

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 December 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:

Gerald E. Loudenslager	Michael D. Dunlap
Robin Baker	David J. Pueschel

Absent: Eric Shafer, Monte Bordner and John L. Dobberteen.

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

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the minutes for November 18, 2008 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, November 21 and November 26, 2008.
2. Letter from the Michigan Association of Counties, Re: Thank you for resolution opposing House Bill 6070.
3. Investment Activity Quarterly Report from County Treasurer Phyllis Bainbridge in compliance with PA 213 of 2007.
4. Letter from the Michigan Public Service Commission, Re: Notice of hearing on December 9 for the Indiana Michigan Power Company to establish a power supply cost recovery factor for 2009.
5. Resolution from Lenawee County, Re: Opposition to the Michigan Commission on Law Enforcement Standards (MCOLES) 520 Hour Standard for Police Officers.
6. Minutes of the St. Joseph River Basin Commission meeting of September 9, 2008.

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

ECONOMIC DEVELOPMENT CORPORATION ANNUAL REPORT-NOVEMBER 2007-NOVEMBER 2008

Cathy Knapp, Executive Director of the EDC, presented the annual report giving an overview of accomplishments from November 2007 to November 2008. Mrs. Knapp introduced EDC Board President, David Allen and Board Members Maury Kaercher and Nancy Percival as well as Grant Writer, Marcia Saunders. Mrs. Knapp stated that the Grant Writer position is a shared cost position with the Cities of Sturgis and Three Rivers and St. Joseph County.

They made over 90 visits to industrial and agricultural businesses in the county in partnership with the Michigan EDC, Three Rivers Area Chamber of Commerce, Sturgis EDC and municipal leaders.

Existing county businesses invested about \$44 million in buildings and equipment during the year with the Monsanto project accounting for the majority of the investment.

The EDC assisted with the following incentives: 5 Industrial Facilities Tax Exemptions; Incumbent Worker Training Grants through Michigan Works for AmeriCraft Carton, Six Sigma Trainings, Banks Hardwoods for lumber inspection training and Vaupell for a variety of technical trainings and 12 Brownfield Assessment projects.

Expansion and reinvestment projects EDC assisted with were Silver Crown who broke ground on a 25,000 square foot building to house a new manufacturing line in White Pigeon; Kadant Johnson in Three Rivers invested in equipment and building improvements and retained 65 jobs; Waldron's Antique Exhaust purchased a building in Centreville.

The EDC continues to collaborate with Michigan Works and Glen Oaks Community College on projects and training grants. They are currently working in administering a National Emergency Grant through the Department of Labor and Economic Growth for the purposes of providing new skills to individuals downsized from the automotive industry.

The EDC Strategic Plan is completed and recommendations have been made by the consultants. During the first quarter in 2009 the EDC will put together a committee to prioritize a plan of attack on these recommendations.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the EDC Annual Report be accepted and placed on file. Motion carried.

#### MICHIGAN STATE UNIVERSITY EXTENSION ANNUAL REPORT FOR 2008

Maury Kaercher, Extension Director, gave an overview of MSUE Annual Report for 2008. He stated that it is good to have Cathy Knapp and Marcia Saunders in the same building so that they can collaborate on a variety of issues.

He stated that he believes that there is no better staff than he has at MSUE. They work as a total team in order to be successful. He introduced Diana Fair, Extension Educator, Family and Consumer Sciences and Family Nutrition Program; Lyndon Kelley, Extension Educator, Irrigation which is a shared position between Michigan State University and Purdue University; Bruce MacKellar, Extension Educator, Agriculture and Natural Resources; Brad Neumann, Extension Educator, Land Policy; Monica Robinson, Extension Educator, 4-H Youth Development; and Program Aides, Linda Towles, Deanna Mumby and Tonya Barrington. Linda Kline was unable to be present tonight.

Mr. Kaercher highlighted a couple of items in the report one of them being the corroborative efforts with the Drain Commissioner and a livestock producer which resulted in designing a fencing system and restricted accesses that would still provide locations for watering livestock and keep the livestock out of the county drain. This provides a template for other counties to follow.

Mr. Kaercher also mentioned other staff that is listed in the report that is available to them.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the MSUE Annual Report for 2008 be accepted and placed on file. Motion carried.

#### RENEWAL OF THE CONTRACT DEFENDER SYSTEM AGREEMENT

Ms. West-Wing stated that an agreement has been reached with the Contract Defender Group; all have signed the agreement as have the judges and the 3 year contract calls for a payment to the Group of \$460,000 per year for 2009, 2010 and 2011.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Renewal of the Contract Defender System Agreement for 3 years be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Shafer, Bordner and Dobberteen.

Motion carried.

#### LOCAL EMERGENCY PLANNING COMMITTEE GRANT AGREEMENT

Ms. West-Wing recommended approval of a Local Emergency Planning Committee Grant Agreement in the amount of \$2,395 for Hazardous Material Emergency Preparedness which will be used to identify sites where there may be hazardous material.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Local Emergency Planning Committee Grant Agreement be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Shafer, Bordner and Dobberteen.

Motion carried.

#### LETTER OF UNDERSTANDING WITH P.O.A.M.–COMMAND UNIT (12 HOUR SHIFT)

Ms. West-Wing stated that the new Sheriff's Administration that will take over in January 2009 recommended to the P.O.A.M.–Command Unit that they go to 12 hour shifts. They believe that this will save overtime hours and the union is in agreement with this change. If this does not work then it is the right of the employer to revert back to 8 hour shifts.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Letter of Understanding with P.O.A.M.–Command Unit be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Shafer, Bordner and Dobberteen.

Motion carried.

#### LETTER OF UNDERSTANDING WITH P.O.A.M.–ROAD UNIT (12 HOUR SHIFT)

Ms. West-Wing stated that the new Sheriff's Administration is also recommending that the Road Unit go to 12 hour shifts with the same right of the employer to go back to 8 hour shifts. Part time Road Officers will be used and they have to have the same requirements for employment as full time officers. They have to be certified officers and have the same training and the part time officers will receive no benefits.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the letter of Understanding with P.O.A.M.–Road Unit be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Shafer, Bordner and Dobberteen.

Motion carried.

AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH THE VILLAGE OF CENTREVILLE

Ms. West-Wing stated that the Village of Centreville desires to renew their contract with the Sheriff's Department for Law Enforcement Services. This is the 13th year of the contract and provides for 2–40 hour per week officers plus 6 hours per week of clerical work.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Agreement for Law Enforcement Services with the Village of Centreville be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Dunlap, Baker and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Shafer, Bordner and Dobberteen.

Motion carried.

REQUEST TO FILL TWO ROAD PATROL OFFICER POSITIONS

Ms. West-Wing stated that a letter has been received from the Sheriff-elect requesting that 2 soon to be vacant road patrol officer positions be filled. These vacancies will be the Sheriff-elect and the officer that will become Undersheriff.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the 2 Road Patrol Officer positions that will be vacated be filled after January 1, 2009. Motion carried.

REQUEST TO FILL ASSISTANT PROSECUTING ATTORNEY POSITION

Ms. West-Wing stated that a letter has been received from the Prosecuting Attorney-elect stating that he does not intend to re-appoint one of the current Assistant Prosecuting Attorneys and requested that that position be filled.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the Assistant Prosecuting Attorney position that will be vacated be filled after January 1, 2009. Motion carried.

COURTS BUILDING HVAC–CHANGE ORDER NO. 2

Ms. West-Wing stated that a change order is being recommended by the architect/engineer to move the boiler into the mechanical room. This was not included in the original bid. The amount for this change order is an additional \$2,784.00. In addition, they are recommending that the pumps be changed for a reduction in cost of \$760.00. The total amount of the change order no. 2 will be an additional cost of \$2,024.00.

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the Courts Building HVAC–Change Order No. 2 in the amount of \$2,024.00 be approved. Motion carried.

NOMINATIONS/APPOINTMENTS

Community Corrections Advisory Board

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that following persons be nominated and appointed to the Community Corrections Advisory Board for a 1 year term that will expire December 31, 2009:

Jeffrey C. Middleton, Chief District Court Judge  
Tony Callaway, Day Reporting Center  
Henry VanGemert, St. Joseph County District Court Probation  
Tom Koenig, Michigan Department of Corrections  
Paul Stutesman, Circuit Court Judge  
Thomas Shumaker, Circuit Court/Family Division Judge  
Gerald Loudenslager, St. Joseph County Board of Commissioners  
John McDonough, Prosecuting Attorney  
Mary Lynn Falbe, St. Joseph County Domestic Assault Shelter Coalition  
Howard Bush, Attorney at Law  
Eddie MacKay, Citizen at Large  
William D. Welty, District Court Judge

Motion carried.

Comprehensive Traffic Safety Commission

It was moved by Commissioner Pueschel and supported by Commissioner Loudenslager that the following persons be nominated and appointed to the Comprehensive Traffic Safety Commission for a 2 year term that will expire November 30, 2010:

Kenneth Malone - Sturgis City Commission  
Robin Baker - St. Joseph County Commission  
William Miller - Education  
Tabitha Wedge - District Court Administrator  
Eugene Alli - Homeland Security  
Barry Cox - Sturgis City Engineer  
Carol Frohriep - Citizen-at-Large  
William Dobrowolski - Local Government  
Pat Eliason, OHSP - Ex-Officio

Motion carried.

Planning Commission

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that William Chase, Robert Horton and Eric Shafer be nominated and appointed to the Planning Commission for a 3 year term that will expire January 1, 2012. Motion carried.

Local Emergency Planning Committee

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the following persons be nominated and appointed to the Local Emergency Planning Committee:

<u>Name</u>	<u>Group Represented</u>
Jeff Bloomfield	Fire
Steve Berlinski	Industry
Nick Milliman	Community College
David DeRuiter	Industry
Bruce LaDewski	Industry

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 Dunlap stated that the Physical Resources Committee met on November 21st and discussed the change order previously approved tonight.

Executive Committee

Commissioner Pueschel stated that everyone has a copy of the Executive Committee minutes from the meeting on November 26, 2008 he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRE:

Joseph Bingaman has been hired as full-time Corrections Officer at \$17.02/hr. effective December 2, 2008.

RETIREMENT:

Dennis Allen, Undersheriff, retired effective November 26, 2008.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE COUNTY CLERK'S BUDGET:

Line item 101-215-706.130 (Wages - Deputies) \$ 1,500.00

INCREASE COUNTY CLERK'S BUDGET:

Line item 101-215-712.000 (Wages - Overtime) \$ 1,500.00

DECREASE COUNTY CLERK'S BUDGET:

Line item 101-215-706.130 (Wages - Deputies) \$ 2,520.00

INCREASE COUNTY CLERK'S BUDGET:

Line item 101-215-707.000 (Wages - Part time) \$ 2,520.00

INCREASE EXPENDITURES - GENERAL FUND

County Commission

101-970.000	Land	\$ 6,655
101-974.000	Land Improvement	<u>1,900</u>
		\$ 8,555

District Court

136-725.010	Salary - Accumulated Sick	\$ 3,150
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Friend of the Court

141-725.010	Salary - Accumulated Sick	\$ 875
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DECREASE EXPENDITURES - GENERAL FUND

County Commission

101-802.000	Legal Attorney	\$ 8,355
101-982.000	Library	<u>200</u>
		\$ 8,555

District Court

136-706.050	Wages - Magistrate	\$ 3,150
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Friend of the Court

141-706.260	Wages - Investigator	\$ 875
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INCREASE EXPENDITURES - GENERAL FUND

Administration

172-716.000 Health Insurance \$ 3,140

Equalization

225-816.000 Contractual Services \$ 2,815  
225-900.000 Advertising 43  
225-931.020 Computer Maintenance 415  
\$ 3,273

Elections

191-708.000 Wages - Per Diem \$ 25

Human Resources

226-725.010 Salary - Accumulated Sick \$ 3,500

Prosecutor

229-725.010 Salary - Accumulated Sick \$ 4,500

Central Services

233-980.000 Equipment \$ 335

Register of Deeds

236-982.000 Library \$ 113

Buildings & Grounds

265-712.000 Wages - Overtime \$ 128  
265-716.000 Health Insurance 4,650  
265.725.010 Salary - Accumulated Sick 4,625  
265.775.000 Janitorial Supplies 3,000  
265.776.000 Buildings & Grounds Supp 2,500  
265.931.000 Equipment Repair & Main. 18,000  
265.935.000 Grounds Care & Snow 685  
\$33,588

Jail & Turnkey

351.707.000 Wages - Part Time \$ 8,000

Animal Control

430.721.010 Opt Out Waiver \$ 1,200

DECREASE EXPENDITURES - GENERAL FUND

Administration

172-860.000 Travel \$ 204  
172-861.000 Convention 400  
172-862.000 Seminar 279  
890-974.000 Contingency 2,257  
\$ 3,140

Equalization

225-707.000 Wages - Part Time \$ 1,500  
225-712.000 Wages - Overtime 1,000  
225-860.000 Travel 400  
225-861.000 Seminar 373  
\$ 3,273

Elections

191-708.010 Wages - Election Inspectors \$ 25

Human Resources

226-705.010 Wages - Department Head \$ 3,500

Prosecutor

229-706.220 Wages - Asst. Pros. #2 \$ 4,500

Central Services

233-933.000 Equipment Maintenance \$ 335

Register of Deeds

236-861.000 Convention \$ 113

Buildings & Grounds

265-706.290 Wages - Main. Worker \$ 7,863  
265.721.010 Opt Out Waiver 1,540  
265.977.000 Equipment General 195  
265.978.000 Furniture/Fixtures 490  
890.941.000 Contingency \$23,500  
\$33,588

Jail & Turnkey

351.712.000 Wages - Overtime \$ 8,000

Animal Control

430.716.000 Health Insurance \$ 1,200

INCREASE EXPENDITURES - GENERAL FUND

Veterans' Affairs

681.833.000 Burial Fee \$ 330

Utilities & General Insurance

872.716.070 Insurance - Chiro Copay \$ 4,000

TOTAL GENERAL FUND \$74,584

INCREASE EXPENDITURES - OTHER FUNDS

Central Dispatch - Wireless - 212

912.984.000 Computer Hardware \$ 1,000

912.985.000 Computer Software 500

\$ 1,500

Cade Lake Park - 217

751.707.000 Wages - Part Time \$ 300

751.715.000 FICA 25

\$ 325

Economic Development Corporation - 244

728.984.000 Computer Hardware \$ 450

County Survey & Remonumentation - 247

225.848.011 Monumentation of Corners \$ 5,350

225.848.021 Supplies & Materials 1,824

225.848.032 Setting Coordinates 5,750

225.848.033 Control Station Recovery 2,000

225.848.041 Administration 100

\$15,024

INCREASE EXPENDITURES - OTHER FUNDS

Victims' Rights Advocate Fund - 260

229.707.010 Wages - VRA Secretary \$ 20

229.718.010 Retirement 285

229.725.010 Salary - Accumulated Sick 80

\$ 385

Secondary Road Patrol-267

333.706.130 Wages-Deputies \$ 1,200

TOTAL OTHER FUNDS \$18,884

DECREASE EXPENDITURES - GENERAL FUND

Veterans' Affairs

890.941.000 Contingency \$ 330

Utilities & General Insurance

872.910.000 Liability Insurance \$ 4,000

TOTAL GENERAL FUND \$74,584

DECREASE EXPENDITURES - OTHER FUNDS

Central Dispatch - Wireless - 212

912.931.020 Computer Maintenance \$ 1,500

Cade Lake Park - 217

751.941.000 Contingency \$ 325

Economic Development Corporation - 244

728.941.000 Contingency \$ 450

County Survey & Remonumentation - 247

225.848.000 Peer Group \$ 1,200

225.848.010 Research of Corners 2,425

225.999.000 Operating Transfers Out 1,000

INCREASE REVENUE:

225.578.000 State Reimbursement Grant 10,399

\$15,024

DECREASE EXPENDITURES - OTHER FUNDS

Victims' Rights Advocate Fund - 260

229.715.000 FICA \$ 150

229.716.000 Health Insurance 130

229.729.000 Postage 105

\$ 385

Secondary Road Patrol-267

333.712.000 Wages-Overtime \$ 1,200

TOTAL OTHER FUNDS \$18,884

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager 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	\$ 4,685.13	\$
Due from Employees	95.00	
Prepaid Insurance	142,482.00	
Appropriations	25,194.00	
County Commission	198.69	7,074.68
Circuit Court	37.50	13,377.40
District Court	975.36	62,082.87
Friend of the Court	15,358.01	39,577.44
Jury Commission	103.08	
Probate Court	1,697.75	18,091.13
Juvenile Branch	17,104.01	39,398.22
Appeals Court	744.80	
Public Defender	33,333.33	
Administration		9,840.23
Elections	740.74	
Finance Department	1,041.92	13,142.22
County Clerk		22,355.97
Equalization Department	4,475.09	15,746.55
Human Resources	330.52	5,944.63
Geographic Information Systems	250.00	7,558.01
Prosecutor's Office	3,129.76	35,006.77
Central Services	5,417.76	5,437.94
Register of Deeds		13,267.73
County Treasurer		15,056.06
Cooperative Extension	313.00	8,407.83
Information Technology	1,256.04	11,923.72
Buildings & Grounds	3,803.57	14,186.23
Courts Building Security		8,387.35
Drain Commission		5,717.49
Sheriff Department	10,775.47	97,188.37
Sheriff Reserves	161.00	
Marine Patrol		48.44
Jail & Turnkey	10,747.00	116,412.38
Planning Commission	545.82	
Emergency Services	2,329.55	5,479.52
Animal Control	285.31	9,284.25
Board of Public Works		674.73
Medical Examiners	1,538.25	
Child Care - Probate	5,037.43	
Veterans' Services	213.44	1,135.60
Utilities & General Services	19,590.33	
Total	\$ 313,990.66	\$ 601,803.76
<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
County Road Commission	\$ 908,924.87	\$
Parks & Recreation	2,632.32	7,606.03
Emergency 911 Service	3,587.33	53,092.89
Central Dispatch - Wireless	1,454.41	4,040.82

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Meyer Broadway/Coon Hollow Park	\$ 428.61	\$ 2,280.29
Family Counseling	455.00	
Cade Lake Park	201.32	
Waste Management Fund		
County Commission	5,174.64	
Traffic Safety Program Fund	25.91	
Economic Development Fund	17,148.28	7,976.12
Survey & Remonumentation	3,300.00	
Register of Deeds Automation Fund		145.33
Victims' Rights Advocate Fund		3,232.78
Community Corrections Advisory Board	6,356.67	2,929.44
Community Corrections Program	2,805.00	
Drug Law Enforcement Fund	207.00	
Law Enforcement Fund	269.93	13,538.03
Secondary Road Patrol		9,192.94
Homeland Security Grant Fund	4,003.88	
Law Library Fund	384.50	
Principal Residence Denial Fund		674.71
Commission on Aging	82,432.59	58,200.03
Sheriff's Justice Training Fund	300.00	
Child Care - Probate Court	23,507.68	3,764.53
Veterans' Trust Fund	145.60	
Facilities Maintenance Fund	21,904.61	
Forfeiture & Foreclosure Fund	2,181.71	
Tax Payment Fund	102,336.20	
Inmate Store	1,291.05	
Three Rivers Community Center	2,164.61	771.38
Flexible Benefits Insurance Fund	153,719.12	
Total	\$ <u>1,347,342.84</u>	\$ <u>167,445.32</u>
 Grand Total	 \$ 1,661,333.50	 \$ 769,249.08
 General Fund Operating Expenditures		
Pre-Authorized	\$305,678.99	
Accounts Payable	<u>8,311.67</u>	
	\$ 313,990.66	
 General Fund Payroll Expenditures	 \$ 601,803.76	
 Other Funds Operating Expenditures		
Pre-authorized	\$1,338,426.54	
Accounts Payable	<u>8,916.30</u>	
	\$ 1,347,342.84	
 Other Funds Payroll Expenditures	 \$ <u>167,445.32</u>	
Total Recorded for the Month	\$ 2,430,582.58	

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

CITIZENS' COMMENTS

Tim Carls, 63044 Klinger Lake Road, Centreville stated that Bruce Jones, County Road Engineer, has said that there were not enough funds to remove snow from the road as there has been in the past and he brought it to the attention of the Board that all of the Supervisors at the Road Commission have 4-wheel drive pickups provided to them.

MISCELLANEOUS

Commissioner Loudenslager reminded everyone of the Holiday Luncheon scheduled for December 10th at noon.

ADJOURNMENT

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

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Pattie S. Bender, County Clerk

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Robin Baker, Chairman