

THE BENZIE COUNTY BOARD OF COMMISSIONERS
September 12, 2023

The Benzie County Board of Commissioners met in a regular session on Tuesday, September 12, 2023 in the Frank Walterhouse Board of Commissioners Room, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chair Bob Roelofs.

Present were: Commissioners Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer
Excused: Commissioner Warsecke

The invocation was given by Commissioner Roelofs and the Pledge of Allegiance was recited.

Agenda:

Motion by Nye, seconded by Cunningham, to approve the agenda as presented. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Minutes:

Motion by Markey, seconded by Nye, to approve the regular session minutes of August 22, 2023, as amended. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

9:02 a.m. Public Comment

Doreen Carter, Benzonia Township, Animal Welfare League President, gave an update on the status of the Animal Welfare League and what they have been doing in the community.

Rev. Dr. Anne Hebert, St. Andrews Presbyterian Church, is here representing Faith and Action. They are interested in helping move along internet and housing in Benzie County. Advocating that Benzie County put more money toward internet and housing.

John Troop, Benzie Conservation District, wanted to invite the Commissioners to the Local Work Group meeting tomorrow at Mills Community House at 1:00 p.m. A week from this Thursday they will be hosting their September Board meeting where they will be voting on their 23/24 budget. Fall seedling sale is happening now.

9:11 a.m. Public Comment Closed.

FINANCE

Bills: Motion by Sauer, seconded by Markey, to approve payment of the bills from August 18, 2023, through September 7, 2023, in the amount of \$1,217,693.78, as presented. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Jesse Zylstra, Solid Waste and Recycling had not prepared a written report but was available to answer questions. Gave a summary of the MMP program and the status of where we are at.

Sheriff Rosa wanted to thank the Chair, and all involved for the Salute to Services game last Friday night. Great event and appreciate being part of that. The Sheriff Department has passed the MDOC

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yearly inspection with flying colors. Reported on the staffing level at the Sheriff's Department. Hope to have 24-hour road patrol in place by the Spring of 2024. The delay is due to staffing levels.

ACTION ITEMS

Consider approving Phase 1 Kennel Yard project for Animal Control: Kyle Mauer was present to answer any questions. Motion by Jeannot, seconded by Markey, to accept the proposal from AJ's Excavating in the not to exceed amount of \$51,000 to excavate, build a retaining wall and prep for village utility connection, with funds available from the ARPA funding. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Sheriff Rosa introduced Deputy David Suhy. Deputy Suhy had 16 years' experience with Grand Traverse County.

PRESENTATIONS:

9:30 a.m. Heidi Gustine, Executive Director for the Area Agency on Aging of Northern Michigan presented their 2022 Annual Report, and explained what they do for Benzie County.

9:45 a.m. Maggie Bacon of Best Benzie County, a local college access network, gave a brief presentation regarding in-district tuition. NMC is starting to talk about how they annex Benzie County. They are doing an exploration to find out what the interest is in Benzie County in providing in district tuition for Benzie County residents.

Approve agreement for scheduling and search services for Recycling: Jesse Zylstra was present to answer any questions. Motion by Sauer, seconded by Cunningham, to accept the proposal from Routeware Recollect for a website tool and wizard to enhance scheduling and information output for recycling and waste collection events in Benzie County for a period of three years at a monthly rate of \$203.32 and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Authorize a 3-year extension to the auditing services provided by Maner Costerisan: Motion by Nye, seconded by Cunningham, to approve a three-year extension to the Services Agreement with Maner Costerisan to provide fiscal year financial auditing services, subject to review by legal counsel and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Adopt the 23/24 Fiscal Year Budget and approval of the General Appropriation Act and Accepting the L-4029: Motion by Jeannot, seconded by Markey, to adopt the 2023/2024 General Appropriation Act and 2023/2024 Fiscal Year Budget, including recommendations made in the September 6, 2023, memorandum from the County Administrator, and authorizes the Chair to sign the General Appropriations Act and L-4029. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, and Roelofs Nays: Sauer Exc: Warsecke Motion carried.

10:45 a.m. Break

10:56 a.m. Reconvene

Letters of Understanding Collective Bargaining Agreement Re-Opener: Motion by Cunningham, seconded by Sauer, to authorize Letters of Agreement with the Command Officers Association of

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Michigan, Corrections Command Unit, Road Command Unit, the Police Officers Association of Michigan, Corrections Unit, Emergency Communications Specialist Unit, and the Emergency Medical Services Unit, which affirms a wage increase for all members beginning October 1, 2023, and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Consider adopting a resolution establishing Benzie County as a PACE District: Motion by Cunningham, seconded by Markey to adopt Resolution 23-012 to Establish a Property Assessed Clean Energy Program. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, and Roelofs Nays: Sauer Exc: Warsecke Motion carried.

Consider authorizing MDNR Development Grant Application (300K for Railroad point): Ed Hoogterp was present to answer any questions. Motion by Markey, seconded by Nye, to accept the \$300,000 grant award from the State of Michigan Department of Natural Resources Trust Fund for Railroad Point Water Access, with match money to be handle by the Grand Traverse Conservancy, and authorizes the Chair to sign the Development Project Agreement. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

Consider approving a change order for Point Betsie Shoreline Protection Project: Ed Hoogterp was present to answer any questions. Motion by Cunningham, seconded by Jeannot, to approve Change Order #4 to the Point Betsie Shoreline Protection Project agreement with Barr Engineering in the amount of \$48,500 and that the Board Chair be authorized to sign and that the related budget amendment in the amount of \$48,500 for the project to allow for reimbursement revenues from the Friends of Point Betsie and payment of invoices by the County, be approved. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

COMMISSIONER REPORTS

Chair Roelofs attended Benzie County Veterans Affairs meeting, Agenda Review meeting, Benzie Central vs Frankfort Salute to Services football game, and the DHHS interviews.

Comm Jeannot attended the DHHS interviews, Platte Township, Lake Township, Almira Township, and met with 2 members of the Transportation Authority to discuss the 2023-2024 budget. Written copy provided.

Comm Cunningham attended the Airport Authority meeting, Lake Township meeting, MAC Environmental Regulatory Committee meeting, and spoke with Representative Roth, Representative Coffia, and Representative Skaggs about the septic bill. Written copy provided.

Comm Nye attended the Benzie Leelanau District Health Department meeting, Benzie/Manistee County Public Defenders meeting, Land Bank meeting, Village of Benzonia meeting, Homestead Hills ribbon cutting ceremony, and Salute to Services Benzie Central vs Frankfort football game.

Comm Markey attended the Northern Regional Entity Substance Abuse Oversight meeting, and Village of Honor meeting.

Comm Warsecke provided a written report.

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Comm Sauer attended the swearing in ceremony for Jared Henry Manistee County Probate/District Court Judge, MAC Workers Compensation meeting, Village of Elberta meeting, and Village of Thompsonville meeting. Want to give a shout out to the Benzie/Manistee Republican Party for the purchase of 1000 pounds of beef and 200 pounds of pork from the Manistee County Fair, to be given to veterans. Written report provided.

COUNTY ADMINISTRATOR'S REPORT – Katie Zeits stated that she met with our MMRMA representative and the MMRMA renewal is looking good overall. Working on Broadband with Tim Maylone and representatives from Merit. Working through the emergency tower project. Spoke with Scott from Mercury Wireless regarding their plans to expand broadband in Benzie County. They do not plan on starting until 2026.

COMMITTEE APPOINTMENTS: DHHS Board:

Motion by Sauer, seconded by Jeannot, to reappoint Gaylord Jowett to a 3-year term expiring October 31, 2026, on the Department of Health and Human Services Board, seat previously held by Gaylord Jowett, as recommended by the ad hoc interview committee. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

PRESENTATION OF CORRESPONDENCE

- Michigan Economic Development Corporation CLP Program Report
- Little Platte Lake Elevation
- Crystal Lake Elevation
- Betsie Valley Trailway Minutes of August 1, 2023
- Benzie Transportation Authority July 2023 Income Statement
- Department of Health and Human Services letter regarding Youth Rehabilitation Services Act
- Tuscola County Resolution 2023-19 – Michigan Sanitary Code
- Benzie Leelanau Health Department July 26, 2023 minutes.

11:54 a.m. Public Comment

Annie Browning, Benzonia Township, stated that she is glad to be involved in the Village of Beulah Planning Commission. Glad about the way the meeting turned out today.

Michelle Thompson, County Treasurer, explained the recent Circuit Court case regarding tax foreclosure and the notice of intent to claim remaining proceeds. There are 3 demolitions happening from the Blight Elimination Grant. One is in Frankfort, and the other two properties are in the Village of Thompsonville, and they are on 5 lots. Which will free up 5 lots for housing. Commented on the Community Coordinator position.

11:58 a.m Public Comment Closed

Motion by Sauer, seconded by Jeannot, to adjourn at 11:58 a.m.. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, and Sauer Nays: None Exc: Warsecke Motion carried.

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2. Approve the regular session minutes of August 22, 2023, as amended.
3. Approve payment of the bills from August 18, 2023, through September 7, 2023, in the amount of \$1,217,693.78, as presented.
4. Accept the proposal from AJ's Excavating in the not to exceed amount of \$51,000 to excavate, build a retaining wall and prep for village utility connection, with funds available from the ARPA funding.
5. Accept the proposal from Routeware Recollect for a website tool and wizard to enhance scheduling and information output for recycling and waste collection events in Benzie County for a period of three years at a monthly rate of \$203.32 and authorizes the Chair to sign.
6. Approve a three-year extension to the Services Agreement with Maner Costerisan to provide fiscal year financial auditing services, subject to review by legal counsel and authorizes the Chair to sign.
7. Adopt the 2023/2024 General Appropriation Act and 2023/2024 Fiscal Year Budget, including recommendations made in the September 6, 2023, memorandum from the County Administrator, and authorizes the Chair to sign the General Appropriations Act and L-4029.
8. Authorize Letters of Agreement with the Command Officers Association of Michigan, Corrections Command Unit, Road Command Unit, the Police Officers Association of Michigan, Corrections Unit, Emergency Communications Specialist Unit, and the Emergency Medical Services Unit, which affirms a wage increase for all members beginning October 1, 2023, and authorizes the Chair to sign.
9. Adopt Resolution 23-012 to Establish a Property Assessed Clean Energy Program.
10. Accept the \$300,000 grant award from the State of Michigan Department of Natural Resources Trust Fund for Railroad Point Water Access, with match money to be handle by the Grand Traverse Conservancy and authorizes the Chair to sign the Development Project Agreement.
11. Approve Change Order #4 to the Point Betsie Shoreline Protection Project agreement with Barr Engineering in the amount of \$48,500 and that the Board Chair be authorized to sign and that the related budget amendment in the amount of \$48,500 for the project to allow for reimbursement revenues from the Friends of Point Betsie and payment of invoices by the County, be approved.
12. Reappoint Gaylord Jowett to a 3-year term expiring October 31, 2026, on the Department of Health and Human Services Board, seat previously held by Gaylord Jowett, as recommended by the ad hoc interview committee.

**Art Jeannot
Commissioner Report
September 12, 2023**

- **9/1 – Interview Committee**
 - Met with Commissioner Roelofs and Sauer. The only applicant was a request for re-appointment by Gaylord Jowett.
- **9/7 – Platte Township**
 - Met with Paul Solem (Supervisor). Discussed the upcoming Iron Man competition, election day changes and community concerns regarding the management of the zoning and planning. At the community's request, a sound system has been installed at the meeting hall.
- **9/7 – Lake Township**
 - The Township is looking for an enforcement officer for their zoning.
 - A short-term rental ordinance was approved at this meeting.
 - The planning committee will hold a meeting to get public input on the impact local zoning has on lakes and rivers.
 - The canoe and kayak landing at Platte River Point is scheduled to be re-built for the 2024 tourism season.
- **9/11 – Almira Township**
 - Fire Department has applied for a \$20k grant from the SOM to purchase additional equipment.
 - The Parks and Recreational Committee has proposed a dog park.
 - Discussed concerns regarding early voting.
 - It has been decided to use ARPA funds for infrastructure needs.
- **Other –**
 - September 8th Commissioner Warsecke and I met with 2 members of the Transportation Authority board to discuss their proposed 2023-2024 budget. This was at their request.



- 12 Sept 23 Commissioner Cunningham
- 24 Aug Airport, rescue drone demonstration. Dave Beaton of Beulah presented community radio information/non-profit, FCC low power FM station. Dave described the station as an "eye witness for the community", suggested he talk to Grow Benzie.
- 25 Aug Communicated with Reps Roth, Coffia and Skaggs about septic bill. Recommend MI 83 Podcast by Rep Skaggs, on Septic issues facts.
- 7 Sep Lake Twp, Wilfred Swiecki Platte Lake Improvement Assoc presentation, requested compliance (monthly) report from zoning, mission to protect water quality. Chris DeGood-Becket & Raeder, upgrades to Township Park, non-motorized launch. Shared PACE hearing presentation/Mr. Todd Williams. Gov Whitmer four highlights, summary from MAC: Gov. Whitmer announced her plan to empower Michigan Public Service Commission (MPSC) to regulate solar and wind and pre-empt local control. Sited concerns for election security and emphasized expansion of voting rights (MAC is seeking clarity on the potential impact on counties.) Gov supports paid family leave for small businesses. Gov Whitmer advocated for more streamlined permitting- MAC understands this to mean at the state level- with little or no impact on locals. Encouraged people to voice their opinions to Commissioners Jeannot and Cunningham. Shared BoC to offer a letter of commitment for Grow Benzie, recognizing it as a rural incubator. Chief Cederholm shared that the cadet program is ready to be implemented, 2-3 are interested in the program.

Community

- 23 Aug BACN, Rotary Networking event.
- 5 Sep Kinship cancelled
- 5 Sep PBLH (Point Betsy) Donor Thank-you dinner

Rhonda Nye
District IV – Benzonia Township
Commissioner Report
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August 23 – Benzie Leelanau District Health Department

- Health Officer, Dan Thorell, discussed handout from the Office of the Governor which updated the changes in Emergency Powers to protect the public's health.
- Bids received (3) for Leelanau County space needs renovation, much more reasonable than original bid; health department intends to cover half the cost.
- Workforce Development Survey completed and reviewed.

August 22 – Benzie County and Manistee County Public Defender Committee

- Discussion regarding Chief Public Defender, Jared Henry, resignation and consideration of an Interim Chief Public Defender.
- Jared Henry appointed as Probate Judge by the Governor and will also be an 85th Circuit Judge.
- Committee approved recommendation of Jane Johnson as Interim.

September 6 – Land Bank

- Reviewed Land Bank inventory .
- Judge granted quiet title to a trailer in Thompsonville owned by the Land Bank. Essentially a precedent setting determination that the trailer was affixed to the property. Ruling allows the Land Bank to move forward with demolition.
- MALB Leadership Summit September 20-22 in Flint marks the 20th anniversary of land banking in MI.
- Blight Elimination Grant rounds updated; Lions Club in Frankfort will be coming down as soon as Consumers Energy disconnects their lines.

September 11 – Village of Benzonia

- Consideration of Benzie County Road Commission Contract 2023-2028; Board requested more information regarding rates charged should services be needed.
- Approved a proposal from Fleis & VandenBrink for a Capital Improvement Plan; discussed application for RRC grant to offset cost up to 10K.
- Discussed USDA recommendation to pay down a loan at 4.5% interest which led into discussion about moving funds to banks paying higher interest rates.
- Village made aware that Figura Law Office is closing and will merge with Mika Meyers. An RFP will be posted for village attorney representation.

Attended the Homestead Hills ribbon cutting ceremony.

Attended the Salute to Veterans event at the Benzie v Frankfort football game.

Tammy Bowers

From: Evan Warsecke
Sent: Wednesday, September 6, 2023 4:51 AM
To: Tammy Bowers
Subject: District 6 report

District 6 report - Warsecke

August 28 2023 - Parks and Recreation

- Only 1 bid was received for the Point Betsie Shoreline protection project. After the permitting process is completed, it will be put back out for bid.

- Hoogterp gave an update on the parks director proposal to the group.

- Friends of the Betsie Vallet Rail are fund raising to purchase a John Deere Gator.

- There is ongoing collaboration between Benzie, Manistee, Wexford and Lake counties for all our trails to link up.

September 11 2023 - Inland Twp.

- Report submitted prior to the meeting, an update will be given at the BOC

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Tammy Bowers

From: Gary Sauer
Sent: Sunday, September 3, 2023 2:03 PM
To: Tammy Bowers
Subject: Commissioner Report District 7

Joint Court 8-22-23

Jared Henry resigned his position as Chief Public Defender, temporarily filled by Jane Johnson as process moves forward. Jared was appointed to fill Probate Judge position in Manistee County by the governor.

Health Department 8-23-23

Space needs working on project in Leelanau county for environmental health, bids came back much closer than expected, good news. Also working on lease agreement with Leelanau County.

Road Commission 8-24-23

Interviews for manager 2 applicants to be interviewed before next meeting. Currently the job is handled by the staff.

Maples DHHS board 8-24-23

Trim on windows needs to be replaced water destroying the current trim. 74 beds full currently mainly Benzie County residents. Covid restrictions done on 9-20-23, back to 78 beds none to be held for Covid patients, also not required to be vaccinated to be employed should help with filling positions. Drug screening by state does not include marijuana they test for 9 substances. Mers 92% funded in 2021 and 90% in 2022.

Swearing in ceremony for Jared Henry 8-25-23 Impressed by ceremony court room full and overflow in another room. Congratulations to Jared, he will make a fine judge. Ceremony was performed by Judge Bruner who Jared is replacing.

Homestead Elementary 8-30-23

Ribbon cutting ceremony extremely well attended. Senator Jon Bumstead was present we as a community should be proud of his attendance. Great looking school, proud to be in attendance

Will report on any other meetings.

Gary Sauer
Commissioner District 7
Sent from my iPad