

THE BENZIE COUNTY BOARD OF COMMISSIONERS

May 9, 2023

The Benzie County Board of Commissioners met in a regular session on Tuesday, May 9, 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.

Tributes presented by Board Chair:

Chair Roelofs presented a tribute to the Benzie County Law Enforcement and Corrections Officers. Throughout our nation's history Law Enforcement and Corrections Officers have never wavered in the face of crisis or tragedy. During uncertain times Law Enforcement and Corrections Officers bravely face challenges and continue to protect and serve the citizens of Benzie County. On behalf of Benzie County, we proudly recognize the members of the Benzie County Sheriff's office for their dedication to our community. As Board Chair I hereby give tribute to the Benzie County Sheriff's Office in celebration of Corrections Officers Appreciation Week May 7 – 13, 2023, and in celebration of National Police Officers Week May 15 – 21, 2023. Thank you to the Benzie County Sheriff Office for their service to our community.

Sheriff Rosa thanked everyone for recognizing their efforts. Also, want to thank his employees for what they do every day. Benzie County Sheriff's Office has received a Certificate of Achievement for 100% compliance with Local Corrections Officer In-Service training requirements for 2022. We are also here to recognize Deputy Richard Beilfuss for Corrections Officers week. He is always on time, ready to go, and works circle around me and most people. He treats inmates with compassion and dignity, and is respectful to all community members.

Agenda:

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

Minutes:

Motion by Sauer, seconded by Nye, to approve the regular session minutes of April 11, 2023 as presented. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:09 a.m. Public Comment

Mary Haan, Homestead Township, wants to clarify that a recipient for the ARPA funds could be an individual. She read an article on assistance to small business. Recipients can use funds for capital expenditures for small business. Asking for ARPA money for two 60-pound machines for her laundromat.

Jed Maker, Friends of the Betsie Valley Trail, stated that they have divided the project to pave the trail from Beulah to Thompsonville, into 3 phases. They are applying for the Sparks Grant in the amount of \$400,000. The deadline for this award is June 26, 2023. What we need is an applicant. Friend of the Betsie Valley Trail cannot be the applicant. We are asking for Benzie County to be the applicant and be the administrator of the grant.

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9:16 a.m. Public Comment closed.

FINANCE

Bills: Motion by Warsecke, seconded by Jeannot, to approve payment of the bills from April 7, 2023, through May 4, 2023, in the amount of \$895,563.48, as presented. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Doug Durand, Benzie Senior Resource Director, provided a written report.
Brianne Lindsay, Equalization Director, provided a written report.

ACTION ITEMS

Consider Resolution 2023-005 adopting ballot language for County Road millage: Matt Skeel was present to answer any questions. Motion by Sauer, seconded by Cunningham, to adopt Resolution 2023-005 Authorizing Millage Election for Benzie County Roads and Highway Maintenance and Repair Millage Renewal and Restoration Proposal and Certifying Ballot Language. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider adopting Per Diem Policy: Motion by Sauer, seconded by Warsecke, to adopt the Per Diem Policy and rescind all related Per Diem policies. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider adopting Secondary Employment Policy: Motion by Warsecke, seconded by Jeannot, to adopt the Secondary Employment Policy, reaffirming collective bargaining agreement language and rescinds related policies. Roll call. Ayes: Cunningham, Jeannot, Markey, Roelofs, Sauer and Warsecke Nays: Nye Motion carried.

9:32 a.m. Closed Session: 1) Estate of Shane Sena-Richey. 2) Collective Bargaining Negotiations

Motion by Roelofs, seconded by Sauer, to enter into closed session to discuss settlement in connection with Estate of Shane Sena-Richey v Benzie County, Sgt Sierra Bates, and Deputy Brian Hastings, as authorized by MCL 15.268(e), and to immediately follow with closed session to discuss strategy in connection with collective bargaining strategy, as authorized by MCL 15.268(c). Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

10:14 a.m. Re-entered Open Session

Motion by Markey, seconded by Cunningham, to follow the advice and recommendations of counsel. Roll call. Ayes: Cunningham, Jeannot, Markey, Roelofs, Sauer and Warsecke Nays: Nye Motion carried.

Maner Costerisan Audit Presentation:

Aaron Stevens, CPA, CGRM for Maner Costerisan, provided a handout and presented the Benzie County Audit results for year ending September 30, 2022.

Community Action Agency Presentation regarding programming: Kerry Baughman, Leah Moskovitz, and Tish Stave provided a written handout and presented how the Northwest Michigan Community Action Agency serves the 10-county region, which included Benzie County.

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10:57 a.m. Break

11:04 a.m. Reconvene

Consider allocating \$15,000 to 23/24 Drug Court Program from Opioid Funds: Motion by Jeannot, seconded by Nye, to allocate up to \$20,000 to the Benzie County Drug Court Program, with funds available from the Opioid Settlement Funds. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Approve and accept Scrap Tire Grant Agreement: Motion by Warsecke, seconded by Sauer, to accept the Scrap Tire grant award in the amount of \$12,000 authorizes the Chair to sign the Scrap Tire Cleanup Grant Agreement with the Michigan Department of Environment, Great Lakes, and Energy, and approves the necessary budget amendments, payment and reimbursement related to grant award. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider authorizing summer road patrol contracts with Lake Township, Village of Beulah, and Crystal Beach Cottager's Association: Sheriff Rosa was present to answer any questions. Motion by Nye, seconded by Markey to approve the Sheriff Patrol Agreements with Lake Township, the Village of Beulah, and the Crystal Beach Cottager's Association for the 2023 summer months, subject to approval as to form by legal counsel, and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider disbanding the EMS Advisory Committee and move forward with County Public Safety Entities workgroup: Motion by Markey, seconded by Nye, to disband the EMS Advisory Committee and thanks each volunteer who served on this committee since its inception, it further directs staff to meet quarterly with public safety entities to enhance communication and collaboration among agencies. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider disbanding the Housing Committee and authorize agreement with Community Action Agency: Kerry Baughman, Leah Moskovitz, and Tish Stave were present to answer any questions. Motion by Jeannot, seconded by Nye, to disband the Housing Committee and authorize a document of understanding with the Northwest Michigan Community Action Agency, subject to approval as to form by legal counsel, and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consider establishing an ad hoc committee to determine repayment of an ambulance bill: Katie Zeits, County Administrator, and Tom King, EMS Director will review the documents related to the ambulance bill in question and bring a recommendation back to the Board of Commissioners.

Approve service agreement for EMS training services: Tom King was present to answer any questions. Motion by Markey, seconded by Warsecke, to authorize a Memorandum of Understanding with the Benzie County Fire and EMS Association to provide for Emergency Medical Technician training in Benzie County, such document subject to approval as to its form by legal counsel, and authorizes the Chair to sign. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

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Approve and accept 2023 Marine Safety Program Grant: Sheriff Rosa was present to answer any questions. Motion by Warsecke, seconded by Markey, to accept the Marine grant award in the amount of \$10,100, authorizes the Chair to sign the 2023 Marine Safety Program (FEDERAL Funding) Grant Agreement with the Michigan Department of Natural Resources and approves the necessary budget amendments for payment and reimbursement related to grant award. Roll call. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Commissioner Warsecke recommended that all the Commissioners submit a written report for the packet instead of verbal reports being given at the meeting.

Commissioner Nye stated she has done it both ways. Went back to verbal reports for the people who attend the meetings but does not oppose either way.

Commissioner Sauer opposes being forced to do it to save time. Feels that reporting at the meeting allows the individual attending or on YouTube to hear their reports. Will do this if I have to.

Commissioner Jeannot stated that he has been doing this for several years. He has had people from the public approach him, that he does not even know, that comments on his reports in the packet. A written report memorializes it and I do not have to worry about being misquoted. Can go either way with it.

This matter will be continued in a month.

COMMISSIONER REPORTS

Chair Roelofs attended two Ad Hoc Housing Committee meetings, Ad Hoc EMS Advisory Board meeting, met with Mr Berge regarding mediation, Veterans Affairs meeting, and Almira Township clean up day.

Comm Jeannot provided a written report prior to the meeting and provided an additional report regarding the MAC Finance and General Governance Committee, Almira Township meeting, Inland Township meeting and Traverse City Tourism's Bureaus event.

Comm Cunningham provided a written report. Requested that everyone take the MI Infrastructure survey, the link is contained in her written report.

Comm Nye attended the Ad Hoc Housing Committee meeting, AD Hoc EMS Advisory Board meeting, Agenda Review meeting, Benzie School Board meeting, Benzonia Township meeting, Centra Wellness meeting, MAC Health and Human Services meeting, several meetings involving the Village of Beulah and their sewer system, Frankfort Community Land Trust groundbreaking, Joint Court meeting, Benzie Leelanau Health Department Personnel and Finance meeting, Land Bank meeting, and West Benzie Joint Planning Commission meeting.

Comm Markey attended Centra Wellness meeting, LEPC meeting, Ad Hoc EMS Advisory Board meeting, Benzie Senior Resource meeting, and Village of Honor meeting.

Comm Warsecke attended the Parks and Recreation meeting.

Comm Sauer attended the Road Commission meeting, MAC Conference, Maples meeting, Benzie Leelanau Health Department meeting, and Betsie Valley Trail meeting.

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COUNTY ADMINISTRATOR'S REPORT – Katie Zeits reported that she met with Parole/Probation regarding expanding their area. Rose had her baby so she will be out for a while. Sherry Taylor is helping while Rose is off. Scheduling budget meetings with departments. The bid opening for the expansion project is this Friday. Meeting with the State of Michigan on June 1, 2023, regarding Equalization corrective action plan wrap-up. Interviewing for the open position in Equalization. Working on updating policies and bringing forward for approval. There will be a MERS event on June 8, 2023, at the Government Center for all staff. A representative will be here to speak with. Planning a summer cookout with the employees, the week of June 19th. Reported on standard 8, regarding the MIDC increases.

STUDY SESSION - None

COMMITTEE APPOINTMENTS - None

UNFINISHED BUSINESS - None

NEW BUSINESS - None

PRESENTATION OF CORRESPONDENCE

- Letter from Susan Micinski (Sunkissed Hills Development)
- Crystal Lake Elevation
- Little Platte Lake Elevation
- Benzie-Leelanau District Health Department Agenda May 1, 2023
- Alger County Resolution 2023-06 – Urging Repair of the Cornwall Creek Flooding Dam
- Alger County Resolution 2023-07 – Instruct Representatives to oppose all firearms control legislation.
- Alger County Resolution 2023-08 – Declaring Alger County a Constitutional Second Amendment Sanctuary County
- Alger County Resolution 2023-09 – Supporting Dark Store Legislation
- Houghton County Resolution 23-10 – Affirming Support of all Constitutional Rights, including but not Limited to, the Right of the People to Keep and Bear Arms; also to Adequately Fund Mental Health Services.
- Livingston County Resolution 2023-04-063 – Support of the Second Amendment of the US Constitution and the Michigan Constitution.

12:18 p.m. Public Comment

Josh Stoltz, Executive Director for Grow Benzie, is here to plant a seed for next month. Have been talking with Katie about early childhood, and several advances with Grow Benzie and their Strategic Plan. They will be coming back to the Board of Commissioners next month regarding APRA funds.

Don Schafer, Benzonia Township stated that a written report is a memorization of documents for longevity. From a legal standpoint it is very important and it is a good resource for the public to refer to. But we must remember that people understand and learn by two methods, hearing and seeing, and remember that it is not only people in the room.

12:23 p.m. Public Comment closed.

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Motion by Markey, seconded by Warsecke, to adjourn at 12:24 p.m. Ayes: Cunningham, Jeannot, Markey, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Bob Roelofs, Chair

Tammy Bowers, Benzie County Clerk

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1. Approve the agenda as presented.
2. Approve the regular session minutes of April 11, 2023, as presented.
3. Approve payment of the bills from April 7, 2023, through May 4, 2023, in the amount of \$895,563.48, as presented.
4. Adopt Resolution 2023-005 Authorizing Millage Election for Benzie County Roads and Highway Maintenance and Repair Millage Renewal and Restoration Proposal and Certifying Ballot Language.
5. Adopt the Per Diem Policy and rescind all related Per Diem policies.
6. Adopt the Secondary Employment Policy, reaffirming collective bargaining agreement language and rescinds related policies.
7. Enter into closed session to discuss settlement in connection with Estate of Shane Sena-Richey v Benzie County, Sgt Sierra Bates, and Deputy Brian Hastings, as authorized by MCL 15.268(e), and to immediately follow with closed session to discuss strategy in connection with collective bargaining strategy, as authorized by MCL 15.268(c).
8. Follow the advice and recommendations of counsel.
9. Allocate up to \$20,000 to the Benzie County Drug Court Program, with funds available from the Opioid Settlement Funds.
10. Accept the Scrap Tire grant award in the amount of \$12,000 authorizes the Chair to sign the Scrap Tire Cleanup Grant Agreement with the Michigan Department of Environment, Great Lakes, and Energy, and approves the necessary budget amendments, payment and reimbursement related to grant award.
11. Approve the Sheriff Patrol Agreements with Lake Township, the Village of Beulah, and the Crystal Beach Cottager's Association for the 2023 summer months, subject to approval as to form by legal counsel, and authorizes the Chair to sign.
12. Disband the EMS Advisory Committee and thanks each volunteer who served on this committee since its inception, it further directs staff to meet quarterly with public safety entities to enhance communication and collaboration among agencies.
13. Disband the Housing Committee and authorize a document of understanding with the Northwest Michigan Community Action Agency, subject to approval as to form by legal counsel, and authorizes the Chair to sign.
14. Authorize a Memorandum of Understanding with the Benzie County Fire and EMS Association to provide for Emergency Medical Technician training in Benzie County, such document subject to approval as to its form by legal counsel, and authorizes the Chair to sign.
15. To accept the Marine grant award in the amount of \$10,1000, authorizes the Chair to sign the 2023 Marine Safety Program (FEDERAL Funding) Grant Agreement with the Michigan Department of Natural Resources and approves the necessary budget amendments for payment and reimbursement related to grant award.

Art Jeannot
Commissioner Report
May 9, 2023

Participated in 9 meetings on behalf of the County since our April 11th meeting.

- **4/20 – Northwest MI Community Action Agency**
 - Discussed the full year 2022 audit. The audit was without exceptions. The agency uses less than 3% of their revenue for administrative expenses. This is far below industry averages.
- **4/21 – EDC/BRA**
 - Cherry Capital gave an update on broadband initiative. Emphasis continues to be on unserved and underserved neighborhoods. The committee requested that other providers in the “consortium agreement” be included in future updates.
 - Representatives from Crystal Downs gave a presentation on their efforts at Sutter Rd. We acknowledged the presentation and reminded the presenters that the decisions will come from the Benzie County Road Commission and MDOT.
 - EDC member Dan Barcheski (Vice Chair) provided the board a draft of a white paper to continue the discussions on the future of our EDC. I am hopeful we devote more of our time in future meetings to discuss this important task.
- **4/24 to 4/26 – MAC Legislative Conference**
 - I joined Gary Sauer, Karen Cunningham and Katie Zeits at the conference. Approximately 350 people were in attendance. Several breakout sessions were held. I attended 5 sessions. Sessions regarding FOIA and attendance and participation in meetings were of high importance to me. The seminar was a great opportunity for building my network. I anticipate you will get additional input from other attendees.
 - Gary Sauer was recognized for his completion of the County Commissioner Academy during the conference.
 - Senator Bumstead was recognized for being Legislative Advocate of the year.



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- **5/4 – Ad Hoc Committee regarding Housing Committee**
 - I participated in a follow up discussion to review the need to continue the Housing Committee in its present form. A presentation and recommendation will be on the agenda for our meeting.
- **5/4 – Lake Township**
 - The Township approved \$100k for the Point Betsie Lighthouse project. An energized discussion took place regarding Sutter Rd. The Board did not take any action.
- **5/5 – MAC Finance and General Governance Committee**
 - I will share any relevant information with you at our meeting.
- **5/8 – Almira Township**
 - I will share any relevant information with you at our meeting.
- **5/8 – Inland Township**
 - I represented Evan at the meeting for the first 40 minutes. I will share any relevant information with you at our meeting.
- **Other - Attended Traverse City Tourism’s Bureaus event on April 19th at Five Shores in Beulah.**

- **5/5 – MAC Finance and General Governance Committee**
 - Stewart Sanders and Ann Manning discussed in detail the role of the Registrar of Deeds. I benefited from this presentation and will be following up with Paula Eberhart. Discussions included why we micro film versus image documents, office being merged with another department, protecting data in a world where we have technology breaches and modernizing the department.
 - GAP funding for underfunded pension plans.
- **5/8 – Almira Township**
 - I will share any relevant information with you at our meeting.
- **5/8 – Inland Township**
 - I represented Evan at the meeting for the first 40 minutes. I will share any relevant information with you at our meeting.
- **Other - Attended Traverse City Tourism's Bureaus event on April 19th at Five Shores in Beulah.**



May 23

Commissioner Cunningham, District 3

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Attended/Presented

- 14 Apr MAC Environmental Regulatory Committee: Planning and Zoning for Solar Energy Systems
Prof Charles Gould. Offering a guide for local gov't, have as part of Master Plans. Solar offers
1. Pollinator habitat 2. Crop micro climate 3. Bifacial panels 4. Sheep grazing
5. **Conserving /viable farms**
- 18 Apr Frankfort City Council: new Frankfort Chamber location/previously Monumental Finds building.
Crystal Lake Board: will be broadcasting meetings soon.
- 19 Apr Benzie Chamber
MAC Dir. Stephen Currie, lunch
Frankfort City/work study/ lake incubator
Point Betsie Light House
- 24-26 Apr MAC conf/ Lansing: sessions; Land Banks, Dams, elections, plenary sessions.
- 27 Apr Airport Authority: gliders will be back after 4 July, for one week.
- 2 May Kinship Coalition: planning a Benzie meeting in June, purpose to establish a monthly support
meeting. Writing a description for a "liaison".
- 6 May Point Betsie: Open House 6 May, 10am- 4pm.

Community

FEAS groundbreaking.

Grow Benzie biochar demonstration. Veterans Inspiring Veterans Art Show board. Met at The Maples. Met with farmers. Interview on WCCW/VIV Art Show.

Assorted meetings and emails with constituents, as it relates to county information, concerns and strategies.

MI Infrastructure survey. "Seeking resilient input." link:

<https://forms.office.com/pages/responsepage.aspx?id=h3D71Xc3rUKWaoku9HII0URLghCLLTVGs6msvMgvZkRUOVFMMjA5Rkl0SVgzU0Y1R0ZIMUJYOVl2OC4u>