

THE BENZIE COUNTY BOARD OF COMMISSIONERS

May 12, 2015

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, May 12, 2015, at the Benzie County Government Center, 448 Court Place, Beulah, Michigan.

The meeting was called to order by Chair Vance Bates at 9:00 a.m.

Present were: Commissioners Bates, Carland, Griner, Sauer, Walterhouse and Warsecke

Absent: Commissioner Tucker

The invocation and pledge of allegiance was led by Comm Griner.

Agenda:

Motion by Walterhouse, seconded by Griner, to approve the agenda as presented. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Abs: Tucker Motion carried.

Minutes:

Motion by Sauer, seconded by Warsecke, to approve the regular session minutes of April 28, 2015 as presented. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Abs: Tucker Motion carried.

9:02 a.m. Commissioner Tucker arrives.

9:02 a.m. Public Input -- None

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Steven Houghton, Building Department, presented the Building Code and Safety Enforcement report for April 2015; things seem to be moving upward now; soil erosion permits are also up.

Comm Tucker stated that any discussion in today's meeting that are pertinent to Sgt. Tucker she will recuse herself.

Craig Johnson, EMS, reported that they are scheduling an EMS strategic planning session for May 27, 2015 @ 6:30 p.m. in the Board Room; we ask that you tell us where you would like EMS to go. Their numbers are up for April with a slight increase in call volume. He is working on new job descriptions as well as doing employee evaluations and is moving ahead with that. They are getting ready for the summer and moving along.

Marlene Wood, Recycling Coordinator, reported that a latex paint collection was held on April 25 which was very well received and will schedule more of them; Household Hazardous Waste Collection was held on May 2 together with tires and electronics which was also well received. She will meet with the DNR tomorrow to view illegal dump sites in Benzie County of which there are 25 now; Thank You to Tom Longanbach for his help in the tire collection from some of those sites; she reported on the Benzie Compost Cooperative which opened last Saturday; there is a Garlic Mustard dumpster at the Government Center and in Frankfort for one month – they are partnering with the Conservation District on the cost of the dumpster; Action Item for later today – Resolution to Lease Excess Recycling Containers to the National Park Service; she attended an excellent conference with the Michigan Recycling Coalition and it was excellent.

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Jaime Croel, Animal Control Officer, presented the April 2015 report and reported that they are getting a few more dogs now; she will go to 9 & 10 news next Tuesday for their Adopt-A-Pet segment; she will attend the June 3 MPAWS Conference in Roscommon; kennel inspections; delinquent dog license letters have gone out from the Treasurer's office.

Judge Mead, requests authorization to hire a 3-day part-time person for the District Court, not to exceed \$12,000 and will use \$3,900 from the drug court grant money to help fund it. Motion by Bates, seconded by Tucker, to authorize the hiring of a 3-day part-time position for the District Court, not to exceed \$12,000 as requested. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

Frank Post, Emergency Management, presented the April 2015 activity report; the Region 7 Area Planner will be retiring – Tim London.

COMMISSIONER REPORTS

Comm Tucker reported that she attended the Airport Authority meeting last week and they met the new airport director; June 4 they will approve the Airport Emergency Operations Plan; attended the Benzie Bus meeting and they also finalized their ballot wording; annual meeting this week; Almira Township meeting last night and they are trying to replace/move their recycling dumpsters.

Comm Carland had a rough week; he did attend May 5 Placemaking workshop at Frankfort; he drove down Deadstream Road last week and it looks like it is done.

Comm Griner handed out a Memorial Day Cemetery schedule; he asks this board to consider membership again to NaCO – dues have not been paid – would encourage the county to continue to pay; he has resigned from the Brownfield Authority.

Comm Walterhouse has nothing to add.

Comm Sauer stated that the Road Commission is looking for a new Engineer/Manager; he went to Thompsonville and they are getting a new ambulance; also attended the Placemaking in Frankfort.

Comm Warsecke attended the Inland Township meeting – they held their clean-up day and it was well attended; they asked to try and coordinate elections a little better so there is not additional costs; he will not be at the May 26 Board of Commissioner meeting.

Comm Bates reported that Almira Township also had their clean-up day; Mother's Day Pancake Breakfast; Almira Township would be happy to host at board meeting anytime; also attended the Placemaking Workshop in Frankfort; attended the Benzie Bus meeting too; has been attending the Building Authority meetings quite regularly.

COUNTY ADMINISTRATOR'S REPORT - Karl Sparks

- The countertop project is complete – including the court rooms.
- FOIA workshop on July 4 at 4 p.m. – regulations become effective July 1.

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- Budget process is in full swing; will review with budget managers before they meet with the finance committee.
- Will be negotiating five union contracts this summer.
- Web Site – working on kick-off.
- Compensation Plan and Strategic Planning Teams are meeting and working on important items.
- Several contracts that will need to be renewed later this year including cleaning contract.
- Medical Examiner budget is exhausted – will take a budget amendment to the finance committee later today – about a \$16,000 request.
- He is heading to Ann Arbor for a MERIT (fiber optic) user conference; they offer a number of services that we didn't know about – cloud services, telephone services and others.
- FOIA Appeal: To appeal an appeal you may need to go to Circuit Court; Karl will discuss with Mr. Figura. We need to make a decision soon.

Coury asks that he keep Village of Beulah and Village of Benzonia in mind when he goes to the MERIT conference – please bring back information.

FINANCE

Motion by Tucker, seconded by Carland, to approve payment of the bills from April 25, 2015 to May 12, 2015 in the amount of \$422,052.30, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

Michelle Thompson, County Treasurer, also reported that the Land Bank Authority Question Mark demolition project is complete and are seeking developers for the property. Tax foreclosure land auction will be August 22 at 12 noon at the Little River Casino.

HR AND PERSONNEL

Comm Bates removes item 1 from the HR Consent Calendar.
There are no other items to be approved.

COMMITTEE APPOINTMENTS

CMH: Motion by Bates, seconded by Griner, to reappoint Don Tanner to the Centra Wellness Board for a 3-year period, expiring March 31, 2018. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

MAC Transportation: Comm Griner has requested per diem and mileage to a MAC transportation committee which is a State-Level Committee and we do not have that appointment.

Comm Griner says there are two: MAC EDC and MAC Transportation. He applied to these when he first took office and there seems to be a misunderstanding – he attended regularly.

This issue is referred to Karl Sparks to see if MAC will pay for these.

ACTION ITEMS

Resolution 2015-012: Motion by Bates, seconded by Walterhouse, to approve Resolution 2015-012 Vital Records Fees – County Clerk, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

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Resolution 2015-011: Motion by Bates, seconded by Carland, to approve Resolution 2015-011 Resolution Approving the Lease of Excess Recycling Containers to the National Park Service for use at the Platte River Campground, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

10:10 a.m. Break

10:20 a.m. Reconvene

CORRESPONDENCE

- Parks & Recreation minutes of March 23, 2015 received.
- Road Commission minutes of April 9, 2015 received.
- Brownfield Authority minutes of February 27, 2015 received.
- DHS minutes of April 28, 2015 received.
- Veterans Affairs minutes of April 6, 2015 received.

Motion by Bates, seconded by Tucker, to enter into closed session to discuss pending litigation with Attorney Lisa Vogler in BC/BS vs Benzie County Inmates, file number 14-398-GC, as discussions in open session would be financially detrimental to the County, to include County Clerk Dawn Olney and Administrator Karl Sparks. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

10:31 a.m. Re-enter Open Session

Motion by Bates, seconded by Tucker, to accept the advice of counsel regarding BC/BS vs Benzie County Inmates, file number 14-398-GC. Roll call. Ayes: Bates, Carland, Sauer, Tucker, Walterhouse and Warsecke Nays: None Abs: Griner Motion carried.

10:33 a.m. Cathy Demitroff & Ann Bourne, Parks & Recreation

Asks the board to adopt the updated Park & Recreation Cultural Plan.

Motion by Bates, seconded by Walterhouse, to adopt Resolution 2015-013 Recreation and Cultural Plan Resolution of Adoption as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Walterhouse, seconded by Tucker, to authorize a letter of support to the DNR for support of the Betsie River water trail, authorizing the chairman to sign. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

10:46 a.m. Break

10:54 a.m. Reconvene

10:55 a.m. Dodie Putney, Benzie Leelanau Health Dept.

Ms. Putney presented the 2013/2014 Annual report of services provided.

Motion by Walterhouse, seconded by Griner, to accept and place on file the Benzie Leelanau District Health Dept Annual Report as presented. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

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11:02 a.m. Break

11:05 a.m. Reconvene

11:05 a.m. Laura Galbraith, Executive Director of Venture North

She is a certified CDBG Grant Administrator; explains the Crystal Mountain expansion project and stated that they are not asking for approval today but just giving you the facts. Source of funding for CDBG is through the federal government HUD money and those funds are allocated to the CDBG to carry out projects; the purpose is for public improvement for for-profit businesses; it needs to meet national objectives and one of those is to create jobs – Crystal Mountain will create 48 new jobs with this project. 1 - The County will apply for the grant through MEDC which is reimbursable; 2 – Benzie County assures to HUD that all are completed; and 3 – Benzie County assures that all funds are being used for the purposes stated. It would not cost the county anything. Waiting for offer letter to be received from MEDC.

Chris MacInnes, COO of Crystal Mountain – introduces Kirk Davidson, head of all projects of engineering at Crystal Mountain. Key to qualifying for CDBG is job creation; the funds are for public infrastructure.

Phase II will be the Inn at the Mountain; this will be mixed residential and commercial; 27,000 sq. feet; new grocery store with Crystal being the Lessor (3,000 sq ft); retail; five hotel rooms on the main level; levels 2 and 3 more rooms; level 4 would be a roof top area. Benzie County will be the applicant; Crystal Mountain is responsible for all costs that the applicant would incur; they have successfully closed out all three CDBG with the county in the past. They will create additional jobs – with benefits and access to their playground.

Laura discusses the Revolving Loan Fund and introduces Troy Terwilliger with Graceland Fruit We have \$900,000 as a community in the revolving loan fund which needs to be have activity by 12/31/2015 to fund a project; does not need to be the entire amount – just need to have a project using it or the money goes back to HUD.

Mr. Terwilliger reported that funding started 20+ years ago with a loan to Graceland Fruit and that loan was repaid; that began the Benzie County Revolving Loan Fund. Graceland has a project that we are launching right now to augment our bulk packaging at the Main Street plant.

Laura stated that any new loans go through Venture North – not the county.

11:50 a.m. Break

11:57 a.m. Reconvene

11:57 a.m. Bill Kennis & Chad Hollenbeck, Benzie Bus

Mr. Kennis talked about the TC Express which they are working with BATA on; they are looking to possibly reduce some rates; they received an award for the propane efficiencies; asking for a millage renewal on August 4; they will hold their Annual Meeting Thursday, May 14 at 4 p.m. They are a Red Cross Emergency Shelter and also provide vehicle maintenance for county agencies.

NEW BUSINESS – None

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12:14 p.m. Public Input

Jim Evans spoke regarding the FOIA and refers to the January 2011 Board minutes and the document retention policy; adopted March 1, 2011.

12:18 p.m. Public Input Closed

Motion by Tucker, seconded by Sauer, to adjourn until May 26, 2015 regular meeting at 4:00 p.m. at the Government Center or the call of the chair. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried

Vance Bates – Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as presented.
2. Approved the regular session minutes of April 28, 2015 as presented.
3. Authorized the hiring of a 3-day part-time position for the District Court, not to exceed \$12,000 as requested.
4. Approved payment of the bills from April 25, 2015 to May 12, 2015 in the amount of \$422,052.30, as presented.
5. Reappointed Don Tanner to the Centra Wellness Board for a 3-year period, expiring March 31, 2018.
6. Approved Resolution 2015-012 Vital Records Fees – County Clerk, as presented.
7. Approved Resolution 2015-011 Resolution Approving the Lease of Excess Recycling Containers to the National Park Service for use at the Platte River Campground, as presented.
8. Entered into closed session to discuss pending litigation with Attorney Lisa Vogler in BC/BS vs Benzie County Inmates, file number 14-398-GC, as discussions in open session would be financially detrimental to the County, to include County Clerk Dawn Olney and Administrator Karl Sparks.
9. Accepted the advice of counsel regarding BC/BS vs Benzie County Inmates, file number 14-398-GC.
10. Adopted Resolution 2015-013 Recreation and Cultural Plan Resolution of Adoption as presented.
11. Authorized a letter of support to the DNR for support of the Betsie River water trail, authorizing the chairman to sign.
12. Accepted and place on file the Benzie Leelanau District Health Dept Annual Report as presented.