

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 June 17, 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:

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|-------------------|------------------------|
| Eric Shafer | Gerald E. Loudenslager |
| John W. Bippus | Robin Baker |
| David J. Pueschel | John L. Dobberteen |

Absent: Monte Bordner

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

AGENDA

Chairman Dobberteen asked that a report on the COA Audit be added after the County's Audit Report.

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

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the minutes for June 3, 2003 be approved. Motion carried. Commissioners Bippus and Dobberteen abstained due to absence.

COMMUNICATIONS

1. Letter from Secretary of State, Re: Secretary of State Terri Lynn Land to visit Sturgis, Three Rivers and Dowagiac branch offices on June 17, 2003.
2. Resolution from Livingston County, Re: Financial policy regarding the replacement of lost State revenues.
3. Resolution from Manistee County, Re: Health care.
4. Minutes of Southwest Michigan Substance Abuse Advisory Council meeting of May 19, 2003.
5. Minutes of Community Action Agency's Board of Directors meeting of May 19, 2003.
6. Minutes of Commission on Aging Board of Directors meeting of May 21, 2003.

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

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA) GRANT

Lou Ann Moord, Administrative Services Director for the City of Three Rivers, stated that the Board of Commissioners approved a grant application to MSHDA for a County-wide housing rehabilitation program. The grant has been awarded in the amount of \$275,000 and will cover the period from May 1, 2003 to April 30, 2005 and she is asking that the Board accept the grant.

In response to a question by Commissioner Pueschel, she stated that there have been 31 activities completed to date since the inception of the program. Some areas have had no activity for a variety of reasons such as no one has ever applied or if they have applied they were not qualified. Commissioner Pueschel stated that he would spread the word in the areas that he represents that this program is available.

Commissioner Shafer stated that he had some of the same questions and asked Chairman Dobberteen questions about the program and was informed that Ms. Moord runs the program very well and it is available to anyone in the County.

Commissioner Loudenslager thanked Ms. Moord for all the fine work that she does.

Ms. Moord added that applicants are treated on a first come, first served basis. Areas cannot be targeted because of MSHDA rules.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the MSHDA grant in the amount of \$275,000 from May 1, 2003 to April 30, 2005 be accepted.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Bippus, Baker, Pueschel and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Bordner.

Motion carried.

Contract

Ms. West-Wing recommended approval of the contract between the County of St. Joseph and the City of Three Rivers for the City to administer this \$275,000 MSHDA Grant.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the contract between the County of St. Joseph and the City of Three Rivers relative to the administering of the MSHDA grant be approved.

The aye and nay vote was called as follows:

Aye votes cast: 6 - Commissioners Shafer, Loudenslager, Bippus, Baker, Pueschel and Dobberteen.

Nay votes cast: 0

Absent: 1 - Commissioner Bordner.

Motion carried.

AUDIT

County

Steven Kirinovic from Abraham and Gaffney, P.C., gave an overview of the County's audit for 2002. He stated that this is the second year that they have conducted the audit.

He stated that he would be going over the General Fund for the County and explain the comments in the Management Letter and also comment on the graphs.

Mr. Kirinovic further stated that this is an unqualified or clean audit and is the best that can be given.

He stated that the fund equity is \$3.5 million or 32% of the budget which is over the recommended amount of between 10% and 15%. He stated that there was an 8.8% increase in expenditures from 2001 to 2002.

Commissioner Bordner was present at this time.

The graphs indicate that 31% of the general fund expenditures are general government services; 30% public safety and 26% judiciary.

Mr. Kirinovic explained the suggestions that they made in the management letter.

Commissioner Shafer thanked Mr. Kirinovic for the various notes that he put throughout the audit report as he found them very helpful. He also congratulated Administration and Finance for their fine work.

It was moved by Commissioner Loudenslager and supported by Commissioner Pueschel that the County's Audit Report for 2002 be accepted.

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.

Commission on Aging

Mr. Kirinovic continued with a brief explanation of the Commission on Aging audit that they also conducted. They looked at the overall process of the Commission on Aging and made recommendations that would enhance their internal controls.

He reviewed the management letter with the Board and stated that he would explain the entire audit in further detail to the Commission on Aging at their meeting tomorrow.

It was moved by Commissioner Shafer and supported by Commissioner Baker that the Management Letter for the Audit for the Commission on Aging be accepted. Motion carried.

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.

Janet L. Beals, County Treasurer, explained that some of the suggestions that the auditors made in the County audit relative to the County Treasurer's Office have been corrected and they are working on some others.

COMMUNITY CORRECTIONS GRANT APPLICATION RENEWAL

District Judge Jeffrey C. Middleton requested approval of the Community Corrections Grant Application Renewal. He stated that this is the 14th or 15th application and the program is made possible through P.A. 511 of 1989. Since the Community Corrections Program was established in this County he has acted as Chairman of the Board.

Each year the State changes the application process. Nancy Pick formerly worked part time in Community Corrections and part time in Victim's Services. Since February of this year she became a full time employee in Community Corrections.

The application is requesting \$109,330, which is the same as last year. At this time the State budget issues are unknown but they are hopeful that this program will continue to be funded. He gave some statistics and stated how valuable the programs are to the citizens of St. Joseph County.

Judge Middleton mentioned that in 2000 there were 22 felony drug convictions; in 2001 there were 31 and in 2002 there were 65. This does not include the misdemeanor cases. Most of the charges are for amphetamines.

He stated that in fiscal year 2001-2002 they retained 16 of the 68 straddle cell offenders which are the ones that could go to jail or prison but instead they became a part of the Community Corrections Program.

Judge Middleton stated that most counties do not have the options that are given in this County.

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the Application for Community Corrections Fund for FY 2003-2004 be approved.

Commissioner Loudenslager stated that Judge Middleton does a fantastic job as Chairman of this group and is certainly worthy of being chairman since 1989.

Commissioner Shafer asked Judge Middleton if they expected any State cuts.

Judge Middleton stated that they received an update in March and they should be okay at least through this fiscal year. He further mentioned that the County was leery of approving this program at its inception thinking that the County would have to pay when the State stopped paying for the program. So far, the State has always paid 100% of the program.

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.

PROPERTY TAX ADMINISTRATION FEE FOR COLON TOWNSHIP

Commissioner Bippus read the following resolution:

RESOLUTION NO. 13-2003

RESOLUTION TO IMPOSE PROPERTY TAX ADMINISTRATION FEE

WHEREAS, the County of St. Joseph is responsible for the collecting of the School Education Tax required by Public Act 331 of 1993, as amended (MCL 211.901) for the Township of Colon, St. Joseph County, Michigan; and

WHEREAS, P.A. 331 of 1993, as amended (MCL 211.901) provides for imposition of a property tax administration fee of not more than one (1%) percent; and

WHEREAS, it is the desire of the St. Joseph County Board of Commissioners to approve and authorize the imposition of a property tax administration fee as a fee to offset the cost incurred in the collection of taxes for the Township of Colon.

NOW, THEREFORE, BE IT RESOLVED, that the St. Joseph County Board of Commissioners does hereby approve and authorize the imposition of a property tax administration fee of one (1%) percent on all sums voluntarily paid for the School Education Tax. This resolution shall apply to the School Education Tax levied in 2003 and shall continue in full force and effect unless and until revoked or rescinded by resolution of the St. Joseph County 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.

PAYMENT IN LIEU OF TAXES (PILT)

Commissioner Bippus read the following resolution:

RESOLUTION NO. 14-2003

PAYMENT IN LIEU OF TAXES (PILT)

WHEREAS, the State of Michigan executive budget recommendation on the payment in lieu of taxes (PILT) includes the recommendation that property purchased by the Department of Natural Resources (DNR) is to be treated the same as swampland for tax purposes, at the rate of \$2.00 per acre; and

WHEREAS, the DNR currently owns approximately 2060 acres in St. Joseph County with a total tax bill of approximately \$26,200; and

WHEREAS, the Administration's proposal would be a significant financial loss to the county and other local units of government and would represent a loss of around \$22,000, of which approximately \$4,500 would be from the County General Fund, \$650 from 911, \$350 from Commission on Aging and \$1,000 from Road Commission; and

WHEREAS, the proposals for cuts in PILT payments will jeopardize public services provided to state owned lands and could also force higher tax rates on individual taxpayers; and

WHEREAS, St. Joseph County officially opposes the Administration's proposal for PILT funding and strongly urges the Legislature to maintain the current process of DNR PILT payments.

NOW, THEREFORE, BE IT RESOLVED, that St. Joseph County supports funding the payments by utilizing any and all possible funding, including restricted funds and revenue from the sale of state lands.

BE IT FURTHER RESOLVED, that St. Joseph County also supports efforts to streamline tax bills so the DNR gets just one bill from each county and supports letting local governments get sign off whether the DNR can purchase land in its jurisdiction; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Jennifer Granholm, Senator Michelle McManus, Senator Cameron Brown, Representative John Pastor, Representative Rick Shaffer, and Michigan Association of Counties.

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

Commissioner Shafer asked if this impacted other entities. Ms. West-Wing responded by saying that the loss totaled \$22,000 and includes all municipalities and schools in the County, but only \$4,500 directly affects the County.

Commissioner Loudenslager stated that MAC asked the counties to pass this as it affects so many counties.

Commissioner Bordner stated that the devil is in the details. He said that the County Commissions and MAC need to keep the legislators feet to the fire. These funds are going to be paid out of the DNR not the General Fund. It comes out of fees, etc., and does not solve the problem.

NOMINATIONS/APPOINTMENTS

Commission on Aging

It was moved by Commissioner Loudenslager and supported by Commissioner Bippus that Beverly Burnham, Eric Shafer and Ron Yonker be nominated and appointed to the Commission on Aging for 2 year terms expiring June 30, 2005 and that Lillian Carter be nominated and appointed to the Commission on Aging for a 1 year term to expire June 30, 2004. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Bippus stated that there was no report but a meeting is scheduled soon.

Judiciary

Commissioner Bordner stated that the next meeting will be held at noon on July 9th.

Physical Resources

Commissioner Bippus stated that they have been meeting and are mostly dealing with the jail renovation project, however, there is nothing significant to report at this time.

Executive Committee

Commissioner Bordner stated that most items that the Executive Committee discussed at their meeting on June 12th have been discussed tonight except for the public defender extraordinary expense. He will answer any questions that anyone may have.

U.S. 131 Project

Commissioner Shafer stated that he heard that funding for the U.S. 131 Project was being delayed.

Commissioner Bordner stated that Governor Grandholm was recently caught in a traffic jam around Grand Rapids and she may reconsider her recommendation to cancel all new road projects. She has been supporting the concept that roads should be repaired and not re-built at this time. It will be determined on a project by project basis.

Dave Allen, Economic Development Director, stated that he attended the meeting last Friday in Kalamazoo with MDOT representatives and the County was well represented. The U.S. 131 Project is being taken under advisement.

RETREAT

The Retreat with Department Managers and Commissioners is scheduled for August 6th.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

DISMISSAL:

Michelle Chupp, part-time for District Court, has been dismissed effective June 9, 2003.

NEW HIRE:

Darcy Lynn Borden has been hired as part-time Telecommunicator at \$7.50/hr. effective June 21, 2003.

MISCELLANEOUS:

Sheryll Sensat, Telecommunicator, will be on medical leave commencing June 18, 2003 under the Family and Medical Leave Act of 1993.

Dan Kennedy, Road Patrol Officer, is on medical leave commencing May 12, 2003 under the Family and Medical Leave Act of 1993.

Tim Schuler, Corrections Corporal, is on medical leave commencing June 12, 2003 under the Family and Medical Leave Act of 1993.

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

REQUISITIONS

Ms. West-Wing presented the following report:

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|--|-------------|
| Ten licenses of Pervasive 2001I software for Register of Deeds | \$ 925.60 |
| 1 Kodak 2400DSV digital scanner/printer microfilm reader/printer for Register of Deeds | \$ 6,648.00 |
| 1 Dell PC (without monitor) 512 MB, 333 MHz, 2.40 GHz, Windows 2000 for GIS | \$ 1,392.00 |

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

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM CONTINGENCY:

\$7,362.00 to line item 101-169-802.060 (Extraordinary Expense.)

\$1,000.00 to line item 101-227-984.000 (Computer Hardware.)

BUDGET ADJUSTMENTS:

DECREASE:

Line item 101-351-706.380 (Wages – Corrections Officers) \$15,700.00

INCREASE:

Line item 101-351-712.000 (Wages – Overtime)
\$15,700.00

INCREASE REVENUES:

Line item 101-301-506.030 (02 Federal Preparedness Supplemental Grant) \$18,686.00

INCREASE EXPENDITURES:

Line item 101-426-977.030 (Planning 02 Federal Supplemental Grant) \$18,686.00

INCREASE REVENUES:

Line item 101-301-506.040 (03 State Homeland Security Grant) \$61,924.00

INCREASE EXPENDITURES:

Line item 101-426-977.040 (Equipment 03 Federal Grant) \$61,924.00

DECREASE:

Line item 256-236-941.000 (Contingency) \$ 1,000.00

INCREASE:

Line item 256-236-985.000 (Computer Software) \$ 1,000.00

DECREASE:

Line item 256-236-941.000 (Contingency) \$ 6,650.00

INCREASE:

Line item 256-236-980.000 (Office Equipment) \$ 6,650.00

FROM APPROPRIATION:

\$50,000.00 from Probate Child Care Appropriation to Probate Child Care Fund.

\$192,980.00 from Community Mental Health Appropriation to Community Mental Health Fund.

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

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following reports:

Per Diem

| | |
|--|---------------|
| Robin Baker - 5 half days 5/21 x 2, 5/27, 5/28 & 6/11/03 | \$ 225.00 |
| Monte Bordner - 7 half days 5/22, 5/30 x 2, 6/4, 6/6, 6/7 & 6/12/03 & 2 full days 5/29 & 6/16/03 | 540.00 |
| John Dobberteen - 10 half days 5/22 x 2, 5/27 x 2, 5/30, 6/3, 6/10, 6/11 & 6/12/03/03 x 2 & 1 full day 5/26/03 | 595.00 |
| Gerald Loudenslager - 4 half days 5/22, 5/27, 6/11 & 6/16/03 & 1 full day 5/21/03 | 365.00 |
| David Pueschel - 10 half days 5/21, 5/22 x 3, 5/24, 6/2, 6/3, 6/5, 6/11 & 6/16/03 | 500.00 |
| Eric Shafer - 5 half days 5/21, 5/30, 6/4 x 2 & 6/11/03 & 1 full day 5/22/03 | <u>345.00</u> |
| | \$2,570.00 |

Expenses

| | |
|---------------------|--------------|
| Robin Baker | \$ 50.40 |
| Monte Bordner | 132.48 |
| John Dobberteen | 51.84 |
| Gerald Loudenslager | 209.52 |
| David Pueschel | 61.56 |
| Eric Shafer | <u>58.68</u> |
| | \$ 564.48 |

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 |
|--------------|---------------|--|---------------|
| May | \$ 985,624.00 | | \$ 963,784.00 |
| Year to Date | 5,064,698.00 | | 4,891,246.00 |

Period Fund Balance - \$173,451

| | |
|---|--------|
| Percent of budget year elapsed year to date. | 41.67% |
| Percent of total budgeted funds earned year to date | 41.82% |
| Percent of total budgeted funds expended year to date | 40.38% |

It was moved by Commissioner Shafer and supported by Commissioner Pueschel that the Financial Statements be accepted. Motion carried.

CHAIRMAN'S REPORT

Chairman Dobberteen stated that he would like to set up a meeting with the Commission on Aging interview committee.

MISCELLANEOUS

Commissioner Shafer stated that about 23 people participated in the canoe outing on June 6th and they will probably plan one again next year.

He also is inviting all to the Meyer/Broadway Grand Opening and Ribbon Cutting Ceremony this Friday at 3:00 p.m.

Commissioner Loudenslager referred to an article that was in the paper two to three weeks ago concerning the Commission on Aging and the Transportation Authority. He stated that only half of the story was in the paper. The paper stated that ridership to the meal sites is not occurring. What was not in the article was that ridership outside of the meal sites is increasing considerably which was primarily what they were after.

ADJOURNMENT

It was moved by Commissioner Loudenslager and supported by Commissioner Baker that the St. Joseph County Board of Commissioners adjourn until July 1, 2003 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

John L. Dobberteen, Chairman