

THE BENZIE COUNTY BOARD OF COMMISSIONERS

June 14, 2016

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, June 14, 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 Bates, Carland, Griner, Sauer, Walterhouse and Warsecke

Absent: Excused: Tucker

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

Agenda:

Motion by Walterhouse, seconded by Carland, to approve the agenda as amended, adding one additional 2% grant for Veterans to the Action Items. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Minutes:

Motion by Bates, seconded by Sauer, to approve the regular session minutes of May 24, 2016 as amended on page 2 adding last name to Dr. Lois Goslinoski and page 4 line 3 correcting to County Planning Commission. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Carland, to approve the closed session minutes of May 24, 2016 as presented. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

9:03 a.m. Public Input

Mary Lee Orr is here in support of the resolution to shut down the Enbridge Pipeline; Blaine Township has passed the resolution; article on editorial page of the Record Eagle to shut down the pipeline; what is needed is admission by Enbridge that the pipeline is outdated.

Harry Bannister, Frankfort businessman, member of DDA of Frankfort; also founding member of the Advocates for Benzie County; running for County Commissioner for District 3 – Frankfort and Crystal Lake Township.

J. Douglas Holmes, spoke regarding taxes – rather than hike our taxes, ask each department to cut a tiny bit; Rails to Trails; AES – people in Manistee are really ticked off; they will take tax money.

9:08 a.m. Public Input Closed

PUBLIC HEARING – Summer Tax Rate – L-4029

Tom Longanbach, Equalization Director, stated that the summer tax levy only effects the General Fund not the Maples, Jail, EMS, etc. The operating millage that the county levied last year will be the same or less this year, due to Headlee millage reduction; the state limits each taxing authority to the revenue that was generated in the prior year, without a public hearing; for the County, convention and cigarette tax revenue must be deducted from the tax revenue collected the year before; that adjusted revenue is the maximum allowable without a tax hearing; the purpose of this meeting is to notify the public of the County's intent to levy the maximum allowable under Headlee.

9:12 a.m. Public Hearing Opened

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Harry Bannister asked if the Convention and Facilities tax is county. How does it work? Do we have large conventions in Benzie County? Where does it come from? Is it the same amount every year?

No other public requested to speak.

9:15 a.m. Public Hearing Closed

L-4029: Motion by Bates, seconded by Walterhouse, to adopt the L-4029 to levy the maximum allowable of 3.4919, authorizing the chairman and clerk to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Bob Roelofs & Camp Bailey, Veterans Affairs, Bob stated that he has provided today a 2% grant application for the Veterans Affairs to be handled later in the meeting; Thank you for your support; all is well with Veterans Affairs.

Frank Post, Emergency Management, provided the April and May 2016 monthly activity reports; reported that he has some 2% grants application to be handled under Action Items; reported that sand bags are now being stored at the Sleeping Bear Dunes National Lakeshore in Empire – which is closer than other available sites; gave a report following the Active Shooter exercise and he reviewed how the exercise went. Frank requests authorization to attend the FEMA National Emergency Management Advanced Academy in Emmitsburg, Maryland; the only cost to the county would be meals – other expenses are reimbursed by the Emergency Management Institute.

Motion by Walterhouse, seconded by Carland, to authorize food expense to Frank Post while attending the National Emergency Management Academy with that expense to come from his budget. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Animal Control report for May, 2016 received.

COMMISSIONER REPORTS

Comm Carland reported that he attended the Villages and Township meetings; Airport Authority meeting stating that the airport has been downgraded from a basic to general utility airport so they cannot receive MDOT funds; the Planning Commission met last Thursday and he stated that the Master Plan is to be done by June 30; they have also solicited a quote from Networks Northwest for support; COG met last night in Traverse City.

Comm Bates reported that he attended the Lake and Almira Township meetings and Lake Township is seeing some building going on – six or eight new home construction; Lake Twp is working with one of the homeowner associations on fixing roads in that area; Almira Twp discussed the Dune Fest Concert that they host; they are working on a cemetery ordinance updates; surplus property getting rid of; Rolling Thunder veterans' motorcycle ride will go on North Shore then on to Frankfort – to be held June 18 (this weekend).

Comm Walterhouse reported on the BVT – map; he had two other meetings that were cancelled; June 6 he attended the Homestead Township meeting.

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Comm Sauer says thank you for the showing at the Veterans Memorial it was nice to see everyone; he attended the Joyfield, Blaine and Village of Thompsonville meetings; the Village has to upgrade their water system – they will try to do it in the fall. Then will upgrade two old water mains next year. The DEQ is forcing a lot of this. They have the financing set up locally.

Comm Warsecke stated that the Conservation District meeting was cancelled; he was at Inland Township last night and they are putting in a high-output water well to fill the fire trucks; the Memorial Day ceremony was great.

Comm Griner stated that he had an open heart procedure so the first meeting he attended was the Maples – the process is unacceptable that we started the process in 2010 and we are now 2016 and it still isn't open.

Mitch Deisch reviews a financial sheet that has been provided dated May 23, 2016.

Tom Longanbach stated that the spray/sprinkle is done; Option 3 encapsulation was dropped; extended smoke detectors are being installed now; after Ed Hale inspects and reports, then we will decide which way to go depending on what the report says.

Roger stated that we haven't talked about recovering the funds – I am really concerned about the drop dead date of whether we are going to do a roof or not.

10:15 a.m. Recess

10:23 a.m. Reconvene

COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- His 6-month evaluation needs to be completed; will be scheduled for June 28 closed session; we need one additional HR committee member to assist in gathering information.
- We also need to get the list of AES membership for June 28 approval.

FINANCE

Bills: Motion by Walterhouse, seconded by Carland, to approve payment of the bills from May 19, 2016 to June 9, 2016 in the amount of \$567,899.10, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

HR AND PERSONNEL

Consent Calendar: Motion by Bates, seconded by Warsecke, to approve the May 24, 2016 HR Committee Consent Calendar item 1 as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

COMMITTEE APPOINTMENTS

EMS: Motion by Walterhouse, seconded by Bates, to appoint Mike Mead to the EMS Committee to fill a vacancy with an expiration date of December 31, 2017. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

ACTION ITEMS

Resolution 2016-017: Motion by Walterhouse, seconded by Bates, to adopt Resolution 2016-017 to Support the Closing of Enbridge Line 5 under the Straits of Mackinac as presented. Roll call. Ayes: Carland and Walterhouse Nays: Bates, Griner, Sauer and Warsecke Exc: Tucker Motion denied.

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Chairman Griner has asked that the County Administrator send a letter to the Attorney General and ask him to shed some light on this and to request a response.

Resolution 2016-018: Motion by Walterhouse, seconded by Griner, to adopt Resolution 2016-018 for the Area Agency on Aging of Northwest Michigan Multi-Year Plan for FY 2017-2019 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Amended Child Care Fund Budget: Motion by Walterhouse, seconded by Carland, to adopt the Amended Child Care Budget for FY 2015-2016 as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

NMCAA Housing Contract for Services: Motion by Walterhouse, seconded by Bates, to enter in contract with Northwest Michigan Community Action Agency for administration of Homeowner Rehabilitation purposes, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

2% Grant Applications - 9:

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Emergency Medical Services in the amount of \$29,660.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Emergency Management in the amount of \$37,112.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Emergency Management in the amount of \$10,050.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Emergency Management in the amount of \$102,129.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Emergency Management in the amount of \$9,900.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for the Maples – Benzie County Medical Care Facility in the amount of \$12,768.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

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Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Benzie County Council on Aging in the amount of \$16,140.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Walterhouse, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Benzie Area Christian Neighbors in the amount of \$18,096.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

Motion by Sauer, seconded by Bates, to approve the Tribal Council Allocation of 2% Fund Application Form for Benzie County Veterans Affairs in the amount of \$20,000.00 as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Motion carried.

FOIA Appeal: Mitch Deisch, County Administrator, stated that this FOIA appeal is a request from Phil Hoyt for the waiver of the fees as being excess; this has been discussed with Mr. Figura and he agrees with Mitch that the fee should not be waived; but it is the right of the individual to request an appeal.

Mr. Hoyt stated that he is turning this over to his Attorney Lisa Vogler to discuss this matter; they feel this FOIA is of public interest and the fees should be waived.

Chairman Griner stated that the request is to waive fees for the Hoyts.

Motion by Bates, seconded by Griner, that with regard to the Hoyt Appeal, that the county waive all additional fees in excess of the \$98.00 that has been paid. Roll call. Ayes: Bates, Griner, Sauer and Walterhouse Nays: Carland and Warsecke Exc: Tucker Motion carried.

CORRESPONDENCE

- Cheboygan County Resolution 16-09 regarding Clean Water Act received.
- Cheboygan County Resolution 16-10 regarding Urging State Transparency received.
- Frankfort City County Airport Authority minutes of March 3, 2016 received.
- Parks & Recreation minutes of April 25, 2016 received.
- Benzie-Leelanau Health Dept Board minutes of May 26, 2016 received.
- Veterans Affairs minutes of May 2, 2016 received.

NEW BUSINESS – None

11:35 a.m. Public Input

Sara Swanson, Prosecuting Attorney, stated that on Friday, June 17 at 9:00 a.m. she will be hosting and gathering information regarding a K-9 Advocacy Program here in the Commissioners Room and invites all board members to attend.

11:36 a.m. Public Input Closed

Motion by Bates, seconded by Warsecke, to adjourn until the June 28, 2016 Regular meeting or the call of the chair. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: None Exc: Tucker Nays: None Motion carried

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Roger L. Griner – Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the regular session minutes of May 24, 2016 as amended.
3. Approved the closed session minutes of May 24, 2016 as presented.
4. Adopted the L-4029 to levy the max allowable of 3.4919, auth the chair and clerk to sign.
5. Authorized food expense to Frank Post while attending the National Emergency Management Academy with that expense to come from his budget.
6. Approved payment of the bills from May 19, 2016 to June 9, 2016 in the amount of \$567,899.10, as presented.
7. Approved the May 24, 2016 HR Committee Consent Calendar item 1 as presented.
8. Appointed Mike Mead to the EMS Committee to fill a vacancy with an expiration date of December 31, 2017.
9. Adopted Resolution 2016-017 to Support the Closing of Enbridge Line 5 under the Straits of Mackinac as presented.
10. Adopted Resolution 2016-018 for the Area Agency on Aging of Northwest Michigan Multi-Year Plan for FY 2017-2019 as presented, authorizing the chairman to sign.
11. Adopted the Amended Child Care Budget for FY 2015-2016 as presented.
12. Entered into contract with Northwest Michigan Community Action Agency for administration of Homeowner Rehabilitation purposes, as presented.
13. Approved the Tribal Council Allocation of 2% Fund App for Emergency Medical Services in the amount of \$29,660.00 as presented, authorizing the chairman to sign.
14. Approved the Tribal Council Allocation of 2% Fund App for Emergency Management in the amount of \$37,112.00 as presented, authorizing the chairman to sign.
15. Approved the Tribal Council Allocation of 2% Fund App for Emergency Management in the amount of \$10,050.00 as presented, authorizing the chairman to sign.
16. Approved the Tribal Council Allocation of 2% Fund App for Emergency Management in the amount of \$102,129.00 as presented, authorizing the chairman to sign.
17. Approved the Tribal Council Allocation of 2% Fund App for Emergency Management in the amount of \$9,900.00 as presented, authorizing the chairman to sign.
18. Approved the Tribal Council Allocation of 2% Fund App for the Maples – Benzie County Medical Care Facility in the amount of \$12,768.00 as presented, auth the chairman to sign.
19. Approved the Tribal Council Allocation of 2% Fund App for Benzie County Council on Aging in the amount of \$16,140.00 as presented, authorizing the chairman to sign.
20. Approved the Tribal Council Allocation of 2% Fund App for Benzie Area Christian Neighbors in the amount of \$18,096.00 as presented, authorizing the chairman to sign.
21. Approved the Tribal Council Allocation of 2% Fund App for Benzie County Veterans Affairs in the amount of \$20,000.00 as presented, authorizing the chairman to sign.
22. Approved Hoyt FOIA Appeal as requested.

Motion by Bates, seconded by Warsecke, to adopt the HR Consent Calendar are follows:

1. To appoint Coury Carland to sit in with the union negotiations.