

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 January 21, 2003, 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 and Dan Carey, Finance Director.

AGENDA

Ms. West-Wing requested that a remonumentation contract with Donald C. Andrews be added to the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the minutes for January 7, 2003 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the City of Sturgis, Re: Notice of public hearing on January 22, 2003 to consider issuing an Industrial Facilities Exemption Certificate to Sturgis Iron and Metal.
2. Letter from Michigan Association of Counties, Re: MAC Legislative Update.
3. Letter from State Family Independence Agency, Re: Incentive payments to counties for FY 2001.
4. Letter from State Emergency Telephone Service Committee, Re: Wireless E9-1-1 Funds.
5. Minutes of Southwest Michigan Substance Abuse Advisory Council meeting of October 21 and November 18, 2002.

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

CITIZENS COMMENTS

Tom Donaldson, member of the Economic Development Corporation Board of Directors, announced that the St. Joseph County Manufacturers Council in conjunction with the Center for Business Services of Glen Oaks Community College would be holding a Supervisor Academy. The Academy will consist of two levels of training, basic and advanced knowledge level courses. The basic courses will meet for 17 consecutive Thursdays beginning February 6th from 8:00 a.m. until noon and are designed to provide knowledge and information to assist supervisors in performing daily activities.

The advanced knowledge level courses are designed to provide new tools and information to be used to improve workforce performance and this section will immediately follow the basic course for six consecutive Thursdays at the same time.

Tim Carls asked the new Commissioners if they were provided a copy of the Board Rules of the Board of Commissioners.

Commissioner Shafer responded in the affirmative.

Mr. Carls asked about the law that allows the Commissioners to give themselves raises.

Ms. West-Wing stated that there is State law that addresses this issue.

Denny Bowen addressed some observations that he has made regarding some of the County parks. He stated that in the lodge at Meyer-Broadway Park there is a first aid kit but it is empty. Also, at Meyer-Broadway Park the containers are clearly marked "not to be used for public or private purposes." In addition, Mr. Bowen stated that the sign at Rawson's King Mill Park is illegible because of damage some 3 months ago and the bathrooms need to be cleaned.

MARINE SAFETY GRANT APPLICATION

Sheriff Matt Lori, presented an application for the annual Marine Safety Grant. He explained the history of the grant for the benefit of the new Commissioners and stated that the estimate of expenses is \$53,333.67 and is reimbursed 75% by the State. Commissioner Bordner asked if the 75% is guaranteed and Mr. Lori responded that they have never had a problem with the reimbursement.

It was moved by Commissioner Bippus and supported by Commissioner Pueschel that the Marine Safety Grant Application 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.

REMONUMENTATION CONTRACTS

Mostrom and Associates, Inc.

Lotta Jarnefelt, G.I.S. Director, requested approval for renewal of the contract for Mostrom and Associates, Inc., under the Remonumentation Program. She explained that this is a state grant program to find section corners and remark them and if they are not there new ones are put in. Every year the contracts with the surveyors are renewed. Currently the budget is \$47,590 with the County providing \$6,000.

Commissioner Shafer stated that he is familiar with the program and asks how long until the program is finished. Mrs. Jarnefelt responded that each year she asks Wayne Mostrom and he gives the same number of years that it will take to complete.

Commissioner Shafer asked if there was any danger of these funds being cut by the State because of the budget issues that they have.

Mrs. Jarnefelt responded by saying that the funds are generated through fees charged in the Register of Deeds Office and effective March 1, 2003, the fees will increase from \$2.00 to \$4.00 therefore the State anticipates an increase in funding for 2004.

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the Remonumentation Contract with Mostrom and Associates, Inc., 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.

Donald C. Andrews

It was moved by Commissioner Bippus and supported by Commissioner Shafer that the Remonumentation Contract with Donald C. Andrews 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.

LICENSING AGREEMENT FOR THE EQUALIZER TAX SYSTEM

Judy Nelson, Equalization Director, requested approval of the Licensing Agreement for the Equalizer Tax System. She stated that the system is in place and they tested it last summer and it worked very well. We contract with the local units to maintain their rolls and produce the tax bills for most of them. With this software we can electronically submit the information to the local units moving us one step closer to being paperless. The contracts with new fees were revised last year.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the Licensing Agreement for the Equalizer Tax System 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.

SUPPORT AGREEMENT FOR THE EQUALIZER TAX SYSTEM

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the support agreement for the Equalizer Tax System 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.

Chairman Dobberteen asked how everything was working with the local units.

Mrs. Nelson responded that things are working very well.

Commissioner Shafer remarked that when he attended one of the township meetings that he represents the local assessor made it a point to say that things were working very well with the Equalization Department.

ACCEPTANCE OF PROPERTY FOR PARKS AND RECREATION

Dave Rachowicz, Director of Parks and Recreation, stated that there is an opportunity for the County to accept a generous donation of property from the Margaret O. Feek Trust for the St. Joseph County parks system. He stated that the property consists of 36 acres and is in Leonidas Township close to Rawson's King Mill Park but not connected. There are no structures on or improvements made to the property and it is on the Nottawa Creek. The County would have to pay attorney fees for the transfer and also the back taxes.

Mr. Rachowicz stated that the Parks and Recreation Commission, at their last meeting, is recommending that the Board of Commissioners accept the gift, with the understanding that future use and development as a park may take place as time and resources become available.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the County accept the gift of property from the Margaret O. Feek Trust to become part of the St. Joseph County park system.

Commissioner Shafer noted an error on the property description on the draft agreement and suggested that the G.I.S. Department review both descriptions before the paperwork is completed.

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.

RESOLUTION NO. 3-2003

RETIREMENT RESOLUTION FOR ST. JOSEPH COUNTY

Commissioner Bippus read the following resolution:

WHEREAS, St. Joseph County for the year of 2003 has budgeted from each general fund department the share necessary to finance the County share of the County Retirement System; and

WHEREAS, it would be desirable and convenient to make a yearly transfer of these funds to the County Retirement System;

NOW, THEREFORE, LET IT BE RESOLVED, that the St. Joseph County Treasurer be respectfully directed to transfer the County share to the County Retirement System as soon as possible after the final payroll of 2003.

It was moved by Commissioner Bippus and supported by Commissioner Loudenslager 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. 4-2003

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) The St. Joseph County Board of Commissioners hereby directs Janet L. Beals, 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 Loudenslager 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.

NOMINATIONS/APPOINTMENTS

Economic Development Corporation

It was moved by Commissioner Bordner and supported by Commissioner Bippus that Don Beavers be nominated and appointed to the EDC as an at-large representative to fill a vacancy, term to expire June 1, 2004. Motion carried.

Local Emergency Planning Committee

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that Daniel Carey, Mike Houck, Lloyd Kirby, Don Swett and Gerald Timmer be nominated and appointed to the LEPC. Motion carried.

Land Use Policy Task Force

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the following people be nominated and appointed to the Land Use Policy Task Force: Don Beavers, Mark Clute, Don Gloy, Walter Kinsey, Jr., Vern Lanphear, Dave Mstrom, Carroll Parmeter, Thomas Springer, David Sturgis, Steve Todd, Barry Visel, Noel Wiley, Tom Meyer, Korie Bachleda, Jerry Loudenslager, Fred Edinger, Max Benne, Dave Pueschel, Tom Donaldson, Doug Pagels and Shelley Milliman. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that there was no report.

Judiciary

Commissioner Bordner stated that the Judiciary Committee met last week and everyone has been provided with a copy of the minutes and he would answer any questions that anyone may have.

Physical Resources

Commissioner Bippus stated that there was no report.

Executive Committee

Commissioner Bordner reported the following on the Executive Committee Meeting held on January 17, 2003:

- * the new bomb threat procedure was discussed and mouse pads will be distributed to the employees that have information on them in case they ever receive a threatening call.
- * discussed the recommendation of the Parks and Recreation Commission to the Board of Commissioners to accept the donation of the property in Leonidas Township for a park.
- * discussed the need for a work session.
- * set Executive Committee dates on the Friday before the Tuesday meeting with 1 exception.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Brad Balk, Road Patrol Officer, is on medical leave commencing January 12, 2003 under the Family and Medical Leave Act of 1993.

Placement of Maxine Kennedy, Office Manager, at \$29,432.00/yr. (grade 6, step 1) effective January 13, 2003.

Placement of Charles Herman, Chief Assistant Prosecuting Attorney, at \$51,480.00/yr. (grade 12, step 2) effective January 2, 2003.

Nancy Pick, Community Corrections Coordinator, to change from part time 20 hrs/wk to full time 40 hrs/wk effective February 11, 2003. This position is funded 100% from the Community Corrections grant and program funds with no supplemental funding from the County General Fund. Ms. Pick resigned her position as part time Victim Rights Assistant effective at the end of the day on February 10, 2003 contingent upon the approval of full time Community Corrections Coordinator.

RESIGNATION:

William Cotton, Economic Development Director, has resigned effective February 14, 2003.

NEW HIRE:

Michael Hayden has been hired as part-time Telecommunicator at \$7.50/hr. effective January 22, 2003.

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

REQUISITIONS

Ms. West-Wing presented the following report:

Equalizer Delinquent County Tax System windows version software package, data conversion (if necessary), installation and setup of software (if necessary) and training estimate for Treasurer's Office \$30,000.00

One Hewlett Packard 4200 N laser printer for County Treasurer's Office \$ 1,600.00

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the requisitions be approved. Motion carried.

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM APPROPRIATION:

\$25,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

2003 BUDGET ADJUSTMENT:

INCREASE:

Line item 616-000-999.000 (Tax Payment Fund – Transfer Out)	\$31,600.00
Line item 101-253-699.000 (General Fund – Transfer In)	\$31,600.00
Line item 101-253-984.000 (General Fund – Computer Hardware)	\$ 1,600.00
Line item 101-253-985.000 (General Fund – Computer Software)	\$30,000.00

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

FINANCE DIRECTOR'S REPORT

Dan Carey presented the following reports:

Per Diem

John Bippus - 4 half days 1/3, 1/7, 1/17 & 1/21/03	\$ 200.00
Monte Bordner - 8 half days 12/19/02, 1/3, 1/8, 1/14, 1/15, 1/16, 1/17 & 1/21/03 & 2 full days 1/9 & 1/10/03	590.00
John Dobberteen - 5 half days 12/14 & 12/18/02 & 1/14, 1/17 & 1/21/03	250.00
Gerald Loudenslager - 2 half days 12/18/02 & 1/3/03 & 1 full day 1/15/03	<u>195.00</u>
	\$1,235.00

Expenses

Monte Bordner	\$ 148.51
John Dobberteen	25.45
Gerald Loudenslager	<u>45.77</u>
	\$ 219.73

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

Financial Statements

Mr. Carey stated that since they are still accruing revenue and expenditures to the 2002 budget that the December 2002 Financial Statements will be reported with the January Statement in February.

CHAIRMAN'S REPORT

Chairman Dobberteen requested approval of the following committee appointments for 2003:

2003 COMMISSION APPOINTMENTS

CHAPLAIN - Loudenslager
PARLIAMENTARIAN - Bordner
RESOLUTIONS - Bippus

STANDING COMMITTEES:

Executive Committee - Dobberteen (Chair), Bippus, Bordner
Law Enforcement - Dobberteen (Chair), Bippus, Pueschel
Judiciary - Bordner (Chair), Baker, Shafer
Physical Resources - Bippus (Chair), Dobberteen, Shafer

SPECIAL COMMITTEES:

- Local Emergency Planning Committee - Loudenslager
- Federal Emergency Management Act - Dobberteen, Bordner
- Key Person - Loudenslager
- Regional Solid Waste - Baker, Dobberteen
- Colon Lake Board - Bordner
- Fish Lake Board - Bordner
- U.S. 131 Area Development Association - Baker
- U.S. 131 Corridor Master Plan - Baker, Shafer

COMMISSION LIAISONS:

- Soil Conservation - Pueschel
- Road Commission - Baker
- Resource Conservation and Development - Bordner
- Family Independence Agency - Loudenslager
- Criminal Justice - Dobberteen
- MSU Extension - Pueschel

BOARDS AND COMMISSION APPOINTMENTS:

- District Health - Bordner, Pueschel, Shafer
- Parks and Recreation - Bordner, Shafer
- Area Agency on Aging Advisory Council - Pueschel
- Board of Public Works - Loudenslager
- Retirement - Bippus, Dobberteen
- Planning Commission - Shafer
- Mental Health - Baker, Loudenslager, Pueschel
- County Solid Waste - Dobberteen
- Community Corrections - Loudenslager
- Economic Development Corp. - Bordner
- E-911 Central Dispatch - Bippus
- Commission on Aging - Shafer
- Human Services Commission - Bordner, Dobberteen, Loudenslager
- School to Work - Loudenslager
- Investment Advisory Committee - Bippus
- Groundwater Stewardship - Pueschel
- Comprehensive Traffic Safety Commission - Baker
- Community Action Agency - Loudenslager
- Substance Abuse Advisory Council - Bordner
- Transportation Authority Board - Loudenslager
- Workforce Development Board - Shafer

Commissioner Loudenslager

- Board of Public Works
- Mental Health
- Key Person
- Community Corrections
- Family Independence Agency
- Human Services Commission
- Community Action Agency
- School to Work
- Transportation Authority
- Local Emergency Planning Committee

Commissioner Bordner

- Executive Committee
- Judiciary Committee (Chair)
- Resource Conservation and Development
- Parks and Recreation
- District Health
- Fish Lake Board
- Federal Emergency Management
- Substance Abuse Advisory Council
- Colon Lake Board
- Economic Development
- Human Services Commission

Commissioner Bippus

Executive Committee
Physical Resources (Chair)
Investment Advisory
Retirement Board
911 Central Dispatch
Law Enforcement

Commissioner Dobberteen

Executive (Chair)
Law Enforcement (Chair)
Physical Resources
Federal Emergency Management
County Solid Waste
Criminal Justice
Retirement Board
Human Services Commission
Regional Solid Waste

Commissioner Pueschel

Law Enforcement
MSU Extension
District Health
Mental Health
Soil Conservation
Area Agency on Aging Advisory Council
Groundwater Stewardship

It was moved by Commissioner Bippus and supported by Commissioner Pueschel that the committee appointments be approved. Motion carried.

NOMINATIONS/APPOINTMENTS

Commission on Aging

It was moved by Commissioner Bordner and supported by Commissioner Bippus that Eric Shafer be nominated and appointed to the Commission on Aging Board to complete a 2-year term expiring June 30, 2003. Motion carried.

Community Mental Health

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Robin Baker be nominated and appointed to the Community Mental Health Board to replace John Dobberteen, term expiring March 31, 2003 and that David Pueschel be nominated and appointed to the Community Mental Health Board to complete a 3-year term expiring March 31, 2003. Motion carried.

Comprehensive Traffic Safety Commission

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that Robin Baker be nominated and appointed to the Comprehensive Traffic Safety Commission to complete a 2-year term expiring November 30, 2004. Motion carried.

Commissioner Shafer

District Health
Judiciary Committee
Physical Resources
Parks and Recreation
U.S. 131 Corridor Master Plan
Planning Commission
Commission on Aging
Workforce Development Board

Commissioner Baker

Judiciary Committee
Regional Solid Waste
Mental Health
County Road Commission
Comprehensive Traffic Safety Committee
U.S. 131 Area Development Association
U.S. 131 Corridor Master Plan

District Health Board

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Monte Bordner, David Pueschel and Eric Shafer be nominated and appointed to the District Health Board for a 1-year term expiring December 31, 2003. Motion carried.

Parks and Recreation Commission

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Monte Bordner and Eric Shafer be nominated and appointed to the Parks and Recreation Commission for a 3-year term expiring January 1, 2006. Commissioner Shafer asked if his relationship with Waste Management would be a conflict of interest. Ms. West-Wing stated that if there ever would be a conflict that he could abstain from voting. Motion carried.

Planning Commission

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that Eric Shafer be nominated and appointed to the Planning Commission for a 3-year term expiring January 1, 2006. Motion carried.

Southwest Michigan Substance Abuse Advisory Council

It was moved by Commissioner Bordner and supported by Commissioner Bippus that Monte Bordner be nominated and appointed to the Southwest Michigan Substance Abuse Advisory Council for another 3-year term expiring January 1, 2006. Motion carried.

Workforce Development Board

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that Eric Shafer be nominated and appointed to the Workforce Development Board to replace John Dobberteen, term expiring December 31, 2004. Motion carried.

PRESENTATION OF PLAQUE

Chairman Dobberteen presented Commissioner Loudenslager with a plaque honoring him for his leadership while being Chairman of the Board in 2002.

MISCELLANEOUS

Commissioner Bippus apologized for making a motion concerning the property acquisition when he should have waited for the Parks and Recreation Commission member to make the motion.

Commissioner Pueschel stated that he is not yet comfortable with being a Commissioner, but it is getting better.

Commissioner Baker stated that he is still learning.

Commissioner Loudenslager thanked the Board for the plaque stating that it is greatly appreciated. He also asked when the Community Action Agency met. Ms. West-Wing stated that she would provide him with some information.

Commissioner Bordner accepted Commissioner Bippus' apology. He also drew the Commissioners attention to an invitation in their packets from the Economic Development Corporation to attend a luncheon on Friday, February 7th at a Place in Time in Three Rivers and encouraged everyone to attend.

CITIZENS COMMENTS

Mrs. Jarnefelt stated that she hoped that the Land Use Policy Task Force would take advantage of the information in the G.I.S. Department. They would like to assist in any way that they can. She is glad that Mark Clute is a part of the Task Force as he is familiar with what information is available.

Commissioner Pueschel stated that his cell phone number was wrong on the cards that he passed out two weeks ago and gave everyone the correct number.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the St. Joseph County Board of Commissioners adjourn until February 4, 2003, at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman