

THE BENZIE COUNTY BOARD OF COMMISSIONERS
September 26, 2023

The Benzie County Board of Commissioners met in a regular session on Tuesday, September 26, 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, Sauer and Warsecke

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

Agenda:

Motion by Warsecke, seconded by Cunningham, to approve the agenda as amended, removing Study Session regarding the Frankfort Airport Authority, and adding Action Item F: grant authorization for the County Treasurer to make interfund transfers to close out the fiscal year. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Markey, seconded by Nye, to approve the regular session minutes of September 12, 2023, as presented. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:02a.m. Public Comment - None

FINANCE

Bills: Motion by Nye, seconded by Warsecke, to approve payment of the bills from September 8, 2023, through September 21, 2023, in the amount of \$541,110.40, as presented. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Greg Hubers, Undersheriff, gave a report on car and equipment sales, as well as the status of revenue from the Grand Traverse County inmates, for the Sheriff's Department.

Bert Gale, Associated Governmental Services, provided the Building Department Quarterly Report for April, May and June 2023.

Tom King, EMS Director, provided a written report and answered any questions.

Doug Durand, Executive Director Benzie Senior Resources, provided a written report and Sabra Boyle was there to answer any questions.

ACTION ITEMS

Letter of Support for Platte Township for a Consumers Energy Grant: Motion by Jeannot, seconded by Markey, to authorize a letter of support in support of grant funding to upgrade and enhance efficiency at the Platte Township Hall, and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMISSIONERS

Page 2 of 4

September 26, 2023

Consider Approving the proposal for Animal Control connection to village water and sewer: Motion by Sauer, seconded by Markey, accept the proposal from AJ's Excavating not to exceed amount of \$74,905.00 for Animal Control water and sewer connection, with funds available from the ARPA funding. Roll call. Ayes: Cunningham, Jeannot, Markey, Roelofs, Sauer and Warsecke Nays: Nye Motion carried.

Dave Wynn, update from Crystal Lake Watershed Associations and consideration of a resolution of support for a project to continue addressing swimmers itch in Crystal Lake Motion by Sauer, seconded by Cunningham, to adopt Resolution 2023-011 Benzie County Merganser Control Program in support of the trapping and relocation program by the Michigan Department of Natural Resources. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider 2017 Dodge Charger surplus and authorize its sale on Mi-Bid: Motion by Warsecke, seconded by Sauer, that the 2017 Dodge Charger be declared surplus and authorized for sale on the Mi-Bid Internet Auction system, with proceeds to be deposited into the equipment replacement fund, 425-301-687.00. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider Amendment 3 to Canteen Food Service Agreement: Motion by Cunningham, seconded by Warsecke, to approve the amendment to the agreement with Canteen Services for food supplies in the jail and authorizes the Board Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Granting authorization for the County Treasurer to make interfund transfers to close out the fiscal year: Motion by Warsecke, seconded by Markey, to grant the authority for the Benzie County Treasurer to make interfund transfers to close out the fiscal year. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMISSIONER REPORTS

Chair Roelofs attended the Area Agency on Aging meeting, MAC meeting, Agenda Review, and Ad Hoc Committee meeting re: EMS-ACO

Comm Jeannot provided a written report, did an overview of said report and answered questions.

Comm Cunningham provided a written report, did an overview of said report and answered questions.

Comm Nye provided a written report, did an overview of said report and answered questions.

Comm Markey provided a written report, did an overview of said report and answered questions.

Comm Warsecke attended the Parks and Recreation meeting, Benzie Bus meeting, Benzie Conservation District meeting, and Ad Hoc Committee meeting re: EMS-ACO.

Comm Sauer provided a written report, did an overview of said report and answered questions.

COMMISSIONERS

Page 3 of 4

September 26, 2023

COUNTY ADMINISTRATOR'S REPORT – Katie Zeits

Worked with Leah at Community Action Agency to submit a Chill grant, submitted a letter of intent to the USDA for a rural capacity building grant, balanced the budget for the fiscal year, asked for a legal opinion from our attorney regarding the Frankfort City Airport Authority, turned in documents to the State for funding for the tower project, set up an invitation to Headlee, prepared a Headlee booklet for review and eventual publication, attended a meeting with the Heath Department regarding IT services, attending the MERS conference, and attending the MAC€ conference.

STUDY SESSION - Removed

COMMITTEE APPOINTMENTS - Board of Canvassers. The ballot vote, Gary Gielczyk is the Republican candidate and Pete Brown is the Democratic candidate for Board of Canvassers, their term to expire on November 1, 2027.

PRESENTATION:

Tim Maylone, CEO and Managing Member of Cherry Capital Connection LLC provided a handout and gave an update on Internet for All Benzie County.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

PRESENTATION OF CORRESPONDENCE

- Grove Place Homes Construction Update 8/8/2023
- Ontonagon County Resolution 2023-15 opposing solar and wind developments.
- Sanilac County Resolution opposing solar and wind developments.
- Tuscola County Resolution 2023-20 opposing solar and wind developments.
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11:18p.m. Public Comment

Michelle Thompson gave a report on the Land Bank Conference she attended in Flint.

11:26 Public Comment closed.

Motion by Markey, seconded by Warsecke, to adjourn at 11:26a.m. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Bob Roelofs, Chair

Kim Childs, Chief Deputy Clerk

INDEX

1. Approve the agenda as amended.
2. Approve the regular session minutes of September 12, 2023, as presented.
3. Approve payment of the bills from September 8, 2023 through September 21, 2023, in the amount of \$541,110.40, as presented.

COMMISSIONERS

Page 4 of 4

September 26, 2023

4. Authorized a letter of support in support of grant funding to upgrade and enhance efficiency at the Platte Township Hall and authorizes the Chair to sign.
5. Accepted the proposal from AJ's Excavating not to exceed amount of \$74,905.00 for Animal Control water and sewer connection, with funds available from the ARPA funding.
6. Adopted Resolution 2023-011 Benzie County Merganser Control Program in support of the trapping and relocation program by the Michigan Department of Natural Resources.
7. Accepted the 2017 Dodge Charger be declared surplus and authorized for sale on the Mi-Bid Internet Auction system, with proceeds to be deposited into the equipment replacement fund, 425-301-687.00.
8. Approved the amendment to the agreement with Canteen Services for food supplies in the jail and authorizes the Board Chair to sign.
9. Granted the authority for the Benzie County Treasurer to make interfund transfers to close out the fiscal year.
10. Appointed Gary Gielczyk as the Republican candidate and Pete Brown as the Democratic candidate for the Board of Canvassers, their term to expire on November 1, 2027.

Art Jeannot
Commissioner Report
September 26, 2023

- **9/15 – MI Association of Counties Finance and General Governance Committee**
 - Yarrow Brown, Executive Director of Housing North, and Kent Wood from Borealis Strategic LLC presented on affordable housing. They discussed tools and gave an overview of how these tools benefit development.
 - Several legislative updates were provided. Three take aways were funding for Juvenile Justice, specifically the child care fund. There is a bill to increase funding from 50% to 75% by the State of MI. MAC supports keeping ordinances for septic tank inspections at the local level. Benzie Counties strategy for a “point of sale” inspection is consider a good model to follow. Supports MI Association of County Clerks’ regarding changes in the election laws.
 - Several other issues were discussed. All these issues are explained in full on the MAC website.
- **9/18 – Northern MI Counties Association**
 - Toured the Emmet County Recycling Center. I extended an invitation to members of the Benzie County Solid Waste Advisory Board to join me.
- **9/21 – Northern MI Community Action Agency**
 - Met with the executive committee to conduct the executive director’s annual performance evaluation.
 - Discussed the potential Federal Government shutdown and how it would affect the agency. The possibility that community action agencies may become exempt from the Open Meetings Act.
- **Other –**
 - Met with State Represenative Roth to discuss his positions on possible State ordinances controlling local issues. He agrees with me that ordinances such as Short-Term Rentals, Gravel Pits and Septic Field Inspections should remain at the local level.
 - Senator Bumstead contacted me to be sure we are aware of \$81M+ in grants for water infrastructure are available from EGLE. Apparently, this was just announced. I shared this information with Commissioner Nye.
 - I have suggested we have a “closed door” meeting with members of the Airport Authority to be updated on any pending litigation or monetary settlements that may be pending. This is as a result of Chairman Carland acknowledgement at our September 12th that the County could have liability on any of these actions.
 - I spoke with my Township Supervisors about meeting to discuss Headlee. All agreed to meet.



26 Sept 23 Commissioner Cunningham

19 Sept Frankfort City Council, public input; Mr. Brian Murphy/Tackle Box, shared that his business is seasonal and cannot function during Ironman. He asks that the council consider the broad range of merchants when considering future events. Clerk/Treasurer Christine Spence reported a summer tax collection rate of 92%, and extends a thank-you to county clerk Tammy Bowers for her informational and difficult job of updating Benzie clerks on new election requirements. Council approved a resolution for the Fire Cadet Program, Chief Michael Cederholm/Fire Dept, said he would like to provide the program to Benzie School District and seeks connections to make it so. Council approved a one-year extension for Ironman. Council approved granting space for 800MHz tower on city property.

Crystal Lake Twp, Tim Maylone/Cherry Capital Communications, present to answer questions about the distribution building on twp campus property. Twp IT will coordinate a proposed site.

20 Sept Benzie Chamber, Michelle Barefoot, Advocacy Awareness Report, recent golf fundraiser, to date raised approximately +\$45K. There was some discussion about tuition reciprocity of Benzie/Grand Traverse, NMC, I suggested that Rep Coffia is on the Higher Education Committee and is here in county regularly for discussion "coffees", she might have insights and be willing to share the idea with residents.

Community

20 Sept Frankfort Business Accelerator rescheduled.

Rhonda Nye
District IV – Benzonia Township
Commissioner Report
September 24, 2023

September 12 – Village of Beulah

- Sewer update given, SRF funding denied, village has started process to apply for USDA funding.
- Contract approved with Gosling Czubak – Wastewater Treatment Plant & Collection System Upgrade.
- Headlee reset will be on the ballot in November.
- Possible short term rental changes involving fee charged for buildings with multiple units and a limit on the number of short rentals in village.
- Karrie Ziets, village attorney, shared information on speech related activity policy. The village can regulate time, place and manner of speech in a consistent way – not intended to regulate content or viewpoint of speaker. Other aspects of policy discussed were permitting requirements, exempt activities and insurance requirements.

September 13 – Benzonia Township

- Treasurer reported MI Class paying 5.46% interest.
- Next West Benzie Joint Planning Commission meeting is Nov. 3rd.
- Watershed Overlay Updates recommended for approval by the WBJPC have been under review by township attorney for more than six months.
- Personnel committee charged with considering options for attorney representation in light of Tim Figura joining Mika Myers firm.

September 14 – Centra Wellness Board

- Presentation on need for organizational change; identified that disproportionate amount of duties fell on one director since unanticipated growth over the last seven years.
- New position created and director hired – Director of Children’s Services, Sarah Garthy.
- Board supported changes in Values Statement:
 - Client Focused changed to Supporting a Life of Recovery, and;
 - Responsive to Stakeholder Needs changed to Responsive to Community Needs
- Discussion regarding new term ‘micro-city’ being applied to Benzie replacing the term ‘rural’. Johnston is pushing back since term doesn’t make sense and somehow factors in water.

September 19 – NMC Presentation at Mills Community House

- Nick Nissley, NMC President, gave presentation titled “How Can NMC Build a Better Benzie”.
- 8,000 Benzie residents lack post high school training.
- In district tuition would be reduced from \$261/contact hour to \$122/contact hour.
- Approval of 2.0574 millage would require a ‘communitarian mindset’.
- NMC physical presence in Benzie would be considered, perhaps utilizing an existing facility while planning for long term solutions.

Volunteered at Ironman Aid Station.

Tammy Bowers

From: Gary Sauer
Sent: Sunday, September 24, 2023 9:09 AM
To: Tammy Bowers
Subject: Commissioner Report District 7

9-12-2023 Gilmore Township

Pending resignation of clerk, Dave Bissell to fill position once accepted by the board. Election concerns workers needed.

9-12-2023 Weldon Township

Business as usual.

9-13-2023 USDA & NRCS

Meeting at Mills Community House to discuss concerns with evasive species and prioritizing farming practices to help mitigate. Survey will be used to apply funding if available from these 2 organizations.

9-14-2023 Road Commission

New manager hired Troy Hinds came from in house. Discussed concerns over Lindy and Weldon road intersection, was decided to place rumble strips as soon as possible to help. Rumble strips destroyed by resident on Bendon Road investigating this now. Brownell Road hillside project completed bid was 187,000 done for 166,162.

9-15-2023 Ironman

Concerns about water temperature in the bay. Believe things went well and understand the Ironman will be back next year.

9-15-2023 Court Security

Lock down procedures discussed guide book available. Fire drills needed each department head responsible for their employees. Concern over swatting policy.
Carpet for court rooms possibly December.

9-21-2023 Village of Elberta

Water project is going well, did have to direct traffic for the Ironman because of construction. Village enjoyed the race and did plant trees during slack times for the race.

Gary Sauer
Commissioner District 7
Sent from my iPad

Tim Markey
Commissioner Report
September 26, 2023

September 12th – Study Session

September 13th – Homestead Twp Board Meeting

- Working on getting updated phone lines and faster Internet for the twp hall
- Looking to update their noise ordinance. There have been some recent complaints regarding barking dogs.
- I informed the board of the town-hall meeting

September 14th – Centra Wellness Network Board

- One of the items that was noted in the audit is that CWN has too much under one director. So, they are going through re-org and splitting up adult & Juvenile services
- MI DHHS has Benzie and Leelaneau labled as micro-politian. Which is between rural and metropolitan. If this is not corrected, then this will affect our Medicaide rates for mental health services.

September 19th – Networks Northwest Northwest Michigan County Consortium & the Networks Northwest Board Meeting

- Discussed the search for a new CEO. Terry VanderCook said that he will stay until the end of the year to give them time to find a new CEO
- Reviewed and passed the FY24 budget
- Northwest Michigan Works collaborated w/ Northwestern MI College to develop a Broadband Technician training program.
- Offender Success Reentry Services Year ending March 2023, Region 2 had the lowest return to prison rate in the state at 17.8% as well as the highest average wage for participants at \$17.26 per hour.

September 21st – Ad Hoc – EMS & Animal Control furture needs

September 25th – MAC Judiciary & Public Safety Committee

- Presentation from Brad Hall, Administrator, Michigan Appellate Assigned Counsel System (MAACS)
 - The Michigan Appellate Assigned Counsel System (MAACS) administers the system for appointing criminal appellate counsel in all Michigan circuit courts, from a roster of private attorneys and the State Appellate Defender Office (SADO). Approximately 75% of indigent felony appeals are assigned to the MAACS roster, while approximately 25% of cases are assigned to SADO.
 - He went over the history of how appellate counsel was selected and paid and how it evolved over time to how it is done today
 - With MAACS
 - 51/57 circuit courts have adopted uniform fee policy, representing 85% of total caseload
 - Over \$1 million in annual county investments
 - More efficient assignment and voucher processes
 - Over 10,000 paid vouchers of meaningful performance, efficiency, and cost data

- Smaller caseloads, greater accountability, and better client representation
- Requesting more \$ for hourly rates with the state paying half.

	<u>2018</u>	<u>2024</u>
▪ Misd	\$100	\$118
▪ Felony	\$110	\$130
▪ Capital	\$120	\$142
- There is a bill, HB4631 Amend 1978 PA 620, "Appellate defender Act"
- Youth defense Project, Juveniles were not being informed of their right to appeal.
- Long discussion on oversight of the appeals attorney selection process