. She stated that all riparians would pay \$88.00 per lot; those with deeded access would pay \$44.00 per lot; and those with a peripheral view would pay \$22.00 per lot.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the Pleasant Lake Special Assessment Roll be approved.

Mr. Warnock stated that he would rather not wait until after the meeting to have his concerns addressed.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner & Dobberteen

Nay votes cast: 1 - Commissioner Pueschel

Motion carried.

CLEAR LAKE SPECIAL ASSESSMENT ROLL

Ms. West-Wing presented the Clear Lake Special Assessment Roll for approval according to the Circuit Court Ruling setting up the Special Assessment District. She stated that all riparians would pay \$129.00 per lot; those with deeded access would pay \$65.00 per lot; and those with a peripheral view would pay \$32.00 per lot.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the Clear Lake Special Assessment Roll be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner & Dobberteen

Nay votes cast: 1 - Commissioner Pueschel

Motion carried.

OMENA LAKE SPECIAL ASSESSMENT ROLL

Ms. West-Wing presented the Omena Lake Special Assessment Roll for approval according to the Circuit Court Ruling setting up the Special Assessment District. She stated that all riparians would pay \$165.00 per lot; those with deeded access would pay \$82.00 per lot; and those with a peripheral view would pay \$41.00 per lot.

It was moved by Commissioner Loudenslager and supported by Commissioner Dobberteen that the Omena Lake Special Assessment Roll be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner & Dobberteen

Nay votes cast: 1 - Commissioner Pueschel

Motion carried.

COMMUNITY CORRECTIONS GRANT AMENDMENT

Ms. West-Wing stated that there is an amendment to the Community Corrections Grant which would eliminate the residential funding component from the Grant. The State will deal with residential funding directly with the residence.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the Community Corrections Grant Amendment be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Motion carried.

FARMLAND PRESERVATION ORDINANCE AMENDMENTS

Brad Neumann presented the Amendments to the Farmland Preservation Ordinance and requested approval.

It was moved by Commissioner Pueschel and supported by Commissioner Dunlap that the Farmland Preservation Ordinance Amendments be approved.

Commissioner Dunlap stated that he expressed some concerns with these proposed amendments at the last meeting. He had a meeting with Mr. Neumann who explained everything to him and Commissioner Dunlap expressed his appreciation to Mr. Neumann.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Motion carried.

LEASE ADDENDUM FOR HOUSE AT MEYER BROADWAY PARK

Ms. West-Wing recommended that the lease addendum for the house at Meyer Broadway Park be approved. It increases the rent from \$325.00 per month to \$350.00.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the lease addendum for the house at Meyer Broadway Park be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Motion carried.

SET PUBLIC HEARING FOR VILLAGE OF MENDON ANNEXATION

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that a public hearing be set for a proposed Mendon Village Annexation on October 2, 2007 at 5:15 p.m. Motion carried.

LETTER OF UNDERSTANDING WITH THE TRANSPORTATION AUTHORITY BOARD
(Rescinding Previous LOU)

Ms. West-Wing presented a LOU with the Transportation Authority Board rescinding the previous LOU approved by the Board of Commissioners on December 6, 2005 which approved an allocation by the County of \$50,000 for each year for 2006, 2007 and 2008.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the LOU with the Transportation Authority rescinding the previous LOU be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Motion carried.

LETTER OF UNDERSTANDING WITH THE TRANSPORTATION AUTHORITY BOARD
(Short-term Loan)

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the LOU with the Transportation Authority Board for a loan from the County of \$125,000 until they begin to receive tax money from the recently passed millage proposition be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Motion carried.

LETTER OF UNDERSTANDING WITH THE TRANSPORTATION AUTHORITY BOARD
(Employee Health and Dental Insurance)

Ms. West-Wing stated that this LOU was for the Transportation Authority full-time employees to have access to the County's Blue Cross/Blue Shield insurances.

It was moved by Commissioner Dobberteen and supported by Commissioner Shafer that the full-time employees at the Transportation Authority have access to the County's insurances at no cost to the County.

Commissioner Loudenslager stated that the Transportation Authority employees are not County employees, therefore, he will be voting no on the motion.

Commissioner Bordner stated that this is not precedent setting as Road Commission employees have access to the County's insurances.

He believes that the Commission is being good stewards of County tax dollars as this will allow the Transportation Authority to save \$60,000 per year. There are 7 full time employees at the Transportation Authority.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 1 - Commissioner Loudenslager

Motion carried.

SUPPORT OF COUNTY ACCEPTANCE OF PASSPORT APPLICATIONS

The Clerk stated that she received notice from the federal government today and the issues have been resolved. She thanked the Board for their interest in passing this resolution but stated that it was no longer necessary.

CONTINUATION OF PRINCIPAL RESIDENCE EXEMPTION AUDIT PROGRAM

Commissioner Shafer presented the following resolution:

RESOLUTION NO. 16-2007 ST. JOSEPH COUNTY PRINCIPLE RESIDENCE EXEMPTION AUDIT PROGRAM

WHEREAS, under the provisions of the General Property Tax Act, Public Act 206 of 1893, as amended, County Equalization Directors and County Treasurers are given the opportunity to audit and deny principal residence exemptions; and

WHEREAS, by Resolution No. 21-2003 adopted on September 16, 2003 St. Joseph County opted into the "principle residence exemption" audit program; and

WHEREAS, the St. Joseph County Board of Commissioners chooses to continue to maintain an active roll in the review and denial process.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners by and through their Equalization Director wishes to continue to take part in the "principle residence exemption" audit program through September 30, 2009 under the provisions of MCL 211.7cc.

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: 7 - Commissioners Shafer, Loudenslager, Dunlap, Baker, Pueschel, Bordner & Dobberteen

Nay votes cast: 0

Resolution adopted.

COMMITTEE REPORTS

Law Enforcement

Commissioner Dobberteen stated that they will be meeting in the next few weeks.

Judiciary

Commissioner Loudenslager stated that the next meeting is scheduled for October 10, 2007 at noon.

Physical Resources

Commissioner Shafer stated that they have not met.

Executive Committee

Commissioner Bordner stated that everyone has a copy of the Executive Committee meeting minutes of August 31st and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Change resignation date for Alice Easterday, Juvenile Division Casework Supervisor, to August 27, 2007.

Cindy Gordon has been hired as part-time Court Security at \$12.44/hr. effective August 16, 2007.

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

REQUISITIONS

Ms. West-Wing presented the following report:

Purchase and install 4 RAB Wallpacks 2 x 42W fluorescent, 120 volt with 180 degree motion sensor for Courts Building/Courthouse \$ 2,860.00

Microfilm, scan, index, provide 2 DVD copies and destroy all Circuit Court records from 1940 through 1984; re-film 81 rolls of vital records that have deteriorated Not to exceed \$25,000.00

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the requisitions be approved. Motion carried.

BUDGET ADJUSTMENT

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENT:

DECREASE SPAY/NEUTER FUND #701:

Line item 701-430-265.000 (T & A-Spay/Neuter Fund) \$ 5,000.00

INCREASE ANIMAL CONTROL'S BUDGET:

Line item 101-430-707.000 (Wages – Part time) \$ 4,535.00

Line item 101-430-715.000 (FICA) 347.00

Line item 101-430-716.100 (Worker's Compensation) 118.00

\$ 5,000.00

It was moved by Commissioner Dobberteen and supported by Commissioner Bordner that the budget adjustment 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 Schools	\$ 1,462.00	\$
Due from State	8,964.17	
Prepaid Insurance	22,432.00	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Commission	\$ 326.90	\$ 4,173.54
Circuit Court	327.36	12,888.40
District Court	11,388.70	59,626.05
Friend of the Court	2,933.10	31,289.98
Jury Commission	98.28	
Probate Court	4,201.56	18,048.36
Juvenile Branch	22,048.49	39,447.45
Appeals Court	1,319.68	
Administration		9,486.51
Elections	1,737.89	
Finance Department	578.32	12,802.36
County Clerk	566.94	21,564.58
Equalization Department	6,699.00	15,001.63
Human Resources	421.45	6,789.69
Geographic Information Systems	791.98	6,374.67
Prosecutor's Office	1,186.89	40,532.99
Central Services	8,403.70	5,301.26
Register of Deeds	14.00	12,980.21
County Treasurer		14,056.58
Cooperative Extension	825.60	8,284.32
Information Technology	7,607.67	11,352.96
Buildings & Grounds	11,815.22	14,509.11
Courts Building Security		5,780.28
Drain Commission		5,322.26
Sheriff Department	17,149.07	88,063.74
Sheriff Reserves	35.00	
Marine Patrol	540.50	4,491.48
Jail & Turnkey	13,349.93	98,033.52
Planning Commission	5,000.00	
Emergency Services	137.99	5,239.00
Animal Control	1,322.45	8,767.18
Board of Public Works		628.68
Medical Examiners	150.00	
Child Care - Probate	5,707.38	
Department of Veterans' Affairs	180.00	
Veterans' Services	330.39	1,131.39
Utilities & General Services	21,756.28	
Total	\$181,809.89	\$561,968.18
 <u>OTHER FUNDS</u>	 <u>EXPENDITURES</u>	 <u>PAYROLL</u>
County Road Commission	\$ 809,649.86	\$
Parks & Recreation	1,735.70	9,847.66
Emergency 911 Service	2,300.16	51,675.63
Central Dispatch - Wireless	6,942.00	3,773.08
Meyer Broadway/Coon Hollow Park	191.24	2,760.36
Friend of the Court		833.52
Family Counseling	280.00	
Cade Lake Park	2,310.34	3,923.97
Waste Management Fund		
County Commission	12,150.46	
Traffic Safety Program Fund	24.68	

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Economic Development Fund	\$ 2,873.98	\$ 4,345.14
Survey & Remonumentation	3,101.80	
Register of Deeds Automation Fund	5,251.89	
Victims' Rights Advocate Fund		3,128.13
Community Corrections Advisory Board	4,851.67	2,847.76
Community Corrections Program	1,545.00	
Drug Law Enforcement Fund	239.29	
Law Enforcement Fund		13,813.96
Secondary Road Patrol		8,050.74
Homeland Security Grant Fund	6,411.87	
Law Library Fund	2,923.50	
Principal Residence Denial Fund		629.81
Commission on Aging	59,317.68	51,435.33
Community Development Block Grant	18,040.00	
Sheriff's Justice Training Fund	510.00	
Child Care - Probate Court	20,670.42	3,483.19
Veterans' Trust Fund	7,666.69	
Tax Payment Fund	5,840.43	
Inmate Store	144.35	
Three Rivers Community Center	728.82	894.29
Flexible Benefits Insurance Fund	147,804.94	
Total	\$ 1,123,506.77	\$ 161,442.57
Grand Total	\$ 1,305,316.66	\$ 723,410.75
General Fund Operating Expenditures		
Pre-Authorized	\$143,272.73	
Accounts Payable	38,537.16	
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	\$ 181,809.89	
General Fund Payroll Expenditures	\$ 561,968.18	
Other Funds Operating Expenditures		
Pre-authorized	\$1,089,045.56	
Accounts Payable	34,461.21	
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	\$ 1,123,506.77	
Other Funds Payroll Expenditures	\$ 161,442.57	
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Total Recorded for the Month	\$ 2,028,727.41	

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

CITIZENS' COMMENTS

Tonya Oldenburg stated that her son was hit by a car. The driver received a ticket for open intoxicants and then proceeded to go to Clancy's in Colon for a drink. She believes that he should have been arrested for open intoxicants.

Chairman Baker stated that this issue is not something that is in the control of the Board of Commissioners and referred her to the Prosecutor and the Sheriff.

Christy Kostionos, 13074 S. Palmer Road, Battle Creek is an aunt of the child that was hit by the car and she also has concerns.

ADJOURNMENT

It was moved by Commissioner Shafer and supported by Commissioner Bordner that the St. Joseph County Board of Commissioners adjourn until September 18, 2007 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Chairman