

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 21, 2004, at 5:00 p.m.

Chairman John L. Dobberteen called the meeting to order.

The Invocation was given by Commissioner Loudenslager.

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
John W. Bippus	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 Resources Director.

AGENDA

Chairman Dobberteen added the nomination and appointment of a member to the Community Mental Health Board.

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Shafer that the minutes for December 7, 2004 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, December 10 and December 17, 2004.
2. Letter from the State Court Administrative Office, Re: Court Equity Fund.
3. Letter from Residents of Riverview Manor, Re: St. Joseph County Transportation Authority.
4. Letters from Edward James and Sharon Diane Schwartz, Re: Invalid Notice of Federal Tax Lien and Court Ruling.
5. Minutes of Community Mental Health Services Board meeting of November 9, 2004.
6. Minutes of Community Action Agency Board of Director's meeting of November 15, 2004.
7. Meeting Schedule for 2005 for Southwest Michigan Substance Abuse Advisory Council.
8. Southwest Michigan Land Conservancy's Newsletter – Winter 2004/2005.

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

CITIZENS COMMENTS

Joni Kelley from the Prosecutor's Office read a prepared statement regarding a memo that she received that originated from the Administrator regarding Jack Bright from Classic Foods. She wanted to know why she was named specifically in the memo and who "the reliable source" was to whom the Administrator was referring. She also sent a letter to the Administrator asking to be placed on the agenda.

Chairman Dobberteen responded by saying that she was not placed on the agenda on a decision of the Executive Committee not the Administrator. He referred the matter to Charlie Cleaver, Human Resource Director.

Jack Bright also spoke saying that he has had customers at the County Building for over 22 years.

HUMAN SERVICES COMMISSION – REQUEST FOR FUNDS

Duke Anderson, incoming Chairman of the Human Services Commission, is humbly requesting \$20,000 earmarked specifically for the Healthy Families Program. This will help fund the 4 workers that they have in the field. They had an independent evaluation of the program and he stated that this program works. There has been a change in attitude of the parents involved and there has been a reduction in violence.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the funding request for \$20,000 be approved.

Commissioner Bordner stated that this is definitely a worthy expenditure. It is important to intervene when the children are young. We are trying to break a 4 generation cycle.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

LETTER OF UNDERSTANDING WITH AFSCME – GENERAL UNIT

Ms. West-Wing presented for approval a Letter of Understanding with the General Unit of AFSCME that the address technician position in the GIS division of the Land Resource Centre be approved to remain out of the bargaining agreement through December of 2005.

It was moved by Commissioner Bippus and supported by Commissioner Shafer that the Letter of Understanding with the AFSCME – General Unit be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY GRANT APPLICATION RENEWAL

Ms. West-Wing stated that MSUE is requesting approval from the Board to apply for a grant from MMRMA for their Citizen Planner program for the first quarter in 2005.

It was moved by Commissioner Pueschel and supported by Commissioner Bordner that the grant application renewal be approved.

Commissioner Loudenslager stated that he would be abstaining from voting because this issue would likely come before the MMRMA committee that he is a member of and deems this to be a conflict of interest.

The aye and nay vote was called as follows:

Aye votes cast: 6 – Commissioners Shafer, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Not voting: 1 – Commissioner Loudenslager.

Motion carried.

REQUEST FOR PARKS AND RECREATION TO BECOME A PARTICIPATING AGENCY WITH THE
ST. JOSEPH COUNTY UNITED WAY

Ms. West-Wing stated that the issue of the Parks and Recreation becoming a participating agency with the United Way has been discussed for some time and now the paperwork is in order for this to be approved.

She stated that Kelly Hostetler, Executive Director of the St. Joseph County United Way was in attendance to answer any questions that anyone may have.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the Parks and Recreation become a participating agency of the St. Joseph County United Way.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Motion carried.

SET FIRST MEETING IN 2005

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the first meeting of the St. Joseph County Board of Commissioners in 2005 be held on January 4th at 5:00 p.m. Motion carried.

RESOLUTION NO. 29-2004

DEPOSITORY AND INVESTMENT RESOLUTION FOR ST. JOSEPH COUNTY

Commissioner Bippus presented the following resolution:

WHEREAS, under the laws of the State of Michigan, Act No. 40 of the Michigan Public Acts of 1932, 1st Extra Session, as amended (MCL 129.12), this board is required to provide by resolution, for the deposit of all public monies, including tax monies, belonging to, or held for, the State, County or other political units coming into the hands of the County Treasurer in one or more bank or savings and loan associations within the State.

NOW, THEREFORE, BE IT RESOLVED, that

- (1) Effective January 1, 2005 the St. Joseph County Board of Commissioners hereby directs Phyllis E. Bainbridge, St. Joseph County Treasurer, to deposit all public monies, including monies and funds held for the State Board of Escheats or missing heirs, coming into her hands as Treasurer in any of the financial institutions in the State of Michigan, provided that such institution remains a legal depository as defined by State and/or Federal law, and
- (2) The Treasurer is authorized to invest funds with these institutions as long as the institutions are legally permitted by State statute Act No. 20 of Michigan Public Acts of 1943, as amended (MCL 129.91) and as per Public Act 367 of 1982 as amended (MCL 129.111); and is authorized to enter into and execute on behalf of the County any contracts with any bank or trust company for the safekeeping of third party custodianship of any of the County's securities.

BE IT FURTHER RESOLVED, that the County Treasurer is authorized to rely on the continuing effect of this resolution until amended or repealed by a subsequent resolution of this or a successor Board of Commissioners.

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

Nay votes cast: 0

Resolution adopted.

RESOLUTION NO. 30-2004

ST. JOSEPH COUNTY BOARD OF COMMISSIONERS

Commissioner Bippus presented the following resolution:

WHEREAS, it is recognized that the U.S. Constitution under Article I, Section 8, Clause 3, clearly delegates to Congress the power to tax and spend to provide for the general welfare of the United States; and

WHEREAS, it is recognized that the Michigan Constitution under the Public Health Code, Public Act 368 of 1978, as amended, clearly authorizes the state health department to protect and promote the public health, as well as, to provide for the prevention and control of diseases and disabilities within the State of Michigan; and

WHEREAS, it is recognized that the state health department under Section 5111 (1) (d) of the Public Health Code, as amended, may promulgate rules to establish procedures for control of diseases and infections, including, but not limited to immunizations and environmental controls; and

WHEREAS, the Branch-Hillsdale-St. Joseph Board of Health was established, in part, to continually and diligently endeavor to prevent disease, prolong life, and promote the public health of the residents of Branch, Hillsdale and St. Joseph Counties; and

WHEREAS, in recent years there has been great instability in the supply and distribution of annual influenza vaccines to local communities nationwide; and

WHEREAS, such aforementioned instability in the supply and distribution of influenza vaccines could lead to catastrophic mortality and morbidity of U.S. residents in the event of a significant and virulent disease outbreak; and

WHEREAS, the Branch-Hillsdale-St. Joseph Board of Health resolved on December 9, 2004 that adequate federal and state governmental authority exists to establish a national-state influenza vaccine supply and distribution system to assure that all U.S. residents are protected from significant and virulent disease outbreaks; and

WHEREAS, the Branch-Hillsdale-St. Joseph Board of Health also resolved that such a national influenza supply and distribution system be established and operational prior to the next influenza season.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners supports the position of the Branch-Hillsdale-St. Joseph Board of Health.

BE IT FURTHER RESOLVED, that a copy of this resolution be mailed to Senator Cameron Brown, Representative Rick Shaffer and Congressman Fred Upton.

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

Commissioner Bordner stated that this was an issue at District Health a year ago and still is. There is a low profit margin from the vaccine therefore little incentive in producing it.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Bippus, Baker, Bordner, Pueschel and Dobberteen.

Nay votes cast: 0

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Comprehensive Traffic Safety Commission

It was moved by Commissioner Bordner and supported by Commissioner Bippus that the following persons be appointed to Comprehensive Traffic Safety Commission for a 2 year term expiring November 30, 2006:

Vacant - Three Rivers City Commission
Vacant - Sturgis City Commission
Robin Baker – St. Joseph County Commission
William Miller – Education
Carol Frohriep – Criminal Justice
Eugene Alli – Law Enforcement
Tom Seymour – Engineering
Robin Bordner – Citizen at Large
William Dobrowolski – Local Government
Pat Eliason – Ex-Officio
Vacant – Medical Board

Motion carried.

Planning Commission

It was moved by Commissioner Shafer and supported by Commissioner Pueschel that Maurice Cook, Kenneth Crafts, James Griffith and Douglas Pagels be reappointed to the Planning Commission for 3 year terms to expire January 1, 2008. Motion carried.

Board of Public Works

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that Keith Cochran and James Rozeboom be reappointed to the Board of Public Works for 3 year terms to expire January 1, 2008. Motion carried.

Community Mental Health

It was moved by Commissioner Baker and supported by Commissioner Pueschel that Dori Leo be nominated and appointed to the Community Mental Health Board to fill a vacancy, term to expire March 30, 2007. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Bippus stated that there was no report.

Judiciary

Commissioner Bordner stated that the next meeting will be held on January 12, 2005 at noon.

Physical Resources

Commissioner Bippus stated that the next meeting will be held January 7, 2005 at 1:00 p.m.

Executive Committee

Commissioner Bippus stated that everyone has a copy of the minutes and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

RETIREMENT:

Janet Beals, County Treasurer, is retiring effective December 31, 2004.

MISCELLANEOUS:

June Schultz, Deputy Treasurer, will change from part time to full time (40 hours per week) at \$12.01/hr. (Soltysiak system, grade 5, 6-month step) effective January 3, 2005.

Paul Martin, Corrections Officer, is on medical leave commencing December 7, 2004 under the Family and Medical Leave Act of 1993.

Mark Lillywhite, Road Patrol Sergeant, is on medical leave commencing December 16, 2004 under the Family and Medical Leave Act of 1993.

Edward Rangler, Corrections Officer, is on medical leave commencing December 18, 2004 under the Family and Medical Leave Act of 1993.

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

REQUISITION

Ms. West-Wing presented the following report:

Five Dell OptiPlex GX280 PC's (existing monitors to be used) for Land Resource Centre and Treasurer	\$ 4,780.00
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It was moved by Commissioner Bippus and supported by Commissioner Shafer that the requisition be approved. Motion carried.

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following budget adjustments:

Authorization to the Finance Director to make any line item transfers necessary after the final payroll of 2004 to ensure a balanced budget.

Please consider the following amendments to the 2004 budget:

<u>INCREASE GENERAL FUND EXPENDITURES:</u>			<u>DECREASE GENERAL FUND EXPENDITURES:</u>		
101.131.725.000	Longevity	\$46.00	101.131.716.020	S & A Insurance	\$46.00
101.136.725.000	Longevity	\$91.00	101.131.716.020	S & A Insurance	\$91.00
101.141.716.000	Health Insurance	\$2,374.00	101.141.706.100	Wages-Assistants	\$1,935.00
101.141.716.010	Dental Insurance	<u>11.00</u>	101.141.716.020	S & A Insurance	<u>450.00</u>
		\$2,385.00			\$2,385.00
101.149.705.010	Wages-Dept Head	\$1,500.00	101.149.716.000	Health Insurance	\$9,000.00
101.890.941.000	Contingency	<u>8,000.00</u>	101.149.716.010	Dental Insurance	<u>500.00</u>
		\$9,500.00			\$9,500.00
101.215.716.000	Health Insurance	\$108.00	101.215.716.020	S & A Insurance	\$108.00
101.225.725.000	Longevity	\$43.00	101.225.716.020	S & A Insurance	\$43.00
1 01.890.941.000	Contingency	\$2,000.00	101.227.716.000	Health Insurance	\$2,000.00
101.229.982.000	Library	\$500.00	101.229.716.000	Health Insurance	\$2,000.00
101.890.941.000	Contingency	<u>2,000.00</u>	101.229.823.000	Special Prosecutor	<u>500.00</u>
		\$2,500.00			\$2,500.00
101.233.721.010	Opt Out Waiver	\$2,000.00	101.890.941.000	Contingency	\$2,000.00
101.258.985.000	Computer Software	\$1,500.00	101.258.931.020	Computer Maint.	\$1,500.00
101.265.931.000	Equipment Repair	\$4,394.00	101.265.706.300	Wages- Custodians	\$1,994.00
			101.265.716.000	Health Insurance	<u>2,400.00</u>
					\$4,394.00

101.301.721.010	Opt Out Waiver	\$600.00	101.301.716.000	Health Insurance	\$600.00
101.301.712.000	Wages-Overtime	<u>2,600.00</u>	101.890.941.000	Contingency	<u>2,600.00</u>
		\$3,200.00			\$3,200.00

101.890.941.000	Contingency	\$2,600.00	101.331.716.000	Health Insurance	\$2,600.00
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101.351.716.010	Dental Insurance	\$34.00	101.351.716.000	Health Insurance	\$34.00
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INCREASE OTHER FUND EXPENDITURES:

211.911.725.000	Longevity	\$67.00
211.911.931.040	Computer Maint.	<u>6,500.00</u>
		\$6,567.00

DECREASE OTHER FUND EXPENDITURES:

EXPENDITURE:
DECREASE

211.911.716.020	S & A Insurance	\$67.00
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REVENUE:
INCREASE

211.911.676.000	Use of Fund Bal	<u>\$6,500.00</u>
		\$6,567.00

EXPENDITURE:
DECREASE

212.912.986.000	Telephone Equip.	3,500.00	212.912.941.000	Contingency	3,500.00
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REVENUE:
INCREASE

247.225.848.011	Contract Serv-Corner	\$69,000.00	247.225.578.000	State Reimb. Grant	70,000.00
247.225.848.041	Admin-Corners	<u>1,000.00</u>			
		\$70,000.00			

EXPENDITURE:
DECREASE

270.225.716.000	Health Insurance	\$1,154.00	270.225.707.000	Wages-Part Time	\$1,154.00
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It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the budget adjustments be approved. Motion carried.

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following report:

Per Diem

Robin Baker – 13 half days 11/17 x 2, 11/18 x 2, 11/23, 11/24, 12/3, 12/9, 12/10, 12/14, 12/16 x 2 & 12/17/04	\$ 650.00
John Bippus – 4 half days 12/3, 12/16 & 12/17/04 x 2	200.00
Monte Bordner – 8 half days 11/16 x 2, 11/18 x 3, 12/8, 12/9 & 12/16/04 & 6 full days 11/17, 11/22, 12/7, 12/14, 12/16 & 12/17/04	970.00
John Dobberteen – 8 half days 11/18, 11/28, 12/2, 12/8, 12/14, 12/15 x 2 & 12/19/04 & 2 full days 12/13 & 12/16/04	590.00
Gerald Loudenslager – 4 half days 11/17, 11/23, 12/16 & 12/21/04 & 1 full day 12/13/04	295.00
David Puschel – 11 half days 11/16, 11/17 x 2, 11/18, 11/29, 12/2, 12/8, 12/9, 12/15 & 12/16/04 x 2	550.00
Eric Shafer – 7 half days 11/17 x 3, 12/1, 12/7, 12/15 & 12/16/04	<u>350.00</u>
	\$3,605.00

Expenses

Robin Baker	\$ 141.38
Monte Bordner	160.75
John Dobberteen	63.75
Gerald Loudenslager	69.75
David Puschel	74.25
Eric Shafer	<u>30.75</u>
	\$ 540.63

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the per diem and expenses be approved. Motion carried.

Financial Statements

	Revenues	Expenditures
November	\$ 848,663.00	\$ 989,976.00
Year to Date	10,630,594.00	11,290,484.00
Period Fund Balance		(\$141,313.00)
Percent of budget year elapsed year to date.		91.67%
Percent of total budgeted funds earned year to date		83.17%
Percent of total budgeted funds expended year to date		88.33%

It was moved by Commissioner Shafer and supported by Commissioner Bippus that the finance report be accepted. Motion carried.

CHAIRMAN'S REPORT

Chairman Dobberteen stated that everyone had received a copy of the following 2004 Highlights:

2004 HIGHLIGHTS

- Re-elected John Dobberteen as Chairman and Monte Bordner as Vice-Chairman.
- Accepted a \$15,000 grant for the Friend of the Court monitored visitation/exchange program. The State later increased grant by an additional \$4,800.
- Accepted a \$34,000 grant for a Solution Area Planner under the 2003 State Homeland Security Grant program.
- Accepted a \$60,190 Homeland Security Training Grant, which will piggyback onto the Solution Area Planner grant.
- Created a St. Joseph County Farmland and Open Space Preservation Committee to develop a farmland and open space preservation ordinance.
- Approved a study with Capital Consultants for \$14,500 regarding a technology plan.
- Approved placing the Road Commission Millage renewal on the August ballot.
- Entered into an agreement with Michigan State University Extension to assume the Veterans' Services Coordinator's duties.
- Approved a \$12.00 booking fee to be charged to all of those arrested and booked at the Sheriff's Department in accordance with P.A. 121 of 2003.
- Established a HIPAA policy (Health Insurance Portability and Accountability Act of 1996).
- Approved the Concurrent Jurisdiction Plan for the courts.
- Approved a five-county communications agreement (St. Joseph, Branch, Hillsdale, Calhoun and Cass Counties.)
- Approved the construction of a new entrance road to the Animal Shelter.
- Official opening of Cade Lake Park on July 19, 2004.
- Endorsed a grant application for the Human Services Commission for \$585,000 through the Early Learning Opportunities Act.
- Endorsed a \$374,673 Homeland Security Grant application.
- Endorsed a \$13,425.22 Terrorism Planning Competitive Grant application.
- Approved a \$1,380.00 Hazardous Materials Emergency Planning Grant.
- Accepted the renewal of a \$52,700 Crime Victims Rights grant.
- Endorsed a \$10,000 Local Law Enforcement Block Grant application.
- Endorsed a \$15,905 child safety seat inspection clinic grant application.
- Endorsed a \$12,566 Project 131 enforcement grant application.
- Approved 3-year labor agreements with Corrections Sergeants and Corrections Officers.
- Held tenth annual employee service recognition.
- Approved the creation of a Countywide Brownfield Redevelopment Authority, which is the final step in receiving the \$400,000 assessment grant.
- Approved the County Treasurer to take charge of foreclosure activities under the provisions of Act 206.

He mentioned the following specifically: the almost \$2 million in grant monies; the IT Plan; embarking on long range planning; funding and the ongoing building of the new Keystone Place; Veterans' Coordinating Services transferred to MSUE; Courts Concurrent Jurisdiction Plan approved; five County Communications Agreement approved; new Road to Animal Control; opening of Cade Lake Park; creation of Brownfield Redevelopment Authority; County Treasurer will now do the foreclosures. He also mentioned that Janet Beals is retiring and that Dave Rachowicz is taking another position.

He thanked the Board for allowing him to be Chairman. He considered it his highest honor.

MISCELLANEOUS

Commissioner Baker wishes everyone Happy Holidays and Merry Christmas.

Commissioner Pueschel stated that it has been a good year. He thanked the employees for the job that they do.

Commissioner Loudenslager thanked Janet Beals for all her time with the County. He also congratulated Chairman Dobberteen on 2 successful years and wished everyone Happy Holidays.

Commissioner Bippus stated that it has been a pleasure having Chairman Dobberteen in the Chair. He wished everyone a Merry Christmas.

Commissioner Shafer thanked Janet Beals for her service to the County and wished her a happy retirement. He thanked Chairman Dobberteen for his job as Chair and wished everyone Happy Holidays.

Commissioner Bordner thanked Chairman Dobberteen for his chairmanship. He believes that this year was the most productive in his 6 years as Commissioner. He mentioned that Keystone Place is funded well beyond his expectations. He also thanked the Administrator and all the County employees.

Chairman Dobberteen congratulated Commissioner Bippus on his marriage yesterday.

Mr. Cleaver thanked the Board for all their work and commended them for being great keepers of the finances.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the St. Joseph County Board of Commissioners adjourn until January 4, 2005 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman