

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 6, 2005, at 5:00 p.m.

Chairman Monte Bordner 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:

Gerald E. Loudenslager	John W. Bippus
Robin Baker	Monte Bordner
David J. Pueschel	

Absent: Eric Shafer 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 Baker and supported by Commissioner Loudenslager that the agenda be approved. Motion carried.

MINUTES APPROVED

Chairman Bordner stated that on Page 135 of the August 17, 2005 minutes the last paragraph needs to be corrected.

As printed:

“Chairman Bordner also stated that he picked up some materials and statistics regarding grant opportunities to share with the Administrator. He believes that there may be some dollars available for drain projects in the Michigan Trust Fund.”

As corrected:

“Chairman Bordner also stated that he picked up some materials and statistics regarding grant opportunities to share with the Administrator. He believes that there may be some dollars available for park projects in the Michigan Trust Fund.”

He also stated that on page 136 in the first paragraph under MISCELLANEOUS should be corrected.

As printed:

“Commissioner Bordner stated that, on behalf of the Solid Waste Management Planning Committee, he attended a Colon Village Council Meeting to discuss curbside recycling.”

As corrected:

“Commissioner Dobberteen stated that, on behalf of the Solid Waste Management Planning Committee, he attended a Colon Village Council Meeting to discuss curbside recycling.”

It was moved by Commissioner Pueschel and supported by Commissioner Baker that the minutes for August 17, 2005 be approved as corrected. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, August 26 and September 2, 2005.
2. Letter from Mendon United Methodist Church Pastor Ward Pierce, Re: Invitation to September 11th remembrance.
3. Letter from the City of Sturgis, Re: Notice of public hearing on August 24, 2005 to consider an Industrial Facilities Exemption Certificate to Luttmann Precision Mold.
4. Letter from the Township of White Pigeon, Re: Notice of public hearing on September 6, 2005 to consider an Industrial Facilities Exemption Certificate to White Pigeon Paper Company.
5. Minutes of Community Mental Health Services Board meeting of July 26, 2005.
6. Minutes of Department of Human Services Board meeting of July 26, 2005.
7. Minutes of St. Joseph River Basin Commission meeting of June 7, 2005.

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

LAPTOPS IN PATROL CARS/E-CITATION PROJECT

Andy Goldberger, Central Dispatch Director, presented the bids for the laptops in patrol cars/e-citation project. He had samples of the equipment and all the documents.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the Laptop/E-Citation project be approved at a cost of \$551,198 with approval of \$366,164 from the Central Dispatch Fund balances (funds 211 and 212) for Phase One of this project.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

Mr. Goldberger thanked the following people for the assistance throughout this process:

Jeremy Bracey of Centennial Wireless of Fort Wayne, Indiana
David Downs of OEM Micro Solutions of Novi, Michigan
Susan Allen of Mivitti/Capstone of Ovid, Michigan
City of Kentwood for allowing several people from here to see just what the project was all about.
Committee of Undersheriff Dennis Allen and Carol Frohriep
Pattie Bender who opened the bids
Entire Central Dispatch staff
Dan Wing for assistance in hardware needs and hopefully ongoing assistance as they work through
the data transfer issues
Judy West-Wing
Interns Kyle Murk and Josh Minger
Deputy Director Gary LeTourneau
Commissioners for understanding and support

JUVENILE DIVISION'S ANNUAL REPORT FOR 2004

Scott Ryder, Juvenile Division Administrator/Referee, gave an overview of the 2004 Annual Report for the Juvenile Division. He stated that it was a year of transition. Long time director, Dennis DeVore retired and there were other significant staff changes.

Mr. Ryder stated that the delinquent cases are handled with compassion and due process. The referrals were down significantly in 2004. In 1994 there were 1,100; in 2004 there were 692 and there are 630 projected for this year.

He stated that there are caseworkers in the community which is a deterrent to juvenile delinquency and there are many programs in place to assist those that get in trouble.

Neglect and abuse cases on the other hand are on the rise because of the methamphetamine emergency. There were 57 new neglect and abuse cases through August 2005, 26 of those were drug cases and 24 of those 26 were for meth. There is a high addiction rate with meth users and there is less motivation by parents on meth to take care of the kids.

The environment including housing and clothing is contaminated and the children need to be removed from the home. Many family members use and make meth together so the kids are placed in foster homes, some never to return.

Mr. Ryder stated that they have requested a software system for juvenile cases be purchased in the 2006 budget. He stated that the Supreme Court is placing greater reporting requirements on them.

Chairman Bordner stated that he heard that there may be federal dollars coming for the meth problem.

Mr. Ryder and Judge Shumaker were unaware of this.

Judge Shumaker further stated that the position previously held by Mitchell Walker should be filled soon.

He also mentioned that the Juvenile Day Treatment System has been very effective.

In regards to the juvenile caseload being down he stated that those that they do have are difficult ones.

There is a meth task force that has been formed to attempt to address the meth problem in St. Joseph County. They are focusing on treatment, public awareness, long term effects and consequences.

Judge Shumaker stated that the office that handles the PPOs before filing is doing an outstanding job.

Commissioner Pueschel stated that he understood that there was a shortage of foster homes.

The response was that there are 140 kids in foster care and the Department of Human Services does a good job finding homes. Four out of five kids are placed with a relative.

Commissioner Loudenslager stated that Lori Milliman, Director of the Day Treatment Center, is doing a great job and he also commended Mr. Ryder for filling the huge shoes of Dennis DeVore.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Juvenile Division's Annual Report for 2004 be accepted. Motion carried.

AMENDMENT TO ECONOMIC DEVELOPMENT CORPORATION'S BY-LAWS

Ms. West-Wing stated that the EDC would like to add Section 9 to Article XI regarding donations.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the EDC By-laws be amended.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

ADDENDUM TO EMPLOYMENT AGREEMENT WITH CATHY ANNIS (EDC PROJECT MANAGER)

Ms. West-Wing stated that the EDC is requesting that the salary of Cathy Annis, Project Manager, be increased from \$33,000 to \$35,000.

It was moved by Commissioner Baker and supported by Commissioner Bippus that the Addendum to Employment Agreement with Cathy Annis be approved increasing her salary from \$33,000 to \$35,000.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

AMENDMENT TO COOPERATIVE REIMBURSEMENT CONTRACT (CHILD SUPPORT DIVISION)

Ms. West-Wing stated that the State is requesting that our Cooperative Reimbursement Contract (Child Support Division) with them be increased by \$10,709.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Amendment to the Cooperative Reimbursement Contract (Child Support Division) be approved increasing the contract by \$10,709.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

GRANT AGREEMENT FOR VICTIM RIGHTS FUNDING (RENEWAL)

Ms. West-Wing presented the renewal of the Grant Agreement for Victim Rights Funding. The agreement runs from October 1, 2005 to September 30, 2006 and is for \$52,700. This pays for wages and benefits of a full time employee plus wages for a part time employee and some office expenses.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the renewal of the Grant Agreement for Victim Rights Funding be approved.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

EMERGENCY MANAGEMENT GRANT (RENEWAL)

Ms. West-Wing presented the renewal of the Emergency Management Grant. This is a federal grant for \$70,474 which is about 47% to 48% of the cost of the wages and benefits for Jim Barnes.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the renewal of the Emergency Management Grant be approved.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

SECONDARY ROAD PATROL GRANT APPLICATION (RENEWAL)

Ms. West-Wing presented a renewal of the Secondary Road Patrol Grant Application. It runs from October 1, 2005 through September 30, 2006 and is for \$102,000. Currently we are receiving \$111,000. This reimburses wages and benefits for 2 deputies and some office expenses. The actual cost is \$159,000.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the renewal of the Secondary Road Patrol Grant Application be approved.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

JUVENILE DAY TREATMENT LEASE

Ms. West-Wing stated that the Intermediate School District is no longer going to be the lease holder for the Day Treatment Center. Centreville Schools is now administering the main educational part of the program with the ISD providing the special education component.

The lease is for 3 years with the cost being \$20,412 the first year with 3% added in each of the succeeding years. The County pays the utilities and we clean, maintain and repair the mechanical systems of the area. We have to maintain insurance to cover the contents but not the building.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the lease between the County and County Seat Properties, LLC be approved for 3 years.

Commissioner Loudenslager asked how this rent compared to the rent that we charge tenants. Ms. West-Wing stated that she had not figured that out but could.

Commissioner Bippus suggested that when the old Keystone Place is torn down the County should consider constructing a building for the Juvenile Day Treatment Center (as this is a program that we want around a long time) and put the windows in the building facing the jail. He believes this to be a better deal than renting.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

RESOURCE RECOVERY POSITION

Ms. West-Wing stated that there has been a lot of discussion regarding the Resource Recovery Position and whether or not that the funds used for this position could better be used elsewhere to improve the effectiveness and efficiencies of the program. Curbside recycling has also been discussed.

The position is funded until December 31, 2005 and if the Board does not wish to fund it again next year then 120 days notice must be given to Michigan State University Extension with whom we have a Memorandum of Agreement for this position.

It was moved by Commissioner Bippus and supported by Commissioner Baker that the County give notice to MSUE that the Resource Recovery Position will be terminated December 31, 2005.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

CONSERVATION DISTRICT'S REQUEST FOR ADDITIONAL FUNDING

Ms. West-Wing stated that a request had been received from the Conservation District for \$5,000 to help with their shortfall through this fiscal year which ends September 30th. They are working on a net loss reversal plan for the ensuing year and this would be a one time additional appropriation.

It was moved by Commissioner Bippus and supported by Commissioner Baker that the Conservation District's request for \$5,000 be approved.

The aye and nay vote was cast as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Bippus, Baker, Bordner and Pueschel.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

RESOLUTION NO. 17-2005

SUPPORT FOR CONTINUED OPERATION OF MICHIGAN YOUTH CORRECTIONS FACILITY

Commissioner Loudenslager read the following resolution:

WHEREAS, the St. Joseph County Board of Commissioners wishes to communicate to the State of Michigan its opposition to the closing of the Michigan Youth Correctional Facility in Lake County; and

WHEREAS, the St. Joseph County Board of Commissioners understands the tremendous financial burden that would be placed on Lake County, its residents and the surrounding counties with the closure of the facility; and

WHEREAS, the St. Joseph County Board of Commissioners recognizes the challenges facing the State of Michigan as ones that must be addressed in a timely manner that benefits the entire State.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners strongly supports the continued operation of the Michigan Youth Corrections Facility in Lake County.

BE IT FURTHER RESOLVED, that copies of this resolution be mailed to Governor Jennifer Granholm, Senator Cameron Brown, State Representative Rick Shaffer, Michigan Department of Corrections Director Patricia Caruso and the Clerks of Lake and Newaygo Counties.

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the resolution be adopted and 2nd reading waived.

Judge Shumaker stated that he has some friends that are Judges in the Lake County area and that this facility is poorly run and it is a waste of money and he would recommend that the Board not pass this resolution.

The aye and nay vote was cast as follows:

Aye votes cast: 3 - Commissioners Loudenslager, Bippus and Baker.

Nay votes cast: 2 - Commissioners Bordner and Pueschel.

Absent: 2 - Commissioners Shafer and Dobberteen.

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Baker stated that the next meeting is October 12th.

Physical Resources

Commissioner Pueschel stated that there was no report.

EXECUTIVE COMMITTEE

Commissioner Baker stated that the Executive Committee met on September 2, 2005 and most items have been discussed today, others are:

- Recommendation of the Classification and Compensation Committee.
- Update on Rawson Dam Project.
- Adams Excavating had the low bid for the Keystone demolition.
- Public Defender Contract to remain the same.
- Discussion on Address Ordinance Amendment.
- Additional funding needed for Veterans' Services as medical leave is extended.

Commissioner Bippus noticed in the Executive Committee minutes regarding the critical financial condition that the Transportation Authority is in and that the Human Services Commission is looking for remedies. He reminded the Board that when they created this Authority that a condition of the Board was that they are not to come back to the Board of Commissioners for funding. They are supposed to be self-sufficient.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Tammy Miller, Victim Services Clerk, has been hired as Court Liaison Secretary – Prosecutor's Office at \$11.79/hr. (Soltysiak system, grade 5, minimum) effective August 23, 2005.

Rose Risko to work ten extra hours per week for another four weeks to cover Veterans Services while Diana Fair is on medical leave. Mrs. Risko will be paid at her current rate of pay.

Approve the change to the job description for the position of Casework Supervisor/Referee. The pay grade remains unchanged at a grade 10 (Rye system).

Approve the change to the job description for the position of Juvenile Division Administrator/Referee (replacing previous Juvenile Division Director/Referee.) The pay grade remains unchanged at a grade 12 but increased points to 1730 (Rye system).

Carmella Jones, Corrections Officer, is on medical leave commencing August 15, 2005 under the Family and Medical Leave Act of 1993.

NEW HIRE:

Nancy Franovich has been hired as Victim Services Clerk at \$9.05/hr. (Soltysiak system, grade 1, minimum) effective August 30, 2005.

SEASONAL/TEMPORARY EMPLOYMENT:

Cindy L. Flowers to work temporary, full-time in the Prosecutor's Office (to replace Joni Kelley during her medical leave) at \$8.00/hr. effective August 29, 2005.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

DECREASE REGISTER OF DEEDS' BUDGET:

Line item 101-236-732.000 (Microfiche Expense) \$ 150.00

INCREASE:

Line item 101-236-978.000 (Furniture & Fixtures) \$ 150.00

DECREASE ANIMAL CONTROL'S BUDGET:

Line item 101-430-745.000 (Uniforms) \$ 600.00

INCREASE:

Line item 101-430-707.000 (Wages – Part time) \$ 600.00

INCREASE EXPENDITURES SECONDARY ROAD PATROL FUND 267:

Line item 267-333-716.000 (Salary – Health Insurance) \$ 12,600.00

Line item 267-333-716.010 (Dental Insurance) 700.00

Line item 267-333-716.020 (S & A Insurance) 300.00

Line item 267-333-725.010 (Accumulated Vacation) 2,500.00

\$ 16,100.00

DECREASE REVENUES:

Line item 267-333-676.000 (Operating Transfer In) \$ 7,775.00

INCREASE REVENUES:

Line item 267-333-676.000 (Budgeted Use of Fund Balance) \$ 23,875.00

DECREASE GENERAL FUND CONTINGENCY:

Line item 101-890-941.000 (Contingency) \$ 5,000.00

INCREASE SOIL CONSERVATION APPROPRIATION:

Line item 101-001-969.070 (Soil Conservation Appropriation) \$ 5,000.00

FROM APPROPRIATION:

\$5,000.00 from Soil Conservation Appropriation to Soil Conservation Fund.

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

BILLS

Mr. Carey presented the following bills for payment:

GENERAL FUNDEXPENDITURESPAYROLL

Employee Receivables	\$ 569.95	\$
Prepaid Insurance	18,045.00	
Appropriations	31,042.91	
County Commission	385.64	6,599.85
Circuit Court	3,497.00	17,827.08
District Court	830.31	66,000.97
Friend of the Court	3,457.31	35,460.23
Jury Commission	94.44	37.68
Probate Court	973.75	18,785.18
Juvenile Branch	4,080.00	37,723.84
Appeals Court	611.11	1,814.34
Administration		9,717.51
Elections	3,166.15	
Finance Department	1,517.77	11,703.26
County Clerk	80.00	22,528.44
Equalization Department	559.22	10,950.55
Human Resources	265.00	6,777.00
Geographic Information Systems		6,937.38
Prosecutor's Office	1,795.20	45,329.07
Central Services	12,353.48	5,460.30
Register of Deeds	276.24	12,225.60
County Treasurer		13,277.55
Cooperative Extension	194.08	8,239.88
Information Technology	879.14	10,881.20
Buildings & Grounds	2,505.61	14,667.02
Courts Building Security	18.80	4,972.39
Drain Commission		5,100.72
Sheriff Department	9,948.55	78,446.74
Sheriff Reserves	592.50	
Marine Patrol	1,167.31	3,529.84
Jail & Turnkey	16,778.58	96,291.28
Emergency Services	314.73	4,751.18
Animal Control	828.53	8,950.37
Board of Public Works		561.48
Medical Examiners	3,275.00	
Child Care - Probate	4,661.26	739.64
Veterans' Services		270.22
Utilities & General Services	25,409.25	
Total	<u>\$150,173.82</u>	<u>\$566,557.79</u>

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission	\$ 1,209,867.59	\$
Parks & Recreation	3,092.35	9,275.30
Emergency 911 Service	7,531.37	49,718.15
Central Dispatch - Wireless		4,132.83
Meyer Broadway/Coon Hollow Park	1,511.04	3,852.42
Friend of the Court		1,425.40
Family Counseling	170.00	
Cade Lake County Park	1,917.75	3,488.43

OTHER FUNDSEXPENDITURESPAYROLL

Waste Management Fund		\$		\$
County Commission			6,468.38	
Resource Recovery Program			15.96	1,351.12
Traffic Safety Program Fund			3,367.94	
Economic Development Fund			20,839.47	8,163.14
Survey & Remonumentation			250.00	
Register of Deeds Automation Fund			50.00	981.52
Victims' Rights Advocate Fund				2,948.45
Community Corrections Advisory Board			8,758.34	2,821.98
Community Corrections Program			3,596.95	656.67
Drug Law Enforcement Fund			3,902.70	
Law Enforcement Fund			70.48	20,493.05
Secondary Road Patrol				9,279.93
Homeland Security Grant Fund			3,440.00	
Law Library			1,822.95	
Principal Residence Denial Fund				868.29
Commission on Aging			43,257.59	44,656.75
Department of Human Services			58,617.69	
Child Care - Probate Court			21,270.08	2,966.69
Child Care - Department of Human Services			35,352.02	
Veterans' Trust Fund			3,244.39	
Facilities Maintenance Fund			504.95	
BPW #16 Lockport Township Water Supply System				
Construction			6,049.61	
Forfeiture and Foreclosure Fund			17,395.00	
Tax Payment Fund			22,194.52	
Inmate Store			275.67	
Three Rivers Community Center			1,983.83	539.60
Long Lake Level Revolving Fund			20.69	
Flexible Benefits Insurance Fund			137,977.66	
Total			<u>\$1,624,816.97</u>	<u>\$167,619.72</u>
Grand Total			\$1,774,990.79	\$734,177.51
General Fund Operating Expenditures				
Pre-Authorized	\$89,782.03			
Accounts Payable	<u>60,391.79</u>			
		\$	150,173.82	
General Fund Payroll Expenditures		\$	566,557.79	
Other Funds Operating Expenditures				
Pre-authorized	\$1,601,392.50			
Accounts Payable	<u>23,424.47</u>			
		\$	1,624,816.97	
Other Funds Payroll Expenditures		\$	<u>167,619.72</u>	
Total Recorded for the Month		\$	2,509,168.30	

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

CHAIRMAN'S REPORT

Chairman Bordner mentioned the recent devastation of Hurricane Katrina and encouraged everyone to help in any way that they can.

He also reminded everyone of the fair beginning on September 18th and encouraged all to come out and support the kids in the 4-H program.

MISCELLANEOUS

Commissioner Bippus asked the Board to keep in mind the idea of building a building for the Juvenile Day Treatment Center.

Commissioner Pueschel agreed that it was a good idea.

Commissioner Loudenslager apologized that he was not at the last meeting and commented that the MAC Conference was good. He drew everyone's attention to the invitation from Pastor Pierce to their 9-1-1 Service.

Commissioner Baker asked if Jim Barnes was called to assist with Hurricane Katrina. Andy Goldberger responded by saying not to his knowledge.

ADJOURNMENT

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until September 20, 2005 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Monte Bordner, Chairman