

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 February 18, 2003, at 5:00 p.m.

Chairman 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

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

MINUTES APPROVED

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the minutes for February 4, 2003 be approved. Motion carried. Commissioner Loudenslager abstained due to absence.

COMMUNICATIONS

1. Letter from Michigan Association of Counties, Re: MAC Legislative Update, February 7.
2. Minutes of Southwest Michigan Substance Abuse Advisory Council meeting of January 13, 2003.
3. Minutes of Commission on Aging meeting of January 15, 2003.
4. Animal Control's Monthly Report – December 2002.
5. Southwest Michigan Land Conservancy's Newsletter – Winter/Spring 2003.

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

FRIEND OF THE COURT ANNUAL REPORT FOR 2002

William Thistlethwaite, Friend of the Court, presented the 2002 Annual Report.

Mr. Thistlethwaite stated that because revenues exceed expenditures in the Friend of the Court Office that there is no net cost to the County for their operation. The federal government pays the state to collect child support. There are Cooperative Reimbursement Agreements and other incentives that pay for the Friend of the Court Office to operate. Just this month an additional \$74,000 was received for fiscal year 2001.

Each year Mr. Thistlethwaite speaks to high school students to inform them of the ramifications of their legal and financial obligations if they have a child.

In 2002 they received and disbursed record collections of \$11,882,409, which is up \$50,000 over 2001.

Mr. Thistlethwaite stated that one measure of success is the amount collected. The national average is for every \$1 spent \$3 is collected in child support; state-wide that number is \$1 to \$9 and for this County it is for every \$1 spent we collect \$21 which is 7 times the national average.

He further stated that these numbers are directly attributable to the experience and hard work of the staff. Also, there is an enforcement officer that has done an outstanding job. He has arrested 228 and besides child support he has recovered over \$20,000 in Court Costs, which helps pay for his wages with the remaining being paid by the State.

Mr. Thistlethwaite stated that the State has begun to release the new computer systems called Generation 2. It has been installed in Wayne County and every County has to be on line by September 30th or the State will be assessed \$141 million in penalties. By fall the State will then take over handling the child support payments, however the payer may still walk-in the local office and pay their support.

When the State takes over the collection and disbursement of child support the employees in the office can then concentrate on enforcement.

Commissioner Loudenslager commented to Mr. Thistlethwaite that he was glad to have him back and that it was an excellent report and encouraged him to keep up the good work.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the Friend of the Court Annual Report for 2002 be accepted. Motion carried.

ROAD COMMISSION ANNUAL REPORT FOR 2001

Bruce Jones, Engineer/Manager of the Road Commission, presented the Annual Report for 2001 and apologized for it being so late.

He stated that they were very busy in 2001 and single sealed 133 miles of roads along with centerlining 445 miles with 215 of those miles paid for by the federal government. This lasts two years so they will be centerlining 215 miles again this year.

Snow removal was down in 2001, however they spent \$2,773,299 in heavy maintenance/construction costs that included \$931,326 on the local road system with costs shared by the local townships.

They rebuilt Crooked Creek Road with ISTEA (federal gas tax money) funds and it is now an all weather road.

They placed almost 46,000 tons of hot plant mix on 13.1 miles of primary roads and 6 miles of local roads. Bridges were constructed on Cowles Road in Burr Oak Township partially with the \$30,000 that the County allocates. Bridges were also reconstructed on DeLong and Halsey Square Roads.

In 2001 the Road Commission annexed to the Village of Centreville for sewer purposes at a cost of \$116,295.59.

They maintain a good cooperative relationship with the County and the townships.

Mr. Jones stated that the voted millage has become a very important part of their operational revenue.

Commissioner Loudenslager asked if the ISTEA II funds were going to be renewed. Mr. Jones responded by saying that a \$31.8 billion bill has passed both houses of Congress and the President is expected to sign the bill. This is the approximate amount of the last ISTEA legislation.

Mr. Jones further mentioned that in November of 2001 Governor Engler raided the funds taking them away from the Michigan Department of Transportation, Counties, Cities and Villages to counteract the expenses of the Secretary of State and Department of Treasury. Litigation is still pending, however, this Road Commission is receiving \$13,000 less per month since that time.

It was moved by Commissioner Baker and supported by Commissioner Shafer that the 2001 Road Commission Annual Report be accepted. Motion carried.

SUPPORT FOR MSHDA GRANT APPLICATION FOR KEYSTONE PLACE

Kelli Tackett, Executive Director of Keystone Place requested the support of the Board of Commissioners for their application for grant funds for a 2 year period in the amount of \$179,200 plus \$14,000 in continuum of care coordination expenses.

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that the Board of Commissioners supports the MSHDA Grant Application for Keystone Place in the total amount of \$193,200.

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 FOR MSHDA GRANT APPLICATION FOR DOMESTIC ASSAULT SHELTER

Pat Hillman, Executive Director of the Domestic Assault Shelter, stated that according to law they also qualify for grant funds through MSHDA. She is requesting support from the Board of Commissioners in the amount of \$40,000 for 2 years. She mentioned that 50% of the homeless are fleeing abusive situations.

It was moved by Commissioner Bordner and supported by Commissioner Bippus that the Board of Commissioners supports the MSHDA Grant Application for the Domestic Assault Shelter in the amount of \$40,000.

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.

EMPLOYMENT AGREEMENT WITH ECONOMIC DEVELOPMENT DIRECTOR

Barry Visel, President of the EDC Board, stated that the Board unanimously recommends that David Allen be appointed as the Economic Development Director.

The advertisement was posted locally and advertised statewide. 21 applications were received, 20 of those by email.

The Executive Committee reviewed the applications and 3 rose to the top. Two applicants took themselves out of the running, one of those because of the compensation and the other applicant did not know the expectations of the job or know the community. The one remaining was David Allen.

The EDC Board did go through the interview process and Mr. Allen has a lot of experience in economic development in the County.

It was moved by Commissioner Bordner and supported by Commissioner Shafer that an Employment Agreement be entered into with David Allen for the Economic Development Director for \$55,000.

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.

Mr. Allen stated that he appreciates this opportunity and looks forward to working with the Board of Commissioners, the EDC Board and all of the communities in the County. He stated that he would begin no later than March 17th.

EDC BYLAWS AMENDMENT

Mr. Visel requested approval of an amendment to Article XI, adding Section 6 to the EDC Bylaws regarding being more specific as to which Board reviews the annual budgets. The proposed language is as follows:

Section 6. Each Advisory Board (also referred to as Councils) shall submit an annual budget to the Economic Development Corporation Board for review and approval before any funds may be expended for any year. If there are changes in the approved budget of an Advisory Board during the course of the year, these changes must be brought before the Board for prior review and approval.

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that the proposed amendment to the EDC Bylaws 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.

AMEND BOARD OF COMMISSIONERS RULES

Ms. West-Wing stated that all amendments to the Board rules as discussed in the work session on February 4th have been incorporated into the document and a revised copy has been provided to them.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that the amendments to the Board Rules 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.

EQUALIZATION DEPARTMENT POSITION CHANGES

Ms. West-Wing has had several discussions with the Equalization Director and through the last several years staff positions have changed. The Equalization Director is proposing to eliminate one clerical position and the independent contractor, who has been doing the commercial and industrial studies and replace them with a Level III Appraiser so that these studies will be done in-house. With the evolution of technology the clerical work is being accomplished through software and the jobs are more technical in nature.

She further stated that if the Board approves this that a job description will be developed and the position evaluated for pay grade placement.

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that these job position changes in the Equalization Department be approved.

Commissioner Pueschel asked how much this would cost this year.

The Administrator responded by saying that this year there would be no additional cost because of the money already budgeted in the clerical position and for the independent contractor.

Motion carried.

REGISTER OF DEEDS NEW POSITION

Ms. West-Wing stated that new legislation will be effective March 31, 2003, and some fees are increasing in the Register of Deeds Office to be specifically placed in a Technology Fund. The purpose of this additional money is to spend it to enhance access to records in the Register of Deeds Office by adding staff and/or improving technology. The Register of Deeds is proposing to add a new position to work on scanning records prior to 1993 to add them to the database and eventually they will be available on the internet. If the Board concurs with the addition of this new position a job description will be developed and evaluated for pay grade placement.

Ms. West-Wing added that this legislation is due to sunset in 2005 and the legislature at that time will take another look at whether or not they will extend the time frame.

It was moved by Commissioner Bippus and supported by Commissioner Bordner that this new position be approved. After discussion the motion carried.

LAKE TEMPLENE AND SAND LAKE
LAKE LEVEL RESOLUTION
PURSUANT TO MCL 324.30701 et seq

RESOLUTION NO. 5-2003

Commissioner Bippus presented the following resolution:

WHEREAS, lake levels for Lake Templene and Sand Lake were established under the Inland Lake Level Act, formerly Act 146 of the Public Acts of 1961 on March 30, 1972, at 828.5 feet above mean sea level; and

WHEREAS, the St. Joseph County Circuit Court record for the proceedings setting the lake levels, File No. 306-69, has been reviewed, with no record that a special assessment district was established; and

WHEREAS, the St. Joseph County Drain Commissioner is the delegated authority for St. Joseph County for the maintenance of the established lake levels for Lake Templene and Sand Lake; and

WHEREAS, the St. Joseph County Drain Commissioner has determined that maintenance to the lake level control structure for Lake Templene, which also control the lake level for Sand Lake, is necessary; and

WHEREAS, the St. Joseph County Board of Commissioners deems it expedient to have a special assessment district established pursuant to Part 307 of the NREPA, MCL 324.30701 *et seq*; and

NOW, THEREFORE BE IT RESOLVED:

1. The Board directs the St. Joseph County Drain Commissioner, as delegated authority, to determine the tentative special assessment district boundaries for Lake Templene and Sand Lake, including therein all parcels of land and political subdivisions and each parcel of land owned by the Department of Natural Resources which are benefited by the established lake levels.
2. Financing of all future maintenance and improvements related to the established lake level for Lake Templene and Sand Lake shall be borne by assessing the special assessment district.
3. The Board authorizes the Drain Commissioner to retain and direct the law firm of Hubbard, Fox, Thomas, White & Bengtson, P.C., to institute proceedings in St. Joseph County Circuit Court to establish and confirm special assessment district boundaries for the established lake level of Lake Templene and Sand Lake, and all costs to do so shall be borne by the district.

It was moved by Commissioner Bippus and supported by Commissioner Baker 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.

WALK FOR WARMTH

RESOLUTION NO. 6-2003

Commissioner Bippus read the following resolution:

WHEREAS, the hardship on low-income families is intensified by the severe impact of Michigan winter, causing limited resources to be stretched and a disproportionate share of income used to provide the simple necessity of a safe and warm home; and

WHEREAS, Federal and State resources intended to deal with these heating-related emergencies have declined dramatically in recent years and continue to decline at an alarming rate, particularly for those people who fall outside the established welfare system, those unemployed or underemployed; and

WHEREAS, the Community Action Agency of South Central Michigan, in an effort to raise money to alleviate these problems on a community level for the specific purpose of addressing heating-related emergencies, is sponsoring the eighteenth annual "WALK FOR WARMTH" on Saturday, February 22, 2003 in the Cities of Three Rivers and Sturgis, as well as other cities throughout their four-county service area;

NOW THEREFORE, the St. Joseph County Board of Commissioners
does hereby proclaim Saturday, February 22, 2003 as
"WALK FOR WARMTH DAY"

in the County of St. Joseph, and urges our citizens to show compassion for their neighbors in need by unselfishly contributing both time and money to this most worthy and, unfortunately, very necessary event.

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

Solid Waste Management Planning Committee

It was moved by Commissioner Shafer and supported by Commissioner Bippus that Kurt Webb be nominated and appointed to the Solid Waste Management Planning Committee representing Cities for a term to expire September 1, 2003. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Bippus stated that he would like to schedule a Law Enforcement Committee Meeting after the meeting tonight.

Judiciary

Commissioner Bordner stated that he had nothing to report but mentioned that he brought the new Commissioners a copy of a booklet from the Michigan Association of Counties Conference entitled *Michigan's One Court of Justice*.

Physical Resources

Commissioner Bippus stated that the next Physical Resources Committee Meeting is scheduled for February 26th at 2:00 p.m. in the Conference Room at the Sheriff's Department.

Executive Committee

Commissioner Bordner stated that the only thing not discussed tonight that was discussed at the Executive Committee Meeting held on February 14th was the addressing issues with the G.I.S. and Central Dispatch and a proposal will be presented at a later time.

Investment Advisory

Commissioner Bippus stated that everyone has received a copy of the minutes of the Investment Advisory Committee Meeting held February 4th and asked if anyone had any questions. He said that he was not in attendance at the meeting but there were some other committee members here today that could answer any questions.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Linda Towles, Program Aide - Extension, is on medical leave commencing February 17, 2003 under the Family and Medical Leave Act of 1993.

Patches Greenwald, Deputy Register of Deeds, change to Chief Deputy Register of Deeds (new position) at \$25,750.00/yr. (grade 5, minimum) effective February 18, 2003.

RESIGNATION:

Randy Ames, Park Ranger, has resigned effective January 27, 2003.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

INCREASE REVENUES:

Line item 101-258-676.700 (Reimbursement – Judicial Network Project) \$ 20,303.00

INCREASE EXPENDITURES:

Line item 101-258-816.000 (Contractual Services) \$ 20,303.00

INCREASE REVENUES:

Line item 101-253-577.010 (Convention Facility Tax) \$ 3,975.50

INCREASE EXPENDITURES:

Line item 101-001-969.100 (Substance Abuse Council Appropriation) \$ 3,975.50

DECREASE:

Line item 101-890.941.000 (Contingency) \$ 1,472.00

Line item 101-236-706.170 (Wages – Chief Deputy) \$ 1,295.00

INCREASE:

Line item 101-236-706.130 (Wages – Deputies) \$ 2,767.00

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

FINANCE DIRECTOR'S REPORT

Dan Carey presented the following reports:

Per Diem

Robin Baker - 7 half days 1/28, 1/29, 2/3, 2/4, 2/5, 2/7 & 2/17/03	\$ 325.00
Monte Bordner - 8 half days 1/23, 2/4, 2/5, 2/7, 2/10, 2/11, 2/13 & 2/14/03 & 3 full days 1/23, 2/10 & 2/11/03	685.00
John Dobberteen - 5 half days 2/4 x 2, 2/6, 2/14 & 2/17/03 & 1 full day 2/1/03	345.00
Gerald Loudenslager - 3 half days 1/28, 2/12 & 2/13/03	150.00
David Pueschel - 5 half days 2/3, 2/4, 2/7 & 2/14/03 x 2	250.00
Eric Shafer - 10 half days 1/8, 1/16, 1/23, 1/29, 2/4, 2/5, 2/7, 2/10, 2/11 & 2/12/03	<u>500.00</u>
	\$2,255.00

Expenses

Robin Baker	\$ 36.36
Monte Bordner	234.72
John Dobberteen	32.40
Gerald Loudenslager	98.47
David Pueschel	46.60
Eric Shafer	<u>65.88</u>
	\$ 514.43

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

Financial Statements

January

	Revenues		Expenditures
January	\$ 884,724	\$	1,204,739
Year to Date	844,724		1,204,739

Period Fund Balance - (\$360,015)

Percent of budget year elapsed year to date.	8.33%
Percent of total budgeted funds earned year to date	6.98%
Percent of total budgeted funds expended year to date	9.95%

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the financial statements for January be accepted. Motion carried.

December - Unaudited

	Revenues		Expenditures
December - Unaudited	\$ 1,258,843	\$	1,175,669
Year to Date	11,894,978		11,196,502

Total Fund Balance - \$3,534,507

Percent of budget year elapsed year to date.	100.00%
Percent of total budgeted funds earned year to date	100.75%
Percent of total budgeted funds expended year to date	94.90%

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the financial statements for December be accepted. Motion carried.

MISCELLANEOUS

Commissioner Loudenslager stated that the MAC Conference last week that he attended was excellent.

Commissioner Bordner stated that he agreed with Commissioner Loudenslager about the conference. There was a lot of information disseminated.

Commissioner Bippus commended Chairman Dobberteen for moving the meeting along and stated that he would appreciate him repeating motions before they vote on them.

Commissioner Shafer welcomed David Allen as the new EDC Director.

Ms. West-Wing stated that last July 1st, Judge Welty instituted a new policy of collecting attorney fees up front when a case begins rather than waiting until the defendant is sentenced. He gave her a memo today stating that he did a comparison of the last four Januarys and this year they collected \$1,100 more than any of the previous 3 years.

Commissioner Bippus stated that that was commendable and asked the Administrator to pass along their appreciation to Judge Welty.

CITIZENS COMMENTS

Nancy Percival stated that there is no local Community Action Agency Coordinator this year and she was glad that the Board passed the Walk for Warmth Resolution but is concerned that there will not be many funds raised this year. She mentioned that she will be collecting money after the meeting for anyone that would like to give.

ADJOURNMENT

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

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman