

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 November 18, 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:

Gerald E. Loudenslager
Monte Bordner
John L. Dobberteen

Robin Baker
David J. Pueschel

Absent: Eric Shafer and John W. Bippus

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

AGENDA

Chairman Dobberteen stated that the Cade Lake Park Development should be removed from the agenda. Commissioner Loudenslager asked if a resolution regarding Delaying the State Income Tax could be added to the agenda.

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

MINUTES APPROVED

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the minutes for November 4, 2003 be approved. Motion carried.

COMMUNICATIONS

1. Letter from Michigan Association of Counties, Re: MAC Legislative Updates, November 7 and November 14, 2003.
2. Letter from Darris Richards, Ogemaw County Prosecuting Attorney, Re: Letter sent from Clarice Sperry on action taken against county commissioners.
3. Letter from KeyStone Place, Re: Invitation to KeyStone Place's open house on November 20, 2003.
4. Letter from Edward and Sharon Schwartz, Re: Federal Notice of Tax Lien.
5. Letter from Edward Schwartz, Re: Seizure of property.
6. Letter from Indiana Michigan Power Company, Notice of hearing on November 25, 2003.
7. Minutes of Community Action Agency Board of Director's meeting of October 20, 2003.
8. Minutes of Southwest Michigan Substance Abuse Advisory Council meeting of October 20, 2003.
9. Animal Control's monthly report – August and September 2003.
10. Southwest Michigan Land Conservancy's newsletter – Autumn/Winter 2003.

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

OPEN AND AWARD SHORT TERM TAX BOND BIDS

The Clerk opened the lone bid received from Burnham and Flower of Kalamazoo. The bid was for \$3,843.67.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the short term tax bond bid be awarded to Burnham and Flower of Kalamazoo in the amount of \$3,843.67.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

JAIL RENOVATION PROJECT

Ms. West-Wing stated that the architect has reviewed the 2 low bids and he also met with the Executive Committee last Friday.

It is recommended that the bid be awarded to Brussee/Brady of Three Rivers for \$2,291,000 plus Alternate #1 - additional roof replacement for \$75,700 plus construction contingency of \$125,000 - architectural fees and other expenses for a total project cost of \$2,676,497.

Commissioner Pueschel stated that since this was not the low bid, would contractors be discouraged on bidding on projects here in the future.

Ms. West-Wing responded by saying that Brussee/Brady completion date is 56 days less than the low bid. When the renovation takes place the inmate housing number will be reduced and for every day that our numbers are down we are losing money thus justifying selecting Brussee/Brady for the earlier completion date. Also, they are working out a schedule with us and there is a liquidated damage clause up front based on the completion date.

Commissioner Bordner stated that he read the summary in the Executive Committee minutes and he is comfortable with awarding the bid to Brussee/Brady. He further stated that this contractor is familiar with the facility having done work there in the past.

Commissioner Loudenslager stated that he is pleased with the quality of work from Brussee/Brady and feels that they have gone out of their way in the past for the County.

Commissioner Baker is in support of Brussee/Brady as they have worked at the jail in the past.

It was moved by Commissioner Baker and supported by Commissioner Loudenslager that the jail renovation project bid be awarded to Brussee/Brady of Three Rivers for \$2,291,000 plus \$75,700 for alternate #1 with the total project cost being \$2,676,497.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

ECONOMIC DEVELOPMENT CORPORATION ANNUAL REPORT FOR 2003

David Allen, Executive Director of the Economic Development Corporation, gave an overview of activities since he began the job in April of this year. Mr. Allen recognized Steve Siegelin, MSUE Director, and stated that there is a wonderful working relationship between MSUE and EDC. Mr. Allen introduced Tom Donaldson who was in the audience and is the Immediate Past President of the EDC. He also recognized Commissioner Bordner, a Board Member. Also, in attendance were Board members, Dennis McCarthy and non-voting member Sally Carpenter. He also recognized Board Members, Barry Visel, Current President, Rob Sisson, Marty Barth, Don Beavers, Joe Bippus, Ron Carpenter, Marty DeLeo, Cathi Garn, Bob Montgomery, Tod Mowery (who is on the agenda tonight for appointment), Dave Mumby and Nancy Percival representing Workforce Development. There is currently one vacancy, which they hope to have filled by the end of the year.

Currently the EDC is on pace to collect \$95,000 in revenues of which 50% is paid by the County. Expenditures will be exceeding revenues this year. They will be beginning a fundraising campaign. Ideally, he would like 1/3 to be contributed by the County; 1/3 by municipalities; and 1/3 private funding.

During 2003 Mr. Allen will be making 100 retention visits.

Mr. Allen stated that we were on a short list with an area in Indiana for a distribution facility and we lost because of the incentives and tax breaks that Indiana gives with which we cannot compete. He has been in discussions with Senator Brown to work on some of these issues.

He also gave an overview of other companies that have been in contact with us and have not made their decision on whether or not to locate here. In addition he related some success stories of companies that will be locating here or expanding and adding a substantial number of jobs.

Mr. Allen mentioned that they have done some partnering with Glen Oaks Community College. He introduced Jennifer Baringer, recently hired Project Manager, who will be spending 60% of her time working on the incubator project in the Village of Constantine.

Also, their website will be upgraded and will have a link from the County's website.

Mr. Allen stated that the largest retention that has taken place this fall was MS Morgan, formerly Grumman Olson.

In addition, Mr. Allen, said that one of the possible state budget cuts is MSUE and he urged the County's continuing support of that program.

Commissioner Pueschel stated that it was a good report.

Commissioner Bordner stated that he appreciates the work that Mr. Allen does and notices a lot of cooperation within the community.

Commissioner Loudenslager stated that Mr. Allen does a good job and hopes that he keeps up with the retention calls.

It was moved by Commissioner Baker and supported by Commissioner Pueschel that the 2003 Annual Report of EDC be accepted. Motion carried.

MICHIGAN STATE UNIVERSITY EXTENSION ANNUAL REPORT FOR 2003

Steve Siegelin gave an overview of the 2003 Annual Report for MSUE. He stated that they had some staff changes this year. He introduced Home Economist, Sally Carpenter, and 4-H Agent, Sara Springsteen, who were in attendance. Effective July 1st Maury Kaercher came on board at no cost to the County. He specializes in beef, sheep and horses.

The agriculture agent position has been vacant since April and the position will probably be filled by January 1, 2004.

Mr. Siegelin thanked the Commissioners for their support of MSUE. He stated that this is the 90th year of the partnership between the Federal Government, Michigan State University and County Government. He stated that for every \$1 that the County spends, MSU and the U.S. Department of Agriculture provides \$3 in support of professional staff who directly assist the people of St. Joseph County.

He remarked that they celebrated 50 years that Midge Bender has worked at the fair this year.

He added that a very important part of MSUE is the multitudes of volunteers. There are 300 registered volunteers and hundreds more. The 4-H program alone has volunteers worth approximately \$500,000.

Mr. Siegelin stated that he appreciates the hard work of the staff and the County's support. They have been able to lead the Land Use Task Force, the Citizen Planner, provide assistance with the U.S. 131 and U.S. 12 Projects. They are adaptive to meet the needs of the County.

Chairman Dobberteen stated that this was an excellent report.

Commissioner Bordner stated that he was most appreciative of MSUE's can-do attitude which is exhibited time and time again.

Commissioner Loudenslager complimented Mr. Siegelin for the excellent job that he has done in such a short time on the job and also congratulated 4-H Agent, Sara Springsteen, on the job that she has done filling the shoes of her predecessor.

He also complimented Sally Carpenter on the job that she does.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the MSUE Annual Report for 2003 be accepted. Motion carried.

HOMELAND SECURITY GRANTS

Jim Barnes, Emergency Services Coordinator, stated that he has spent a lot of time before the Board requesting approval for grant applications and for their acceptance. He stated that we have been offered two more Homeland Security Grants. The first one is for \$10,000 for strategizing and is designed for someone to lead the effort to conduct a threatened risk assessment and most of this work is already done. The second grant is for \$12,000 and is for the development of exercises and after talking to many of the potential participants, this would place a huge burden on the local responders. In order to fulfill the obligations of this grant it would cost between \$20,000 and \$25,000.

Mr. Barnes recommends that the Board turn down both grants for the reasons stated.

Commissioner Bordner asked if we turn these down are we in jeopardy of receiving future grants.

Mr. Barnes responded that future grant applications would not be in jeopardy. He also stated that we will continue to do exercises at our pace.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the first Homeland Security Grant not be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the second Homeland Security Grant not be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

LEASE AGREEMENT WITH KEYSTONE PLACE, INC. - HOMELESS SHELTER RENEWAL

Ms. West-Wing presented a 6 month renewal of a lease for the Keystone Place Homeless Shelter. This will be effective December 1, 2003 and expire May 31, 2004. This is an in-kind contribution from the County and the agreement is for \$1.00 per month.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Keystone Place Homeless Shelter lease be renewed for 6 months at \$1.00 per month.

The Aye and Nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

LEASE AGREEMENT WITH KEYSTONE PLACE - OFFICE SPACE RENEWAL

Ms. West-Wing presented a 6 month lease renewal with Keystone Place for 110 square feet of office space at Annex II for \$477.95.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the lease renewal for office space at Annex II for Keystone Place be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

RENEWAL OF EMPLOYMENT AGREEMENT WITH JUDY WEST-WING

Chairman Dobberteen presented the renewal of the Employment Agreement with Judy West-Wing, Administrator-Controller. He stated that the salary proposed will bring Ms. West-Wing up to the average of comparable counties and will be phased in over a 3 year period.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the Employment Agreement with Judy West-Wing be approved.

Commissioner Loudenslager was glad to see the Board take this step so that her salary will be comparable with her peers.

Commissioner Dobberteen stated that we have the best Administrator in the State.

Commissioner Loudenslager stated that he agreed with Commissioner Dobberteen.

Commissioner Bordner stated that it is because of Ms. West-Wing that this County is in the fiscal shape that we are. He appreciates the level of professionalism that Ms. West-Wing brings to this operation. When he attended the MAC Conference this summer he listened to some Counties that are not in the good financial shape that we are in and for the most part the credit for this condition should go to Ms. West-Wing.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

LETTER OF UNDERSTANDING WITH E911 TELECOMMUNICATORS' ASSOCIATION

Ms. West-Wing stated that the letter of Understanding with the E911 Telecommunicators' Association agrees effective January 1, 2004 to increasing the retirement benefit multiplier from 1.8% to 2% and the employees shall pay 2% through pre-taxes payroll deduction. She explained that this is now consistent with the benefits and contribution provisions for all others in the St. Joseph County Employees' Retirement System.

It was moved by Commissioner Bordner and supported by Commissioner Baker that the Letter of Understanding with E911 Telecommunicators' Association be approved.

The aye and nay vote was called as follows:

Aye votes cast: 5 - Commissioners Loudenslager, Baker, Pueschel, Bordner and Dobberteen.

Nay votes cast: 0

Absent: 2 - Commissioners Shafer and Bippus.

Motion carried.

RESOLUTION NO. 26-2003

Resolution in Support of Postponing the
Income Tax Reduction for 2004

Commissioner Loudenslager read the following resolution similar to one that Kalamazoo County passed as proposed by County Administrator, Don Gilmer:

WHEREAS, the State of Michigan is currently struggling with a budget crisis, and;

WHEREAS, the St. Joseph County Board of Commissioners is willing to accept their fair share of funding reductions in order to assist the State during this budget crisis, and;

WHEREAS, the St. Joseph County Board of Commissioners realizes that the State budget needs to enhance revenue along with funding cutbacks in order to stabilize the budget, and;

WHEREAS, in January of 2004 a reduction in the State Income Tax is scheduled to be implemented.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners respectfully suggests that the Governor and legislators consider postponing the scheduled income tax reduction until such time as the State budget recovers.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Governor of the State of Michigan, the Michigan Legislature, the other 82 counties in Michigan, and the Michigan Association of Counties.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the resolution be adopted and second reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Loudenslager, Baker, Bordner and Dobberteen.

Nay votes cast: 1 - Commissioner Pueschel.

Absent: 2 - Commissioners Shafer and Bippus.

Resolution adopted.

NOMINATIONS/APPOINTMENTS

Economic Development Corporation

It was moved by Commissioner Bordner and supported by Commissioner Pueschel that Tod Mowery be appointed to the EDC representing the City of Sturgis, term to expire June 1, 2004. Motion carried.

Community Corrections Advisory Board

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the following persons be nominated and appointed to the Community Corrections Advisory Board for a 1 year term expiring December 31, 2004:

Jeffrey C. Middleton, District Court Judge - Chairman
Harry Eberhard, Twin County Community Probation Center - Vice-Chairman
Henry Van Gemert, St. Joseph County District Court Probation - Treasurer
Tom Koenig, Michigan Department of Corrections - Secretary
James Noecker, Circuit Court Judge
Thomas Shumaker, Circuit Court/Family Division Judge
Lt. Mark Books, St. Joseph County Sheriff's Department
Gerald Loudenslager, St. Joseph County Board of Commissioners
Douglas K. Fisher, Prosecuting Attorney
Patricia Hillman, St. Joseph County Domestic Assault Shelter Coalition
Howard Bush, Attorney at Law
Eddie Mackay, Citizen at Large

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Chairman Dobberteen stated that the Law Enforcement Committee had not met.

Judiciary

Commissioner Bordner stated that everyone had received a copy of the Judiciary Committee Minutes from their meeting on November 5th. He stated that Judge Schaefer, Chief Judge, would be leaving this appointment at the end of the year. There was discussion on fee collection and the raising of fees and also on the amount of money collected in District Court for attorney fees has far exceeded last year's collection. Commissioner Bordner asked if anyone had any questions.

Executive Committee

Commissioner Baker highlighted the Executive Committee Meeting that was held on November 14th:

- * Judy West-Wing's Employment Contract.
- * Homeland Security Grants.
- * Cade Lake project.

Transportation System

Commissioner Loudenslager stated that the Transportation System is a year old and they managed to make \$23,500 - \$24,000 profit. He further stated that the Management Company was astounded with that amount of profit.

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

BUDGET ADJUSTMENTS:

DECREASE:

Line item 101-301-706.130 (Wages-Deputies) \$10,000.00

INCREASE:

Line item 101-301-712.000 (Wages – Overtime) \$ 5,000.00

Line item 101-301-862.000 (Seminar & Employee Training) \$ 5,000.00

FROM CONTINGENCY:

\$10,000.00 from General Fund Contingency to Victim Services fund (#260) to increase seed money to cover cash flow problems.

It was moved by Commissioner Loudenslager and supported by Commissioner Bordner that the Budget Adjustments be approved. Motion carried.

FINANCE DIRECTOR'S REPORT

Dan Carey presented the following report:

Per Diem

Robin Baker - 7 half days 10/1, 10/28, 10/29, 11/3, 11/5, 11/14 & 11/18/03 & 4 full days 10/27, 10/29, 11/10 & 11/12/03	\$ 680.00
Monte Bordner - 9 half days 10/16, 10/23, 10/31, 11/3 x 2, 11/5 x 2, 11/11 & 11/18/03 & 3 full days 10/27, 10/29 & 11/10/03	735.00
John Dobberteen - 8 half days 10/22, 11/3, 11/4, 11/8, 11/12, 11/14, 11/17/03 x 2 & 2 full days 10/27 & 10/29/03	590.00
Gerald Loudenslager - 1 full day 10/25/03	<u>95.00</u>
	\$2,100.00

Mileage

Robin Baker	\$ 63.36
Monte Bordner	163.44
John Dobberteen	51.84
Gerald Loudenslager	<u>197.64</u>
	\$ 476.28

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

Finance Statements

	Revenues	Expenditures
October	\$ 837,780.00	\$ 926,014.00
Year to Date	9,640,346.00	9,721,828.00

Period Fund Balance (\$88,233)

Percent of budget year elapsed year to date.	83.33%
Percent of total budgeted funds earned year to date	78.88%
Percent of total budgeted funds expended year to date	79.54%

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

CHAIRMAN'S REPORT

Chairman Dobberteen thanked Dave Allen and Steve Siegelin for the great job that they do.

MISCELLANEOUS

Commissioner Baker asked about the revenue sharing meeting that was held on Monday at noon. Ms. West-Wing responded by saying that Tod Mowery, Sturgis City Manager coordinated the meeting with County, Township and Village officials in attendance as well as State Representative Rick Shaffer. She stated that all

municipalities were willing to accept their fair share of cuts in revenue sharing, but the State cannot rely on this every year to alleviate the budget problems that they have.

Commissioner Bordner thanked Steve Siegelin and Dave Allen and their staffs. He stated that it was a pleasure to work with responsive organizations like theirs that have the good of the community in mind. He complimented them on being two great department leaders with vision.

Commissioner Pueschel echoed Commissioner Bordner's comments. He said they are continually taking on more load and they wear many different hats.

Commissioner Bordner stated that the Substance Abuse Advisory Council has been wrangling to get money for local control of programs with the idea that we can spend the money better here than regionally and serve clients.

ADJOURNMENT

It was moved by Commissioner Bordner and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioners adjourn until December 2, 2003 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman