

## THE BENZIE COUNTY BOARD OF COMMISSIONERS

March 22, 2016

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, March 22, 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, Tucker, Walterhouse and Warsecke

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

### **Agenda:**

Mitch Deisch requested that the Benchmarking Phase II be removed from the agenda. Motion by Bates, seconded by Carland, to approve the agenda as amended. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

### **Minutes:**

Motion by Carland, seconded by Sauer, to approve the regular session minutes of March 8, 2016 and March 16, 2016, as presented. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

9:02 a.m. Public Input

Lisa Vogler, Almira Township – spoke regarding her concerns with The Maples and the Building Authority.

Eric VanDussen, Benzonia Township – spoke regarding Board Rules pertaining to confidentiality and Attorney/Client letter that was included in the last commissioner packet.

9:10 a.m. Public Input Closed

### **ELECTED OFFICIALS & DEPT HEAD COMMENTS:**

Craig Johnson, EMS Director, made a trip to Petoskey, still working on the medical examiner search; working on a cost comparison regarding a medical examiner for next meeting; Call outs are keeping them busy; helping Thompsonville out as one of their members had a medical issue.

Doug Durand, Council on Aging, provided written report; started community ride along yesterday; tonight Hungry Tummy will be donating part of their sales, and tomorrow night Geno's; the collaboration between DHHS, BACN, Father Fred Foundation and Veterans has been instrumental in Benzie County.

Jennifer Berkey, MSU, introduced Patty Roth to fill the educator vacancy; Kurt Schindler has transferred to Manistee County where he lives, but will still be actively programming here in Benzie County.

Patty Roth, MSU, introduces herself to the Board of Commissioners.

Kyle Rosa, Undersheriff, Introduced an idea to the Board of Commissioners regarding giving items that have been gathered and unclaimed to TNT for their auction this spring, to help fight crime. In the past the County has held auctions, but they have not been very prosperous. A list of items that will be given to TNT will be developed and presented to the Board of Commissioners at a later date for approval.

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### **COMMISSIONER REPORTS**

Comm Carland reported that he has a busy week; Benzie Broadband Summit will be held April 5, 2016 from 1:00 pm to 5:00 pm, at the Garden Theater in Frankfort. A lot of good speakers will be present; Last week had a meeting for the Master Plan, it should be done by June.

Comm Bates reported that he was in Big Rapids yesterday touring the Morgue. They were able to answer the questions he had regarding chain of evidence; Saturday he was at Platte Township annual meeting; not much going on at the Almira Township meeting.

Comm Walterhouse – nothing to report.

Comm Tucker reported that the special meeting last week with AES was informational; Lisa Vogler brought valuable information to the Board regarding the Maples. What are we going to do with this information? Eric VanDussen brought up some issues regarding the legal opinion in the board packet.

Comm Warsecke – nothing to report.

Comm Sauer – nothing to report.

Comm Griner – went to the MAC transportation meeting last Friday. 4,000,000 people do not make it to their doctor appointment because they do not have transportation. There is now a transportation grant, which an individual will pay \$20 to \$25 for transportation and that would be covered by Medicare; went to Big Rapids to visit the Morgue last June; Coast Guard is looking to change the manning of the stations to a seasonal basis (Memorial Day to Labor Day) instead of year round.

### **COUNTY ADMINISTRATOR'S REPORT** – Mitch Deisch

Reported he attended the Platte Township annual meeting last Saturday; received an e-mail from Tim Ervin, AES Director, that there would be five to six representative on the board from Benzie County; Undersheriff Letter of Understanding regarding MERS retirement. COAM and MERS have approved it, but he MERS representative will not sign it; Interviewing for Solid Waste Position.

### **FINANCE**

Bills: Motion by Carland, seconded by Walterhouse, to approve payment of the bills from March 4, 2016 to March 17, 2016 in the amount of \$278,812.94, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

Michele Thompson, County Treasurer, presented a cash summary by fund report and stated that foreclosure of the 2013 taxes is March 31, 2016. There is no redemption after this time by Order of the Circuit Court.

Comm. Bates requested that item #2 be removed from the Finance Consent Calendar.

Comm. Tucker requested that items #4 and #6 be removed from the Finance Consent Calendar.

Motion by Walterhouse, seconded by Sauer, to approve the March 8, 2016 Finance Committee Consent Calendar items 1, 3, 5, 7, 8, 9 10 and 11 as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

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Discussion held regarding item #2. Motion by Bates, seconded by Tucker, to task the County Administrator to send the Letter for Understanding regarding the Undersheriff retirement, to attorney Peter Cohl for final draft; to include all documentation from COAM and MERS indicating approval from these representative, figure what the cost will be to Benzie County, and then bring back to the Board of Commissioner for final approval. Roll call. Ayes: Bates, Sauer, Tucker and Walterhouse. Nays: Carland, Griner and Warsecke. Motion Carried.

Discussion held regarding item #4. Motion by Walterhouse, seconded by Sauer to authorize payment of \$7,879.40 from the Buildings & Grounds Contingency, as presented. Roll call. Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner Nays: None Motion Carried.

Discussion held regarding item #6. Motion by Walterhouse, seconded by Warsecke, to remove the restriction of Building and Grounds Contingency, allowing the remaining balance of \$42,000 to be used for expenses assumed by Benzie County with the balance of \$22,000 to come from General Fund Balance. Roll Call. Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None. Motion Carried.

10:22 a.m. Dr. Rob Sirrine, MSUE – gave presentation on Hops

10:41 a.m. Break

10:49 a.m. Reconvene

Motion by Walterhouse, seconded by Warsecke, to go into closed session to discuss trial settlement strategy in the matter of Cole v Benzie County, and Benzie County v Cole, which if discussed in open session could have a detrimental financial impact on Benzie County's position in those cases. Roll call Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None. Motion Carried.

11:21 a.m. Return to Open session

Motion by Sauer, seconded by Warsecke, to authorize Richard Figura to proceed in accordance with the recommendations that were made in closed session. Roll Call Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None. Motion Carried.

**HR AND PERSONNEL** – None

**COMMITTEE APPOINTMENTS** –

Comm Sauer stated that there will be vacancies on the Brownfield in April.

Comm Tucker stated there will be three opening on the Benzie Bus

**ACTION ITEMS**

Motion by Bates, seconded by Carland, to approve Resolution 2016-006 regarding the Hanley Trust Resolution as amended. Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None Motion Carried

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Motion by Bates, seconded by Walterhouse, to approve four Defined Benefits Adoption Agreements as presented, authorizing chairman to sign. Roll call. Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None Motion Carried.

Motion by Warsecke, seconded by Walterhouse to approve the AES agreement as presented, authorizing the chairman to sign. Roll Call Ayes: Bates, Carland, Sauer, Tucker, Walterhouse, Warsecke and Griner. Nays: None Motion Carried.

## **CORRESPONDENCE**

- Parks and Recreation Commission February 22, 2016 minutes
- Lake County Resolution # 1342 – Amend Local Historic Districts Act
- E-mail from Jennifer Berkey – Great Lakes Hop & Barley Conference
- Veterans Affairs Committee February 1, 2016 minutes
- Letter from MMRMA regarding Rap grant for Digital Cameras and Security
- Letter from Hon. David Thompson regarding court house security
- Benzie County Road Commission February 25, 2016 minutes

## **NEW BUSINESS –**

Comm. Tucker questions what we are going to do with the information that Lisa Vogler brought to the Board of Commissioner regarding the relationship between the Board of Commissioners and the Building Authority.

The County Administrator is to research with legal counsel, what the Board of Commissioners control is, if any, over the Building Authority and how they operate? Is there a concern with statute of limitation regarding the building? Provide a Report/Audit on how the funds are being spent, and have it put on the agenda for next month.

11:50 a.m. Public Input –

Betsy Evans, Benzonia – excited about the agreement with Benzie County and AES.

11:51 a.m. Public Input Closed

Motion by Bates, seconded by Warsecke, to adjourn until the April 12, 2016 Regular meeting or the call of the chair. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke  
Nays: None Nays: None Motion carried

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Roger L. Griner – Chair

Tammy Bowers, Benzie County Chief Deputy Clerk

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1. Approve payment of the bills from March 4, 2016 to March 17, 2016 in the amount of \$278,812.94.
2. Approve the March 8, 2016 Finance Committee Consent Calendar items 1, 3, 5, 7, 8, 9 10

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- and 11.
3. #2: Task the County Administrator to send the Letter for Understanding regarding the Undersheriff retirement, to attorney Peter Cohl for final draft; to include all documentation from COAM and MERS indicating approval from these representative, what the cost will be to Benzie County.
  4. #4: Authorize payment of \$7,879.40 from the Buildings & Grounds Contingency.
  5. #6: Remove the restriction of Building & Grounds Contingency, allowing the remaining balance of \$42,000 to be used for expenses assumed by Benzie County with the balance of \$22,000 to come from General Fund Balance.
  6. Entered closed session to discuss trial settlement strategy in the matter of Cole v Benzie County, and Benzie County v Cole.
  7. Authorized Richard Figura to proceed in accordance with the recommendations that were made in closed session.
  8. Approve Resolution 2016-006 Hanley Trust Resolution as amended.
  9. Approve four Defined Benefits Adoption Agreements as presented, authorizing the chairman to sign.
  10. Approve the AES agreement as presented, authorizing chairman to sign.

Motion by Walterhouse, seconded by Sauer, to approve the Finance Consent Calendar items as follows:

1. To enter into a five-year lease for 3 copiers (MX M356N, MX C312, MX B402) for the Sheriff Office as requested.
2. Removed from Consent Calendar.
3. To authorize payment of Deborah McGraw in the amount of \$6,420.24 for unused sick, vacation and personal leave payout.
4. Removed from Consent Calendar.
5. To reimburse the Council on Aging the amount of \$4,504.00 from the Sears Estate funds for the cost of a 30-quart mixer.
6. Removed from Consent Calendar.
7. To accept the MMRMA grant and obligate funds of \$4,730.24 which is 50% of the total project and amend the 2015-16 Budget as follows:
  8. Increase:
 

425-265-967.01	Project Expenses – Building Improvements	\$4,730.24
Increase/Decrease:		
425-265-539.01	State Grants (MMRMA)	\$4,730.24
9. To accept the grants and amend the 2015-16 budget as follows:
  - Increase:
 

425-426-539.04	GT Band Grants	\$ 5,500.00
425-426-674.00	Contributions to CERT and ARES/RACES	\$17,430.00
Increase/Decrease:		
425-426-967.00	Project Expenses	\$ 5,500.00
425-426-967.01	Project Expenses – GT Band Grants	\$17,430.00
10. To authorize \$2,400.00 for conference expenses which will be reimbursed for Sheriff Schendel, EMS Director Craig Johnson and Emergency Management Director Frank Post and amend the 2015-16 budget as follows:
  - Increase:
 

101-426-539.06	Homeland Security Grant	\$2,400.00
Increase/Decrease:		
101-426-967.00	Region 7 Homeland Security Grants	\$2,400.00
11. To adopt the 2015-16 budget amendment as follows:
  - Increase:
 

101-426-539.06	Homeland Security Grant	\$150.00
Increase/Decrease:		
101-426-967.00	Region 7 Homeland Security Grants	\$150.00