

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**November 22, 2016**

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

Excused: Commissioner Tucker

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

**Agenda:**

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

**Minutes:**

Amend the minutes as follows: Page 2, under Bob Roelofs comment “ you need to look **at the** good stuff...”; Page 6 under Lisa Vogler “ taxes collected in our **winter** tax bill, ..” and Page 6 under Dave Long, “County P/C didn’t do **anything;**”. Motion by Sauer, seconded by Bates, to approve the special session minutes of November 14, 2016, as amended. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Exc: Tucker Nays: None Motion carried.

9:03 a.m. Public Input - None

**ELECTED OFFICIALS & DEPT HEAD COMMENTS:**

Tom Longanbach, Equalization Director, presented the fee committee’s suggested changes for November 18, 2016. Motion by Walterhouse, seconded by Bates to adopt the Fee Committee suggested changes as presented, effective December 1, 2016. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Exc: Tucker Nays: None Motion carried

**COMMISSIONER REPORTS**

Comm Carland, reported that the Planning Commission had a special meeting last Wednesday to review Blaine Township Ordinance; Clearing trees at the Airport on the south side of Carlson Road.

Comm Bates, attended the Almira Township collaboration between Benzie Bus and the Fire Station.

Comm Walterhouse, nothing.

Comm Sauer, attended the Village of Thompsonville and Village of Elberta meeting.

Comm Warsecke, attended the Planning Commission and Conservation District meeting.

Comm Tucker, excused.

Comm Griner – attended a meeting in Owosso last Friday regarding railroad service in our area. Discussion was held regarding the growth of shipping containers. Dick Bayer was appointed Airport Manager.

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**COUNTY ADMINISTRATOR'S REPORT** – Mitch Deisch reported that mediation with POLC and COAM was held yesterday and have reached a tentative agreement with them. Will be proceeding to Act 312 Arbitration with the POLC. Working on strategic planning for Benzie County. Trying to schedule it for December 8, 9, 14 and 15. It will be a joint venture with Networks Northwest and AES. Discussed MERS employee contribution for Elected and Non- Election Non-Union employees.

Motion by Sauer, seconded by Walterhouse to increase Elected Officials, including Commissioners, and Non-Union Non-Elected employees MERS Contribution to 6%, effective December 1, 2016.

Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Exc: Tucker Nays: None Motion carried.

## **FINANCE**

**Bills:** Motion by Carland, seconded by Walterhouse, to approve payment of the bills from November 15, 2016 to November 22, 2016 in the amount of \$1,561,633.78, as presented. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Exc: Tucker Nays: None Motion carried.

Michele Thompson, County Treasurer, presented a Cash Summary by Fund report and Revenue and Expenditure report; tax bills are printing.

Motion by Bates, seconded by Walterhouse, to approve the November 14, 2016 Finance Consent Calendar items 1 – 3 as presented, authorizing chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Excused Tucker Nays: None Motion Carried.

Troy Lamerson, Sheriff Sargent, presented the opinion to purchase a 2016 Ford F150 out of Seasonal Road Patrol Fund. Will take \$15,000.00 out of this year's Seasonal Road Patrol Fund, and budget the balance out of next year. Normally was requesting two vehicle a year. If this is approved then they will only ask for one vehicle next year.

Motion by Bates, seconded by Warsecke to approve \$15,000.00 to come out of Seasonal Road Patrol Fund to pay for the Ford F150 crew cab. Roll call. Ayes: Griner, Sauer, Walterhouse and Warsecke Nays: Bates and Carland Excused: Tucker Motion carried

**HR AND PERSONNEL** – there is a meeting this afternoon.

**COMMITTEE APPOINTMENTS** – interview are being done; will have appointments at the first meeting in December.

## **ACTION ITEMS**

Motion by Warsecke, seconded by Walterhouse to allow Troy Lamerson to purchase MERS Generic credit years as presented, authorizing the chairman to sign. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Exc: Tucker Nays: None Motion Carried.

**CORRESPONDENCE** – nothing

**NEW BUSINESS** – None

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9:50 a.m. Break

10:01 a.m. Reconvene

### Maples Discussion

Comm Griner gave the history of the Maples.

Mitch Deisch presented a packet showing the options along with the pros and cons.

Dick Figura presented the relationship between the Board of Commissioners, Building Authority and the Department of Health and Human Services Boards.

Mitch Deisch presented the financing Options.

Tom Longanbach presented photos regarding the construction of the new building.

Dick Figura stated that you can request an opinion for the Attorney General's office to help get this matter resolved. We have asked the DHHS board to bring the BOC a legal opinion to support their position, and have not received anything.

Comm Carland stated that the new building is safer than the old building; we have license to operate and are good for 18 months, with no waiver and it can be insured.

Comm Sauer stated that even though we want to open the building because we have a license, we will not let the parties at fault get away with the issues and walk away.

Comm Walterhouse stated that he has worked with the BA for over 30 years; it has worked well and he supports its members.

### Public Input:

Thelma Ryder Novak – comments on the BA member being removed and sending someone to Washington to meet with CMS.

Gaylord Jowett - gave the responsibility of the DHHS board.

Deb Lindgren – CMS needs to put in writing that the new building is good to move into.

Marsha LaTour – concerned that residents will have to be moved out of the building if it does not pass inspection in 15 to 18 months; building is safer than if we had built it to code.

11:04 Comm. Bates excused

Tom Hart – will put this matter before the DHHS board at the next meeting regarding a legal opinion from their counsel. Need to get a waiver free building.

Mary Hoyt – if you move into the building today, what legal ground do we have to go back on the parties at fault.

Joann Walrad – need an answer from CMS, need to send someone to Washington.

Nina Bondarenko – Need to develop a subcommittee with the BOC and Taxpayers for the Maples. Need to go to Washington and talk to CMS.

Ken Walrad – you need to go and spend an overnight at the Maples to find out what is going on. Don't let the construction people off.

Thelma Ryder Novak – you only have five commissioners present; this vote is too important; need to have all seven commissioners present.

Mary Hoyt – there are people that consult with CMS on behalf of Medical Care Facility regarding these issues; need to reach out to the appropriate people.

Ed Roy – CMS responses to the issuance of a K-12; they will not provide an advisory position until a K-12 citation is issued.

Deb Lindgren – need to clear up if there is a K-12 citation. Sat in meeting prior where there was a report that a K-12 citation was issued.

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Dave Burley – the current license is issued by the State of Michigan based on the State of Michigan's life safety code; CMS license is based on the Federal Government's life safety code. When Ed Hale inspects the building under the Federal Government life safety code he will have to issue the K-12 citation.

11:37 a.m. Public Input – closed

Comm Griner stated he feels the building is safe. The Fire Department has a 5 minute response time. Comm Sauer questioned if the Maples has fire drills and how often?

Dave Burley stated that fire drills are once a month, and they do have to move residents around; agrees with Roger that the building is safe.

Comm Carland stated that after the last BOC meeting, Stu Pettitt explained that the alternate method we have used will qualify us to operate without a waiver.

Motion by Sauer, seconded by Walterhouse to request that the DHHS Board consider moving patients into the new building with the current certificate of occupancy that we have and license we have to bill Medicare. Roll call. Ayes Sauer, Carland, Walterhouse, Warsecke and Griner  
Nays: None      Exc: Bates and Tucker      Motion carried.

11:50 a.m. Public Input

Kathy Jordan – mother was at the Maples for four years; was in and out every day; watched people come and go; move us into that building, it will be your conscious if those people died because you had to move them out of there.

11:51 a.m. Public Input closed

Motion by Walterhouse, seconded by Griner, to adjourn until the December 6, 2016, Regular meeting or the call of the chair. Ayes: Carland, Griner, Sauer, Walterhouse and Warsecke  
Excused: Bates and Tucker      Nays: None      Motion carried

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Roger L. Griner – Chair

Tammy Bowers, Benzie County Chief Deputy Clerk

### INDEX

1. Appr the agenda as presented.
2. Appr the special session minutes of November 14, 2016, as amended.
3. Adopt the Fee Committee suggested changes as presented, effective December 1, 2016.
4. Increase Elected Officials, including Commissioners, and Non-Union Non-Elected employees MERS Contribution to 6%, effective December 1, 2016
5. Appr payment of the bills from November 15 to 22, 2016 in the amount of \$1,561,633.78.
6. Approve the November 14, 2016 Finance Consent Calendar items 1 – 3 as presented, authorizing chairman to sign
7. Appr \$15,000.00 to come out of Seasonal Road Patrol Fund to pay for the Ford F150 crew cab.
8. Allow Troy Lamerson to purchase MERS Generic credit years as presented, auth chair to sign.
9. Request that the DHHS Board consider moving patients into the new building with the current certificate of occupancy that we have and license we have to bill Medicare.