

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 October 3, 2006, at 5:00 p.m.

Chairman 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:

Eric Shafer	Gerald E. Loudenslager
Michael D. Dunlap	Robin Baker
Monte Bordner	David J. Pueschel
John L. 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 Loudenslager that the agenda be approved. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Dunlap that the minutes for September 19, 2006 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, September 22 and 29, 2006.
2. Letter from Judges Middleton, Shumaker, Stutesman and Welty, Re: Thank you for authorizing construction of the Referee Hearing Room in the lower level.
3. Resolution from Saginaw County, Re: In support of Diversity and Affirmative Action Programs; in opposition to November ballot proposal 2006-2 – Michigan Civil Rights Initiative.
4. Resolution from Benzie County, Re: In support of modernizing the appointment schedule of the Michigan State Mental Health Code of 1974 (PA 258) relating to county commissioners serving on Community Mental Health boards.
5. Resolution from Calhoun County, Re: Legislation regarding mortgage fraud.
6. Resolution from Hillsdale County, Re: Opposition to HB 6391 (Amendment to the General Property Tax Act.)
7. Minutes of the Commission on Aging Board meeting of August 16, 2006.
8. Minutes of the Community Mental Health Services Board meeting of August 29, 2006.
9. Minutes of the Department of Human Services Board meeting of August 22, 2006.

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

MINNEWAUKAN LAKE

Ms. West-Wing stated that a petition had been filed by some residents of Minnewaukan Lake and a resolution was presented at the last meeting. The Commissioners had several questions of the Drain Commissioner that have since been answered.

Mike Kuhbender, 67930 Days Landing, Sturgis who is a resident on Minnewaukan Lake stated that several residents had a meeting last Saturday and they have a check for \$10,000 to hire an engineer to conduct a study to establish a lake level.

The following resolution was presented:

RESOLUTION NO. 23-2006
MINNEWAUKAN LAKE

WHEREAS, the St. Joseph County Board of Commissioners is in receipt of a petition signed by 2/3 of the owners of lands abutting Minnewaukan Lake, as required by the Natural Resources and Environmental Protection Act in Part 307 (Inland Lake Levels), MCL 324.30701 *et seq.* The petition requests that a normal lake level for Minnewaukan Lake be determined and established; and

WHEREAS, the seasonable variations of inflow and evaporation or other losses, combined with a lack of suitable control over outflow, causes the water level of Minnewaukan Lake to vary to a degree which is harmful to the property owners' interests; and

WHEREAS, MCL 324.30703 provides that the County Board of Commissioners may require that a preliminary study be conducted by a licensed professional engineer; and

WHEREAS, MCL 324.30703 further provides that the County Board of Commissioners may require a cash payment from the petitioners pursuant to cover the actual preliminary study costs or of \$10,000.00, whichever is less; and

WHEREAS, MCL 324.30711 provides that the County Board of Commissioners may determine that a whole or part of the cost of a project to establish and maintain a normal level for an inland lake shall be defrayed by special assessment by those benefited, including privately owned parcels of land, political subdivisions of the State, and State owned lands under the jurisdiction and control of the Department of Natural Resources.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Drain Commissioner shall serve as the delegated authority under the provisions of Part 307 of the Natural Resources Environmental Protection Act, and shall cause a preliminary study to be conducted by a licensed professional engineer. After the preliminary study is completed, a copy shall be forwarded to the St. Joseph County Board of Commissioners, and the Board will determine whether to resolve to initiate an action in St. Joseph County Circuit Court to have determined and established the normal level(s) of Minnewaukan Lake pursuant to MCL 324.30704.

BE IT FURTHER RESOLVED, that before the preliminary study is conducted, the St. Joseph County Drain Commissioner will require a cash payment from the petitioners to cover the actual preliminary study costs or \$10,000.00, whichever is less.

It was moved by Commissioner Pueschel and supported by Commissioner Dobberteen 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, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Resolution adopted.

COMMUNITY CORRECTIONS GRANT RENEWAL AGREEMENT

Ms. West-Wing presented the Community Corrections Grant Renewal Agreement for approval. The grant is for \$346,750. \$104,100 of the funds will be used for the administration of the grant and the remaining will be used for the programs themselves.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Community Corrections Grant Renewal 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.

DATE FOR COUNTY AUCTION OF SURPLUS PROPERTY

It was moved by Commissioner Dobberteen and supported by Commissioner Dunlap that the date for the County Auction of Surplus Property be set for October 10th at 5:00 p.m. at the Sheriff's Department. Motion carried.

REQUEST TO FILL VACANT CHILD SUPPORT INVESTIGATOR POSITION

It was moved by Commissioner Dobberteen and supported by Commissioner Pueschel that the request to fill the vacant Child Support Investigator position be approved. Motion carried.

REQUEST TO FILL VACANT FAMILY DIVISION CASEWORKER POSITION

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the request to fill the vacant Family Division Caseworker position be approved. Motion carried.

COMMITTEE REPORTS

Law Enforcement

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

Judiciary

Commissioner Baker stated that the Judiciary Committee will meet on October 11, 2006.

Physical Resources

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

Executive Committee

Commissioner Baker stated that the Executive Committee met on September 28th and discussed the following

- * curbside recycling in Three Rivers.
- * a request from the Commission on Aging for a loan until their millage funds are received early next year.

The rest of the items have been addressed tonight. Everyone has a copy of the minutes of the meeting.

MAC Super Committee

Chairman Bordner stated that he and Commissioner Baker attended a MAC Super Committee meeting in Lansing on September 29th and discussed the following items:

- * the Single Business Tax. MAC is asking for information from Counties and will then suggest a policy.
- * the J.I.S. fee structure.
- * federal cuts on the federal child support enforcement dollars. This County is scheduled to take a \$74,000 hit.
- * Solid Waste policies and tracking.

Chairman Bordner stated that it was good to exchange ideas with other Commissioners throughout the State.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RESIGNATION:

John Carpenter, Child Support Investigator, has resigned effective October 2, 2006.

MISCELLANEOUS:

Jacquilyn Wells, Parks and Recreation Secretary, to work an additional eight hours per week for eleven weeks to assist with the Parks and Recreation Master Plan.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE PROBATE COURT'S BUDGET:

Line item 101-148-802.020 (Court Appointed Attorney) \$ 855.00

INCREASE PROBATE COURT'S BUDGET

Line item 101-148-708.000 (Wages Per Diem) \$ 855.00

DECREASE REGISTER OF DEEDS' BUDGET:

Line item 101-236-712.000 (Wages – Overtime) \$ 500.00

INCREASE REGISTER OF DEEDS' BUDGET:

Line item 101-236-707.000 (Wages – Part time) \$ 500.00

INCREASE REVENUES – LAW ENFORCEMENT FUND 266:

Line item 266-301-580.000 (Village of Centreville Reimbursement) \$ 2,620.00

Line item 266-301-672.010 (Risk Management Reimbursement) 2,500.00

INCREASE EXPENDITURES – LAW ENFORCEMENT FUND 266:

Line item 266-301-977.000 (Equipment General) \$ 5,120.00

DECREASE EQUALIZATION'S BUDGET:

Line item 101-225-706.100 (Wages – Assistants) \$ 1,850.00

Line item 101-225-706.140 (Wages – Supervisor) 14,500.00

Line item 101-225-716.000 (Health Insurance) 22,000.00

Line item 101-225-716.010 (Dental Insurance) 650.00

\$39,000.00

INCREASE EQUALIZATION'S BUDGET:

Line item 101-225-705.010 (Wages – Department Head) \$10,000.00

Line item 101-225-721.010 (Opt Out Waiver) 4,000.00

Line item 101-225-816.000 (Contractual Services) 25,000.00

\$39,000.00

DECREASE SHERIFF'S BUDGET:

Line item 101-301-706.130 (Wages – Deputies) \$20,000.00

INCREASE SHERIFF'S BUDGET:

Line item 101-301-746.000 (Gasoline and Oil) \$20,000.00

TRANSFER:

Transfer \$20,000.00 from Probate Child Care Fund line item 292-662-844.040 to Department of Human Services Child Care Fund line item 293-663-400.000.

FROM GENERAL FUND CONTINGENCY:

\$20,000.00 to Department of Human Services Child Care Appropriation line item 101-001-965.120.

FROM APPROPRIATION:

\$20,000.00 from Department of Human Services (DHS) Child Care Appropriation to DHS Child Care Fund.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the budget adjustments be approved.

Judge Shumaker explained that the transfer from Contingency to the DHS Child Care Appropriation is not unusual for this time of year. They may also have to transfer some funds from the Probate Court Child Care Fund to this fund as well to get them through December 31st.

Motion carried.

BILLS

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Prepaid Insurance	\$ 162,008.00	\$
County Commission	796.76	3,478.02
Circuit Court	506.15	13,196.84
District Court	9,843.95	60,295.17
Friend of the Court	3,043.53	35,097.96
Jury Commission	158.82	
Probate Court	3,269.25	18,201.13
Juvenile Branch	9,849.74	43,436.26
Administration		9,636.36
Elections	15,456.85	
Finance Department		11,650.79
County Clerk	1,220.00	22,893.96
Equalization Department	36,500.00	15,160.50
Human Resources	677.95	6,937.46
Geographic Information Systems		6,347.88
Prosecutor's Office	2,829.15	41,814.20
Central Services	4,102.97	5,490.03
Register of Deeds	266.00	12,732.87
County Treasurer	394.90	14,151.48
Cooperative Extension	147.04	9,996.93
Information Technology	513.38	11,101.70
Buildings & Grounds	12,471.65	15,161.45
Courts Building Security		5,318.56
Drain Commission		5,371.01
Sheriff Department	7,599.30	90,950.76
Sheriff Reserves	35.00	
Marine Patrol	1,000.00	1,900.34
Jail & Turnkey	7,772.65	100,418.96
Emergency Services	218.81	5,272.14
Animal Control	779.88	8,804.77
Board of Public Works		636.87
Medical Examiners	2,050.00	
Child Care - Probate	3,909.21	

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Department of Veterans' Affairs	\$ 300.00	\$
Veterans' Services		468.00
Utilities & General Services	21,919.70	
Total	\$309,640.64	\$575,922.40
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 503,991.10	\$
Parks & Recreation	446.37	9,444.43
Emergency 911 Service	5,978.48	54,643.09
Central Dispatch - Wireless	369.96	3,761.48
Meyer Broadway/Coon Hollow Park	265.99	2,597.57
Friend of the Court		1,481.41
Family Counseling	113.75	
Cade Lake Park	2,299.16	3,652.45
Waste Management Fund		
County Commission	19,388.65	
Resource Recovery Program		518.61
Traffic Safety Program Fund	22.10	
Economic Development Fund	171.00	4,180.92
Survey & Remonumentation	10,247.78	
Register of Deeds Automation Fund		902.94
Victims' Rights Advocate Fund		3,224.48
Community Corrections Advisory Board	9,018.30	2,938.81
Community Corrections Program	2,771.00	67.81
Drug Law Enforcement Fund	1,260.18	
Law Enforcement Fund	2,871.71	19,101.44
Secondary Road Patrol		9,118.32
Homeland Security Grant Fund	1,720.00	
Principal Residence Denial Fund		733.76
Commission on Aging	40,723.37	47,078.91
Community Development Block Grant	329.90	
Department of Human Services	66,751.68	
Child Care - Probate Court	27,506.78	3,810.27
Child Care - Department of Human Services	18,210.07	
Veterans Trust Fund	88.00	
Facilities Maintenance Fund	179.23	
Tax Payment Fund	3,490.75	
Inmate Store	63.28	
Three Rivers Community Center	1,327.63	955.26
Long Lake Level Revolving Fund	230.32	
Flexible Benefits Insurance Fund	148,665.97	
Total	\$ 868,502.51	\$ 168,211.96
Grand Total	\$ 1,178,143.15	\$ 744,134.36

General Fund Operating Expenditures			
Pre-Authorized	\$280,269.36		
Accounts Payable	<u>29,371.28</u>		
		\$	309,640.64
General Fund Payroll Expenditures		\$	575,922.40
Other Funds Operating Expenditures			
Pre-authorized	\$838,448.32		
Accounts Payable	<u>30,054.19</u>		
		\$	868,502.51
Other Funds Payroll Expenditures		\$	<u>168,211.96</u>
Total Recorded for the Month		\$	1,922,277.51

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

CHAIRMAN'S REPORT

Chairman Bordner thanked the 3 courageous Commissioners for volunteering the 4-H livestock auction at the fair.

He also said that they do a good job at the fair. Already 3 days after the fair there was a trailer rally on the grounds.

MINNEWAUKAN LAKE

In response from a question by the folks from Minnewaukan Lake, Ms. West-Wing suggested that they call the Drain Commissioner's Office and set up an appointment with him, give him the \$10,000 check and discuss with him the mechanics and details on what happens next which would be to select an engineer for the project.

MISCELLANEOUS

Commissioner Shafer stated that he had fun at the fair. He also mentioned that he appreciated receiving a letter from the Judges thanking the Board for the renovation of the referee room in the lower level of the Courts Building.

Commissioner Pueschel stated that he is glad to see the curbside recycling moving along.

Commissioner Loudenslager stated that the fair and the auction are fun. He is amazed at the number of animals that the 4-H members have.

He is also pleased to see requests from both cities for curbside recycling.

Commissioner Dunlap stated that there are 23,000 more jobs that have been lost in Michigan and he would like the Board to send a resolution to the federal government regarding trade agreements as we are not on a level playing field with other countries that do business with the U.S.

WORK SESSION

Chairman Bordner reminded everyone of the work session scheduled for this Thursday, October 5th at 1:30 p.m. and also the Master Plan kickoff meeting to be held also on Thursday at 6:30 p.m. at the Intermediate School District Office.

The Solid Waste Management Planning Committee have changed their meeting date from October 5th to October 12th.

Chairman Bordner stated that he hopes that the proposals from both cities for curbside recycling are ready for action at the next Board of Commissioners' Meeting scheduled for October 24th instead of October 17th.

Chairman Bordner urges the Commissioners to contact their municipalities regarding curbside recycling.

ADJOURNMENT

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until October 24, 2006 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Monte Bordner, Chairman