

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**July 12, 2016**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, July 12, 2016, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Roger Griner at 9:00 a.m.

Present were: Commissioners Carland, Griner, Sauer, Walterhouse and Warsecke  
Absent: Commissioner Tucker  
Excused: Commissioner Bates

A moment of silence for those lost with all of the violence that has been going on here in Michigan and elsewhere.

The invocation was given by Commissioner Griner followed by the pledge of allegiance.

**Agenda:**

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

**Minutes:**

Motion by Walterhouse, seconded by Sauer, to approve the regular session minutes of June 28, 2016 as corrected on page 2. Ayes: Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Bates Abs: Tucker Motion carried.

Motion by Sauer, seconded by Warsecke, to approve the closed session minutes of June 28, 2016 as presented. Ayes: Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Bates Abs: Tucker Motion carried.

9:05 a.m. Comm Tucker arrives

9:05 a.m. Public Input

Eric VanDussen, Benzonia, commented regarding the injunction issued by Judge Thompson regarding the OMA violations; also his FOIA that is the subject of his lawsuit.

9:08 a.m. Public Input Closed

**ELECTED OFFICIALS & DEPT HEAD COMMENTS:**

Craig Johnson, EMS Director, stated that they had an active July 4<sup>th</sup> weekend; they are about 190 runs over last year for the first six months and are 20 runs over last year for the month of July; staffing wise they are doing well – Almira and Thompsonville are having some issues; they delivered a baby on July 4 in Frankfort – everything went well and mom and baby are doing well.

Bert Gale, Building Director, provided the 2<sup>nd</sup> quarterly report for the Building Code and Safety Enforcement Department; they just went through a 5-year DEQ audit for soil erosion – Bert just received the report and has not had time to read it yet, so cannot report on it.

David Schaffer, Recycling Coordinator, reported that the June 25 Household Hazardous Waste collection in Frankfort had 291 people served and almost 1600 tires were collected; he also presented

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the coordinator's report for July 2016; a new pick-up truck was purchased and received it on Friday, 2016 Ford and is made from recycled materials; David has listed the current Dodge truck on Craig's List and the Michigan Municipal web site. Two more tire collections have been scheduled – July 16 at the Road Commission and August 20 in Thompsonville – please call and make reservations ahead of time.

Frank Post, Emergency Management, reported that he has been accepted into the Emergency Management Advanced Academy with him being gone from the office November 14 – 18, 2016; January 30 – February 3, 2017; May 8 – 12, 2017 and August 21 – 25, 2017 and will make arrangements in case of a serious event while he is gone. He also provided the June 2016 monthly report of activities; he requested approval of the 2015-16 Emergency Management Grant Program as presented.

Motion by Walterhouse, seconded by Carland, to approve the 2015 EMPG application in the amount of \$19,194.00 and authorize the Chair and Emergency Management Coordinator to sign on behalf of the county. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

Animal Control June 2016 report received.

### **COMMISSIONER REPORTS**

Comm Carland stated that he had a good 4<sup>th</sup> of July; he is now the outgoing Lions President after two as their president; they served 600 half chickens over the weekend; attended the Village of Beulah meeting last week; attended the Village of Benzonia meeting last night – things are quiet; will have Planning Commission and Airport Authority on Thursday and EDC on Friday.

Comm Tucker stated that she has been out and about and attending several events including the Lake Ann Homecoming – huge success; Village of Lake Ann is finishing their waterscapes and projects in the park.

Comm Walterhouse reported that last Tuesday on July 5 at the Homestead Township meeting there were a lot of people in attendance regarding rockets, which were homemade bombs being set off.

Comm Sauer reported that he has attended the Blaine and Joyfield Township meetings together with the Village of Thompsonville; Munson has purchased West Shore so there is discussion on ambulance services; Blaine Township annual picnic will be held August 14 and they will dedicate it to Rick Pringle who passed away this past year.

Comm Warsecke stated that he was extremely busy last week with the Cherry Festival; Inland Township met last night and they are working on the electrical that will go to the new sign and they will have lighting added to the flag at the same time; Wednesday he will attend Colfax Township and Thursday Planning Commission.

Comm Griner reported that Frankfort is very busy; he did attend the inspection at the Maples with Ed Hale, State Inspector – he went to the attic for inspection and was there for about an hour; there is no official report and his inspection went well; but we have no report yet; Ed Hale feels we are in good shape.

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### COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- We will be going into closed session today regarding union negotiation strategy.
- We will hold the second finance meeting today regarding the budget.
- Talks are continuing with Dr. Goslinoski regarding the Medical Examiner position and Wendy Trute with Grand Traverse Regional Health Dept; will hold a meeting with Grand Traverse, Leelanau, Benzie and Manistee.

### FINANCE

Bills: Motion by Carland, seconded by Warsecke, to approve payment of the bills from June 28, 2016 to July 12, 2016 in the amount of \$290,355.81, as presented. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

Michelle Thompson, County Treasurer, reminds every one of the excess land sale on August 18 at 12:00 noon at the Little River Casino – 7 parcels will be up for sale.

### HR AND PERSONNEL

Minutes of June 28, 2016 received with no consent calendar to act on.

### COMMITTEE APPOINTMENTS – None

### ACTION ITEMS

44 North Agreements – Motion by Walterhouse, seconded by Sauer, to adopt the Section 125 Cafeteria Plan Amendment Employer “Opt-Out” or “Cash in Lieu of” Payments as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

Motion by Walterhouse, seconded by Warsecke, to adopt Section 125 Cafeteria Plan Amendment Allowing Additional Election Changes Pursuant to IRS Notice 2014-55 as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

Motion by Walterhouse, seconded by Sauer, to adopt Section 125 Cafeteria Plan Plan Document Amended October 1, 2015 as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

Fisk Housing Request: Motion by Tucker, seconded by Walterhouse, to authorize Mr. Figura to draft an extension agreement for Carol Fisk, to include a statement regarding payment of legal fees, default, pay back, sale of the home, keep home for sale if is not her primary residence with final approval of the agreement to this board. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

10:00 a.m. Bill Kennis, Benzie Bus Annual Report

Fall of 2015 the voters renewed an extension of the millage for 5 years; celebrating 10<sup>th</sup> anniversary in January 2017; he gave a power point presentation to the board and visitors present.

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### CORRESPONDENCE

- Bay County resolution regarding Natural Resources and Environmental Protection Act received.
- Benzie County Road Commission minutes of June 9, 2016 received.

10:22 a.m. Break

10:31 a.m. Reconvene

Motion by Sauer, seconded by Warsecke, to go into closed session to discuss union negotiations in accordance with the Open Meetings Act 267 of 1976, Section 15.268(c), with Peter Cohl, Labor Counsel. Roll call. Ayes: Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Exc: Bates Motion carried.

11:56 a.m. Re-enter Open Session

Commissioners Tucker and Griner were excused during closed session.

Motion by Sauer, seconded by Carland, to authorize the County Administrator and Labor Counsel to proceed with union negotiations. Roll call. Ayes: Carland, Sauer, Walterhouse and Warsecke Nays: None Exc: Bates, Griner and Tucker Motion carried.

Comm Warsecke inquired of Mr. Cohl regarding his being a part of POAM at his other job and represented by the same person that represents the employees here, don't want to do or say anything wrong; Mr. Cohl stated that there is no legal prohibition, you just cannot talk about anything discussed in closed session with the POAM. You recognize the two roles, just use your discretion with regard to conversation; Mitch will contract Mr. Kuhn to obtain the status of the COAM contract which was sent to Mr. Kuhn on May 27, 2016 and determine the status of same.

### NEW BUSINESS – None

11:58 a.m. Public Input – None

Motion by Sauer, seconded by Warsecke, to adjourn until the July 26, 2016 Regular meeting at the Village of Thompsonville, or the call of the chair. Ayes: Carland, Sauer, Walterhouse and Warsecke Nays: None Exc: Bates, Griner and Tucker Nays: None Motion carried

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Roger L. Griner – Chair

Dawn Olney, Benzie County Clerk

### INDEX

1. Approved the corrected agenda as presented.
2. Approved the regular session minutes of June 28, 2016 as corrected on page 2.
3. Approved the closed session minutes of June 28, 2016 as presented.

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4. Approved the 2015 EMPG application in the amount of \$19,194.00 and authorized the Chair and Emergency Management Coordinator to sign on behalf of the county.
5. Approved payment of the bills from June 28 to July 12, 2016 in the amount of \$290,355.81.
6. Adopted the Section 125 Cafeteria Plan Amendment Employer “Opt-Out” or “Cash in Lieu of” Payments as presented, authorizing the chairman to sign.
7. Adopted Section 125 Cafeteria Plan Amendment Allowing Additional Election Changes Pursuant to IRS Notice 2014-55 as presented, authorizing the chairman to sign.
8. Adopted Section 125 Cafeteria Plan Plan Document Amended October 1, 2015 as presented, authorizing the chairman to sign.
9. Authorized Mr. Figura to draft an extension agreement for Carol Fisk, to include a statement regarding payment of legal fees, default, pay back, sale of the home, keep home for sale if is not her primary residence with final approval of the agreement to this board.
10. Bill Kennis, Benzie Bus, presented the Annual Report.
11. Entered closed session to discuss union negotiations in accordance with the Open Meetings Act 267 of 1976, Section 15.268(c), with Peter Cohl, Labor Counsel.
12. Authorized the County Administrator and Labor Counsel to proceed with union negotiations.