

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 March 4, 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:

Eric Shafer	Gerald E. Loudenslager
Michael D. Dunlap	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 Resource Director.

AGENDA

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

MINUTES APPROVED

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager that the minutes for February 19, 2008 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Updates, February 22 and February 29, 2008.
2. Letter from White Pigeon Township, Re: Notice of public hearing on March 4 to consider an Industrial Facilities Tax Exemption for White Pigeon Paper Company.
3. Copy of letter from Tim Carls to Representative Upton, Re: Lockport Township audit.
4. Copy of letter from Gordon Evilsizor to Senator Levin, Re: Michigan Commission on Law Enforcement Standards.
5. Resolution from Iron County, Re: Require users of the surface waters to financially participate in economical application fees, prompt governmental review and issuance of permits and management efforts to control aquatic nuisance species.
6. Minutes of the St. Joseph River Basin Commission meeting of December 4, 2007.
7. Southwest Michigan Land Conservancy's Newsletter – Spring 2008.

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

CITIZENS COMMENTS

Gordon Evilsizor, 17770 Stears Road, Constantine, stated that he has been working with State Representative Rick Shaffer regarding his former deputy status. Representative Shaffer referred him to the Board of Commissioners. He stated that he has asked Sheriff Lori to give him a copy of his oath as a deputy that was valid through December 31, 2000. He has not been able to obtain this oath. Chairman Baker referred the matter to the Administrator.

CIRCUIT COURT'S ANNUAL REPORT FOR 2007

Circuit Judge, Paul Stutesman, gave an overview of the 2007 Annual Report for Circuit Court. He wanted to thank Kathy Griffin, Caseflow Manager, for all the work that she did last year and in preparing this report.

Judge Stutesman stated that the annual report only covers the operations of the trial division of Circuit Court. Judge Shumaker will report on the Juvenile Branch and William Thistlethwaite will report on the Friend of the Court.

The theme of the year, once again, was cooperation. All four Judges are in constant contact with each other.

He also serves on the Executive Committee of the Michigan Judges Association with other Circuit Court Judges, representatives from the Supreme Court, the State Court Administrator's Office and lobbyists. They get a head start on any proposed new court rule changes.

Judge Stutesman has also talked Judge Shumaker, President of the Probate Judges Association into attending these meetings. They meet every other month.

He further stated that he is proud of the cooperation between the Circuit Court and the County Clerk's Office. They work well together and they all do a good job of utilizing resources. They worked together to convert the file size and also to work with the new J.I.S. jury program.

Judge Stutesman added that the Clerk has been serving on a State Sub-Committee on Collections and a collections study was done by SCAO in our Circuit Court. There is a meeting scheduled this Thursday to discuss the findings of that study.

Amazing was the word used by Judge Stutesman to explain the cooperation by everyone that was done last year and continues this year on averting jail overcrowding. They also avoided early releasing anyone and now each Judge and the Prosecutor receives a daily email from the Jail Administrator on the jail population which aids the Judges in determination of sentences. Spencer Price is the new Mental Health Jail Diversion worker which also helps the process.

Judge Stutesman stated that the defense bar, the Prosecutor and the Court cooperate very well all the time. He gave an example concerning a high profile murder case where witnesses were brought in from several states, scientific experts, some world-renowned testified and the whole trial was concluded in 2 weeks and the Circuit Court did not go over budget for the year.

He appreciates the cooperation that we have between the Board of Commissioners and the Courts. It is unique as there is trust on both sides, the dialogue is great and the entire relationship is enjoyable.

Commissioner Dobberteen stated that he appreciates this cooperation as well and our court system is being used as a model in the State.

Commissioner Dunlap stated that he knew absolutely nothing about the courts when he became a Commissioner, and he is proud of the cooperation within our Judicial System and he is also proud of Three Rivers' native son, Judge Stutesman.

Commissioner Loudenslager stated the collaboration and cooperation that we enjoy here is talked about around the State. We are efficient and can operate more economically this way. He thanked the Judge and commended him on his report.

Commissioner Pueschel echoed comments from the other Commissioners and stated that a lot has changed in the last 5 years.

Commissioner Shafer stated that he has heard from attorneys who have told him that Judge Stutesman is doing a great job.

Commissioner Bordner stated that there used to be some very dark days here and Judges Shumaker, Welty and Middleton (previous to the appointment of Judge Stutesman) met with the Executive Committee and the Administrator to solve a lot of problems within the Judiciary. Many negatives were made into positives. The communication between the Board and the Judiciary is amazing. Jim Hughes, SCAO's Regional Administrator for our County, is using us as an example of communication and cooperation. He made a presentation at the MAC Conference last month regarding this. He thanked the Judiciary for their cooperation and service.

Judge Stutesman stated that both of the people that work in his office, Kathy Griffin and Anita Buscher are very valuable employees and Mrs. Griffin sent her apologies and would have been here tonight, but her father-in-law passed away and visitation is this evening.

It was moved by Commissioner Loudenslager and supported by Commissioner Dobberteen that the Circuit Court Annual Report for 2007 be accepted. Motion carried.

DISTRICT COURT'S ANNUAL REPORT FOR 2007

Chief District Court Judge, Jeffrey Middleton, gave an overview of the District Court Annual Report for 2007. He thanked Tabitha Wedge, Court Administrator, who was in attendance for providing the data and putting together the annual report. Judge Welty was also present.

Judge Middleton stated that he appreciates the cooperation of the Board of Commissioners when all 4 courts went to video courtrooms. There have been no major breakdowns and an employee was eliminated. There is trust between the Board of Commissioners and the Courts and that was established by the meetings mentioned earlier before Judge Stutesman arrived.

He also thanked the Board and the Administrator for allowing Henry VanGemert, Probation Officer, to go to Guatemala, immersed in their population, to study Spanish. There were some community corrections' funds used and Mr. VanGemert used some vacation time and some work time to do this study. He now does all of the Spanish probation work.

Judge Middleton stated that there is a good working relationship among all 3 courts.

He thanked the staff as they provide good services and make him and Judge Welty look good.

One goal that he has had is to have the Court show more revenues than expenses in a year. 2007 was not the first year that this happened but the numbers were the most significant.

The Court has also had a good experience in accepting personal checks and credit cards. This is working very well.

Their caseload was down as traffic numbers were down almost 2,000 but felony and misdemeanor cases and civil infractions and civil cases were up.

They, again, disposed of more cases than were filed.

Judge Middleton mentioned that the e-citation project is ongoing and problems are being worked out as they happen. He originally thought that this was being done many other places, but actually it is not, therefore they are working out things as they go along.

Judge Middleton stated that Judge Stutesman mentioned in his report that they are using the software for the jury system through J.I.S. The District Court began using the system one year after the Circuit Court tried it out and it is working very well. They are saving thousands of dollars in mailing costs and it is just a better system all the way around. They received assistance from staffs from Circuit Court and the County Clerk Office to learn the system in the spirit of cooperation.

He explained that Judge Welty's District Court duties are included in this report but not his ½ time duties as Circuit Court Judge where he handles all domestic relations cases with children.

Judge Middleton stated that all of the Judges met with Jim Hughes and they have an almost perfect split of caseload between the 4 judges. All caseloads are almost equal.

He also commended Vilma Taylor, a Clerk in the District Court, who speaks fluent Spanish and translates in the Court and also in other offices.

The Court also changed from an Attorney/Magistrate position to a Magistrate's position as T.J. Reed went into private practice and Don Happel was hired as a non-Attorney/Magistrate. This is working very well and the County is saving thousands of dollars for a comparable service. He is very proud of the work of the staff and the other Courts.

Judge Middleton said that a few years ago St. Joseph County had a great need for visiting Judges and the Judges here are now trying to re-pay that debt to other Counties, especially in Branch and Cass.

He said that one of their goals is to increase collections.

Commissioner Dunlap stated that the County can be proud of our judicial services.

Commissioner Shafer stated that in the spirit of cooperation the County has authorized a study into the HVAC system so that the air flow can be better regulated in the Courts Building. He appreciates the cooperation of the Judiciary and their interest in increasing collections.

Commissioner Loudenslager stated that he would echo the comments of the other Commissioners and stated that he also enjoys serving on the Community Corrections Committee with Judge Middleton. Judge Middleton stated that the Community Corrections sets up a lot of programs for offenders.

Commissioner Dunlap asked about page 7 of the report and the financials that go to the local units of government. Judge Middleton explained that 1/3 of the money collected goes back to the community where the offense occurred.

Commissioner Bordner asked if the County was sold a bill of goods in the e-citation project. Mrs. Wedge stated that the download phase is not yet completed, but that the vendors are accountable now. The components overlap each other therefore requiring a lot of testing. They should be into the last stage soon.

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that the District Court Annual Report for 2007 be accepted. Motion carried.

HUMAN SERVICES COMMISSION - REQUEST FOR FUNDS

Jan Reed, Human Services Commission Collaborative Coordinator, was present to seek a draw down of their FY08 county allocation of \$42,000 to financially support the Healthy Families Program.

She explained that this program is a crown jewel of their collaboration in St. Joseph County. They provide in-home workers for families that are at-risk for abuse and neglect of their children.

Last year they served 1,118 families with 1,619 in-home visits. They assign 2 workers for those families with children in the 0-5 age group and 2 workers for clients in the 0-18 age group.

It was moved by Commissioner Dobberteen and supported by Commissioner Dunlap that the \$42,000 be approved for the HSC Healthy Families Program.

Ms. West-Wing explained that this money will come from the Waste Management Fund.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH CENTREVILLE VILLAGE

Ms. West-Wing stated that this is a renewal of an Agreement for Law Enforcement Services with the Village of Centreville. It is for 2 officers for 80 hours per week with 6 hours of clerical.

It was moved by Commissioner Dobberteen and supported by Commissioner Loudenslager 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: 7 – Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

INTERGOVERNMENTAL FUNDING AGREEMENT FOR 2007 HOMELAND SECURITY GRANT

Ms. West-Wing stated that this is the 2nd agreement that we have had with VanBuren County which acts as the fiduciary for the Homeland Security Grant funds.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the Intergovernmental Funding Agreement for 2007 Homeland Security Grant with VanBuren County be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

COOPERATIVE REIMBURSEMENT CONTRACT AMENDMENT

Ms. West-Wing stated that the amendment to the Cooperative Reimbursement Agreement for the Friend of the Court is to add \$81,972 as the State is picking up some of the costs that the Federal government eliminated.

It was moved by Commissioner Bordner and supported by Commissioner Dunlap that the Cooperative Reimbursement Contract Amendment be approved.

The aye and nay vote was called as follows:

Aye votes cast: 7 – Commissioners Shafer, Loudenslager, Dunlap, Baker, Bordner, Pueschel & Dobberteen

Nay votes cast: 0

Motion carried.

NOMINATIONS/APPOINTMENTS

County Transportation Authority

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that Gary Wheeler be nominated and appointed to the County Transportation Authority. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Dobberteen stated that there was no report.

Judiciary

Commissioner Loudenslager stated that there was no report.

Physical Resources

Commissioner Shafer stated that the Physical Resources Committee had not met and asked the Administrator about when the engineer may have the study done on the HVAC system in the Courts Building. Ms. West-Wing stated that she will look at the contract this week and it will probably take 6-7 weeks for the engineer to do the study.

EXECUTIVE COMMITTEE

Commissioner Dobberteen stated that everyone had a copy of the Executive Committee Meeting minutes of February 29th and he would answer any questions that anyone may have.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

NEW HIRE:

Julie M. Yunker has been hired as part-time Telecommunicator at \$8.50/hr. effective March 5, 2008.

RESIGNATIONS:

Kimberly Hall, Three Rivers Senior Center Manager, has resigned effective February 8, 2008.

Barbara Wittlock, Nutrition Substitute, has resigned effective February 22, 2008.

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET AMENDMENTS:

DECREASE WASTE MANAGEMENT FUND #227:

Line item 227-101-941.000 (Contingency) \$ 4,500.00

INCREASE WASTE MANAGEMENT FUND #227:

Line item 227-101-969.070 (Soil Conservation Appropriation – River Cleanup Project) \$ 4,500.00

INCREASE FRIEND OF THE COURT REVENUES :

Line item 101-141-573.000 (State Incentive Program - Federal) \$77,154.00

Line item 101-141-573.020 (State Supplement CRP) 4,818.00

\$81,972.00

INCREASE EXPENDITURES:

Line item 101-890-941.000 (Contingency) \$81,972.00

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

FINANCE DIRECTOR'S REPORT

Bills

Mr. Carey presented the following bills for payment:

<u>GENERAL FUND</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Due from State	\$ 7,482.45	\$
Prepaid Insurance	105,392.00	
2007 Unemployment Claims	1,333.15	
Appropriations	22,000.00	
County Commission	377.29	7,413.77
Circuit Court	71.00	13,377.40
District Court	948.09	59,369.00
Friend of the Court	4,769.09	39,025.14

GENERAL FUNDEXPENDITURESPAYROLL

Probate Court	\$ 94.54	\$ 18,417.64
Juvenile Branch	14,098.49	38,997.90
Appeals Court	1,996.92	
Administration		9,703.73
Elections	138.09	
Finance Department	1,099.79	13,142.24
County Clerk	126.09	19,965.47
Equalization Department	4,881.84	15,482.61
Human Resources	445.00	6,965.58
Geographic Information Systems	763.64	6,636.04
Prosecutor's Office	1,686.90	36,989.73
Central Services	5,615.16	5,437.94
Register of Deeds		12,946.37
County Treasurer	4,401.99	14,738.61
Cooperative Extension	875.77	8,427.77
Information Technology	3,140.70	11,625.56
Buildings & Grounds	10,950.22	14,902.56
Courts Building Security	861.92	8,137.84
Drain Commission	703.36	5,598.60
Sheriff Department	4,920.34	93,138.21
Sheriff Reserves	35.00	
Marine Patrol		32.30
Jail & Turnkey	24,388.97	108,133.41
Planning Commission	1,641.25	
Emergency Services	795.30	5,479.52
Animal Control	745.38	9,141.33
Board of Public Works		655.21
Medical Examiners	600.00	
Child Care - Probate	6,507.14	996.60
Veterans' Services		1,135.60
Utilities & General Services	25,688.79	
Total	\$ 259,575.66	\$ 586,013.68

OTHER FUNDSEXPENDITURESPAYROLL

County Road Commission	\$ 533,194.06	\$
Parks & Recreation	7,555.63	7,527.59
Emergency 911 Service	15,165.91	56,426.62
Central Dispatch - Wireless	6,193.56	4,059.51
Meyer Broadway/Coon Hollow Park	337.86	2,207.56
Family Counseling	227.50	
Cade Lake Park	620.15	
Traffic Safety Program Fund	324.53	
Economic Development Fund		7,763.38
Survey & Remonumentation	600.00	
Register of Deeds Automation Fund	94.72	
Victims' Rights Advocate Fund		3,232.77
Community Corrections Advisory Board	3,810.00	2,929.43
Community Corrections Program	706.00	
Drug Law Enforcement Fund	574.94	
Law Enforcement Fund		13,133.56
Secondary Road Patrol		9,242.50

<u>OTHER FUNDS</u>	<u>EXPENDITURES</u>	<u>PAYROLL</u>
Homeland Security Grant Fund	\$ 2,426.85	\$
Law Library Fund	430.50	
Principal Residence Denial Fund	2,660.02	655.19
Commission on Aging	59,976.61	49,132.35
Child Care - Probate Court	35,132.25	3,753.91
Veterans' Trust Fund	625.00	
Forfeiture & Foreclosure Fund	2,828.88	
Tax Payment Fund	760.32	
Inmate Store	386.91	
Three Rivers Community Center	2,539.47	935.57
Flexible Benefits Insurance Fund	158,056.39	
Total	\$ 835,228.06	\$ 160,999.94
Grand Total	\$ 1,094,803.72	\$ 747,013.62
General Fund Operating Expenditures		
Pre-Authorized	\$231,178.28	
Accounts Payable	28,397.38	
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	\$ 259,575.66	
General Fund Payroll Expenditures	\$ 586,013.68	
Other Funds Operating Expenditures		
Pre-authorized	\$818,156.36	
Accounts Payable	17,071.70	
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	\$ 835,228.06	
Other Funds Payroll Expenditures	\$ 160,999.94	
Total Recorded for the Month	\$ 1,841,817.34	

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

MISCELLANEOUS

Commissioner Dunlap spoke about the union strike at American Axle in Three Rivers and how it could have long term affects on the County as most of the workers live here and spend their money here.

Commissioner Bordner reminded everyone of the SMART meeting to be held tomorrow at the Rural Health Clinic in Three Rivers beginning at 9:30 a.m. Cathy Annis will also be there to talk about the Economic Development Corporation.

Commissioner Loudenslager thanked Commissioner Shafer and the Planning Commission for listening to some angry constituents of his in Colon Township.

ADJOURNMENT

It was moved by Commissioner Bordner and supported by Commissioner Dobberteen that the St. Joseph County Board of Commissioners adjourn until March 18, 2008 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

Robin Baker, Chairman