

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 November 6, 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      |

Absent: 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 Dunlap and supported by Commissioner Bordner that the agenda be approved. Motion carried.

#### MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the minutes for October 16, 2007 be approved. Motion carried.

#### COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, October 19, October 26 and November 2, 2007.
2. Letter from Park Township, Re: Notice of public hearing on November 14 to consider an Industrial Facilities Tax Exemption to American Metal Fab, Inc.
3. Resolution from Antrim County, Re: Opposing House Bill 811 (elections).
4. Resolution from Bay County, Re: Support for legislative proposals that will address Michigan's budget crisis and fully fund crucial local and county programs.
5. Resolution from Bay County, Re: Calling for State Legislature to repeal the choice provisions of PA 141 of 2000 and endorse the 21<sup>st</sup> Century Energy Plan recommendation to adopt a new certification policy for major power plan investments.
6. Minutes of the Community Mental Health Services Board meeting of September 25, 2007.
7. Minutes of the Department of Human Services Board meeting of September 25, 2007.
8. Copy of letter from Tim Carls to Representative Shaffer, Re: Mottville Township restricting truck traffic on certain roads.

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

#### AMEND 2007 APPORTIONMENT REPORT

Ms. West-Wing stated that at the last meeting there was discussion regarding the inclusion in the Apportionment Report of .8023 mills to correct the 2007 levy plus .8023 mills to correct the 2006 levy for the Village of White Pigeon. The intent was to levy both of these in December 2007 on the parcels in the Village of White Pigeon.

Since that meeting she has received legal opinions and has met with several officials regarding whether or not a December levy is legal as this is not the normal time for a village millage to be levied.

It is the legal opinion that it is not lawful for the Village of White Pigeon to have a December tax levy to correct an error.

Everyone has received a copy of the corrected page of the Apportionment Report that removed .8023 from the allocated column changed this to 9.1461 and removed .8023 from the extra voted operating column and changed the dollars of ad valorem taxes levied in the Village of White Pigeon to \$255,425.90.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that the 2007 Apportionment Report be amended deleting the .8023 from the Allocated column and .8023 from the Extra Voted column from the Village of White Pigeon and changing the taxes to be levied to \$255,425.90.

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.

Amendment adopted.

#### SUPPORT FOR MSHDA GRANT APPLICATION

Kelli Tackett, Executive Director of the Keystone Place, requested support from the Board of Commissioners for a MSHDA Grant in the amount of \$116,600.00. The grant will be disbursed as follows: \$84,180 for Keystone Place, Inc.; \$20,000 for Domestic and Sexual Abuse Services (formerly DASC); \$7,000 for Community Healing Centers/HOPE House; \$5,420 for Keystone Place, Inc./Continuum of Care Coordination/Expenses.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the Board of Commissioners support the MSHDA Grant Application for the Keystone Place.

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.

Motion carried.

#### EMERGENCY MANAGEMENT MUTUAL AID AGREEMENT

Jimmie Barnes, Emergency Management Coordinator, requested that the Board approve an Emergency Management Mutual Aid Agreement for Region IV. Mr. Barnes stated that if there were a major event in this County, with the Agreement in place, we could ask for resources from any County in Region IV. And, vice versa we could share our resources with them should they have a major event.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Emergency Management Mutual Aid Agreement be approved.

Commissioner Dunlap stated that this was a good idea.

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.  
Motion carried.

PUBLIC HEARING ON 2008 BUDGET

Chairman Baker declared the public hearing on the 2008 budget opened.

Ms. West-Wing stated that during the work sessions the Board made a few changes since the tentative budget was issued and Commissioners were presented with a summary of those changed..

Tim Carls, 63044 Klinger Lake Road, Centreville asked what the interest income was in the 2008 budget.

Ms. West-Wing responded by saying that \$275,000 has been projected in interest income for 2008 further stating that through October of this year approximately \$373,000 has been earned.

Mr. Carls asked how much the County has in reserves.

Ms. West-Wing stated that she would get him that information.

There being no further comments the public hearing on the 2008 budget was closed.

SAFE COMMUNITIES GRANT

Ms. West-Wing stated that the Sheriff would like approval to accept a \$32,000 grant for the Sheriff's Department that he would coordinate with other police agencies. This used to be called the Highway Safety Grant and the name has been changed to Safe Communities Grant. The monies are used specifically for traffic violations, such as no seat-belt use and impaired driving.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Safe Communities Grant in the amount of \$32,000.00 be accepted.

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.  
Motion carried.

REQUEST TO FILL VACANT DISTRICT COURT POSITION

Ms. West-Wing stated that Timothy J. Reed, Attorney Magistrate in District Court is resigning effective January 8, 2008 and District Court is requesting that this position be filled with a Magistrate-Judicial Associate at Grade 7.

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that the a Magistrate-Judicial Associate position in District Court be filled. Motion carried.

SOIL EROSION AND SEDIMENTATION CONTROL  
RESOLUTION NO. 20-2007

Commissioner Shafer read the following resolution:

WHEREAS, Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 91), was passed by the state legislature, this law and all rules promulgated under this law are incorporated by reference in this resolution; and

WHEREAS, Part 91 requires that the County Board of Commissioners designate a county agency, or conservation district upon the concurrence of the conservation district, as the county enforcing agency responsible for administering and enforcing Part 91 and the rules promulgated under Part 91; and

WHEREAS, the St. Joseph County Board of Commissioners adopted Resolution No. 6-2001 on February 20, 2001 designating the Conservation District as the County enforcing agency for the Soil Erosion and Sedimentation Control; and

WHEREAS, the Department of Environmental Quality is requesting the County pass an updated resolution to reaffirm this designation.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners hereby designates the Conservation District as the County Enforcing Agency responsible for administering and enforcing Part 91 and the rules promulgated under Part 91.

It was moved by Commissioner Shafer and supported by Commissioner Pueschel 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

##### Commission on Aging

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that Louella Hamilton and Darlene Tate be nominated and appointed to the Commission on Aging for terms to expire June 30, 2009 and Charles Willer be nominated and appointed for a term to expire June 30, 2008. Motion carried.

#### COMMITTEE REPORTS

##### Law Enforcement

Commissioner Loudenslager stated that there was no report.

##### Judiciary

Commissioner Loudenslager stated that there was no report.

##### Physical Resources

Commissioner Shafer stated that they had not met and asked the Administrator to schedule a meeting.

##### Executive Committee

Commissioner Bordner stated that all items discussed at the Executive Committee meeting on October 31, 2007 had been discussed tonight with the exception of the CAA Progress Report. He will answer any questions that anyone may have.

#### PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRE:

Zachary K. Hagen has been hired as Central Dispatch CTE Intern at \$7.50/hr. effective October 31, 2007.

MISCELLANEOUS:

Cynthia Labencki, District Court Senior Probation Clerk, will be on medical leave commencing November 8, 2007 under the Family and Medical Leave Act of 1993.

Dru Carney, Road Patrol Officer, is on medical leave commencing October 11, 2007 under the Family and Medical Leave Act of 1993.

Jeannine Hire, Collection Clerk, is on medical leave commencing October 24, 2007 under the Family and Medical Leave Act of 1993.

RESIGNATION:

Timothy J. Reed, Attorney Magistrate, has resigned effective January 8, 2008.

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:

\$19,500.00 from Probate Child Care Appropriation to Probate Child Care Fund.

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 Employees                | \$ 170.50           | \$             |
| Due from State                    | 12,765.19           |                |
| Due from Transportation Authority | 75,000.00           |                |
| Appropriations                    | 45,568.00           |                |
| County Commission                 | 465.22              | 6,956.27       |
| Circuit Court                     | 732.45              | 13,165.32      |
| District Court                    | 1,678.54            | 60,409.34      |
| Friend of the Court               | 9,292.35            | 36,096.69      |
| Probate Court                     | 1,613.04            | 17,386.02      |
| Juvenile Branch                   | 12,357.00           | 40,098.62      |
| Appeals Court                     | 2,773.83            |                |
| Public Defender                   | 143.25              |                |
| Administration                    |                     | 10,094.52      |
| Elections                         | 14,435.84           |                |
| Finance Department                | 1,214.75            | 12,802.36      |
| County Clerk                      |                     | 21,735.33      |
| Equalization Department           | 36,797.03           | 15,009.86      |
| Human Resources                   | 1,112.40            | 6,789.70       |

| <u>GENERAL FUND</u>            | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
|--------------------------------|---------------------|----------------|
| Geographic Information Systems | \$                  | \$ 6,382.90    |
| Prosecutor's Office            | 10,553.10           | 37,951.54      |
| Central Services               | 6,418.01            | 5,301.27       |
| Register of Deeds              | 146.00              | 12,885.92      |
| County Treasurer               | 609.00              | 14,463.81      |
| Cooperative Extension          | 361.15              | 10,305.73      |
| Information Technology         | 4,924.17            | 11,352.96      |
| Buildings & Grounds            | 15,701.72           | 14,509.10      |
| Courts Building Security       |                     | 6,493.35       |
| Drain Commission               |                     | 5,322.28       |
| Sheriff Department             | 22,414.32           | 111,663.86     |
| Sheriff Reserves               | 899.50              | 562.47         |
| Jail & Turnkey                 | 15,736.39           | 99,831.71      |
| Planning Commission            | 2,514.91            |                |
| Emergency Services             | 87.02               | 6,809.96       |
| Animal Control                 | 515.35              | 9,166.47       |
| Board of Public Works          |                     | 638.05         |
| Medical Examiners              | 5,215.00            |                |
| Child Care - Probate           | 10,338.49           |                |
| Veterans' Services             | 550.82              | 1,214.17       |
| Utilities & General Services   | 21,902.61           |                |
| Total                          | \$ 335,006.95       | \$ 595,399.58  |

| <u>OTHER FUNDS</u>                   | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
|--------------------------------------|---------------------|----------------|
| County Road Commission               | \$ 900,356.91       | \$             |
| Parks & Recreation                   | 506.89              | 7,728.12       |
| Emergency 911 Service                | 4,545.04            | 51,920.35      |
| Central Dispatch - Wireless          | 16,327.00           | 3,773.08       |
| Meyer Broadway/Coon Hollow Park      | 2,554.48            | 2,147.03       |
| Friend of the Court                  | 315.00              | 463.08         |
| Family Counseling                    | 299.20              |                |
| Cade Lake Park                       | 1,270.16            | 3,513.41       |
| Waste Management Fund                |                     |                |
| County Commission                    | 12,150.46           |                |
| Traffic Safety Program Fund          | 324.53              |                |
| Economic Development Fund            | 4,318.68            | 7,702.10       |
| Survey & Remonumentation             | 14,441.31           |                |
| Animal Shelter Donation Fund         | 146.72              |                |
| Register of Deeds Automation Fund    | 40.00               |                |
| Victims' Rights Advocate Fund        |                     | 3,143.07       |
| Community Corrections Advisory Board | 4,521.63            | 2,847.76       |
| Community Corrections Program        | 3,944.00            | 72.11          |
| Drug Law Enforcement Fund            | 9,657.18            |                |
| Law Enforcement Fund                 | 66.11               | 16,034.73      |
| Secondary Road Patrol                |                     | 10,232.98      |
| Homeland Security Grant Fund         | 3,987.67            |                |
| Law Library Fund                     | 2,819.00            |                |
| Principal Residence Denial Fund      | 4,465.25            | 638.03         |
| Commission on Aging                  | 46,349.31           | 48,374.59      |
| Community Development Block Grant    | 25,144.50           |                |

| <u>OTHER FUNDS</u>                      | <u>EXPENDITURES</u> | <u>PAYROLL</u> |
|---|---------------------|----------------|
| Child Care - Probate Court              | \$ 26,993.65        | \$ 4,340.80    |
| Veterans' Trust Fund                    | 2,567.82            |                |
| Forfeiture & Foreclosure Fund           | 8,486.64            |                |
| Tax Payment Fund                        | 221,178.93          |                |
| Inmate Store                            | 378.01              |                |
| Three Rivers Community Center           | 997.86              | 944.60         |
| Information Technology Improvement Fund | 5,187.50            |                |
| Flexible Benefits Insurance Fund        | 148,360.33          |                |
|   | <hr/>               | <hr/>          |
| Total                                   | \$ 1,472,701.77     | \$ 163,875.84  |
| Grand Total                             | \$ 1,807,708.72     | \$ 759,275.42  |
| General Fund Operating Expenditures     |                     |                |
| Pre-Authorized                          | \$284,761.09        |                |
| Accounts Payable                        | 50,245.86           |                |
|   | <hr/>               |                |
|   | \$ 335,006.95       |                |
| General Fund Payroll Expenditures       | \$ 595,399.58       |                |
| Other Funds Operating Expenditures      |                     |                |
| Pre-authorized                          | \$1,427,283.70      |                |
| Accounts Payable                        | 45,418.07           |                |
|   | <hr/>               |                |
|   | \$ 1,472,701.77     |                |
| Other Funds Payroll Expenditures        | \$ 163,803.73       |                |
| Total Recorded for the Month            | \$ 2,566,912.03     |                |

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

#### CHAIRMAN'S REPORT

Chairman Baker reminded everyone of the Hope House Open House on November 13, 2007 from 5:30 p.m. to 7:00 p.m.

He also mentioned the MiWorks Board memo that everyone has received and directed them to their website for more information.

In addition, he stated that NACO made a good presentation on Healthy Communities and Obesity and directed the Commissioners to their website for more information.

#### MISCELLANEOUS

Commissioner Loudenslager drew everyone's attention to the invitation extended to all Commissioners to attend the Courthouse Girls' Christmas luncheon to be held on Tuesday, December 11th at noon.

Commissioner Bordner stated that last Friday he attended the MAC Super Committee Meeting which was very informative especially the piece concerning economic development. He said that we need to be in communication with our legislators especially Representative Shafer to get the 911 bills moving.

ADJOURNMENT

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that the St. Joseph County Board of Commissioners adjourn until November 20, 2007 at 5:00 p.m. Motion carried.

-----  
Pattie S. Bender, County Clerk

-----  
Robin Baker, Chairman