

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**February 28, 2017**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, February 28, 2017, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Coury Carland at 4:00 p.m.

Present were: Commissioners Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke

Excused: Commissioner Griner

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

**Agenda:**

Motion by Sauer, seconded by Walterhouse, to approve the agenda as amended, adding closed session after the Networks Northwest, Unfinished Business and Rail Road Point documents under Action Items. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

**Minutes:**

Motion by Walterhouse, seconded by Warsecke, to approve the regular session minutes of February 14, 2017 as corrected. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

4:05 p.m. Public Input

Kathy Howland, Thompsonville - read an article in the newspaper that the building is safe. Why isn't the DHHS Board moving people into the building? If the DHHS Board is not going to do their job why aren't they being removed?

4:08 a.m. Public Input Closed

**ELECTED OFFICIALS & DEPT HEAD COMMENTS:**

Bev Holbrook, Benzie Senior Resources, presented written reports; grants for Dental program; money and grants that offset the client's sliding scale needs; invite the Commissioner to ride along while delivering the meals on wheels; several restaurants have special meals that donate a portion of the proceeds to the Benzie Senior Resources.

David Schaffer, Recycling Coordinator, reported that he has received the numbers from the landfill which will allow him to finish 2016 report; met with the DEQ and discussed the solid waste plan. DEQ said Benzie County is doing ok.

Motion by Warsecke, seconded by Walterhouse to approve the Electronic Waste Collection Contract as presented, authorizing chairman to sign. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried

Motion by Warsecke, seconded by Roelofs to approve the Household Hazardous Waste Collection Contract as presented, authorizing chairman to sign. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

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### **COMMISSIONER REPORTS**

Comm Roelofs attended Benzie Senior Resource, Northwest Community Action Agency, EMS Board, Grand Traverse Veterans Affairs and Benzie Transportation Authority.

Comm Sauer attended the Maples meeting last week. Got estimate on repairing the boilers. Attended the Medical Marijuana Forum; Road Commission is going to purchase four new trucks this year; Weldon Township is exploring exiting the Joint Planning Commission; concerned when we voted the money for Comm Griner to attend MAC meeting in Lansing; wondered if Comm Griner should not have voted.

Motion by Carland, seconded by Jeannot to rescind the motions of February 14, 2017 that authorized mileage and per diem for Comm Griner to attend the MAC AG & Tourism and MAC Transportation meeting in Lansing. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke. Nays: None Exc: Griner Motion carried.

Motion by Sauer, seconded by Walterhouse to authorize mileage and per diem for Comm Griner to attend the MAC AG & Tourism and MAC Transportation meeting in Lansing, bi-monthly. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke. Nays: None Exc: Griner Motion carried.

Comm Jeannot met with Geri Van Antwerp at BACN; attended Building a Better Benzie regarding housing; Northwest Community Action Agency; EDC Meeting and HR meeting.

Comm Walterhouse attended Land Bank; Joint Court Committee; Parks and Recreation and Building Authority.

Comm Warsecke attended Conversation District meeting; HR meeting; next month will be flying in on the morning of the Commissioner meeting.

Comm Carland attended the Benzie Transportation Authority meeting. They have voted to reduce the board from 9 members down to 7 members; Joint Court Committee; Airport Authority meeting; LEPC and LPT meeting; Building Authority.

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

- Presented a written report of County Administrator updates.
- Need a commissioner to attend the Wood's mediation. Comm Sauer volunteered. Will have attorney Gregory Grant provide an update to the Board of Commissioners.
- Monthly meeting calendar – please contact the County Administrator's office if meeting dates and times are incorrect.
- Medical Examiner Agreement – looking at having the Three Party Agreement, Use of Space Agreement, and Resolution Appointing County Medical Examiner for the March 21, 2017 board meeting.

Tad Erickson, Network Northwest – PASER: Presentation regarding Pavement Surface Evaluation and Rating of the roads in Benzie County.

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Motion by Sauer, seconded by Walterhouse to accept and place on file Networks Northwest PASER report as presented. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

5:16 p.m. Break

5:20 p.m. Reconvene

## **FINANCE**

Bills: Motion by Warsecke, seconded by Walterhouse, to approve payment of the bills from February 15, 2017 to February 28, 2017 in the amount of \$272,710.21, as presented. Roll call. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

Michelle Thompson, County Treasurer, gave an update of her department; Land Bank Annual Report; today is the last day to pay 2015 taxes before forfeiture tomorrow, as well as the last day to pay 2014 taxes before foreclosure, which will begin tomorrow and goes through the end of the month; the last day to pay 2014 taxes to avoid losing your property is Friday, March 31, 2017, by 5:00 p.m.; prepared for township settlement of 2016 taxes begin March 1, 2017.

Motion by Warsecke, seconded by Walterhouse to approve the February 14, 2017 Finance Consent Calendar items 1 through 9 as presented, authorizing chairman to sign. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

Motion by Jeannot, seconded by Warsecke to award Anderson Tackman Co the bid for auditing services for three years 2017 through 2019, authorizing chairman to sign. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

Motion by Sauer, seconded by Walterhouse to deny Recycling Surcharge Appeal for parcel 026-022-02. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

**HR AND PERSONNEL** - None

**COMMITTEE APPOINTMENTS** – None

## **ACTION ITEMS**

Resolution 2017-005 CDBG – Sleeping Bear Apiaries: Motion by Warsecke, seconded by Roelofs to approve Resolution 2017-005 Community Development Block Grant Loan Fund Application – Sleeping Bear Apiaries as presented, authorizing chairman to sign. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke. Nays: None Exc: Griner Motion carried

Animal Control Millage: Motion by Walterhouse, seconded by Warsecke to adopt the Benzie County Animal Control Millage as presented, authorizing County Clerk to contact Dave Stoker as to ballot wording. Roll Call. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

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Benzie Transportation Authority Bylaws: Motion by Warsecke, seconded by Walterhouse to amend the Benzie Transportation Authority bylaws to state the board shall consist of seven member instead of nine member as presented, authorizing chairman to sign. Roll Call. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke. Nays: None Exc: Griner Motion carried.

Joint Court motion: Motion by Walterhouse, seconded by Carland to approve ADR Clerk Position being absorbed into the Deputy Court Administrator job description; and be placed in Pay Grade 5 of the Manistee County's Court pay grade structure. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

Railroad Point documents: Motion by Walterhouse, seconded by Warsecke to authorize the chairman to sign the Railroad Point Trust Fund closing documents that were previously approved. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion Carried.

## **CORRESPONDENCE**

- Allegan County Board of Commissioners – revised Medicare Prescription Drug Bill of 2003 received February 14, 2017.
- Veterans Affairs Committee Minutes of January 9, 2017

Motion by Sauer, seconded by Warsecke to go into closed session pursuant to section 8(H) of the Michigan Open Meetings Act to discuss a written legal opinion from the County Legal Counsel provided to us under the attorney-client privilege, which opinion discussed the legal options available to the Board of Commissioners to get patients moved into the new Maples County Medical Care Facility, to include the County Administrator, Attorneys and Chief Deputy County Clerk. Roll call. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

Motion by Warsecke, seconded by Sauer to re-enter into open session. Roll Call Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Exc: Griner Motion carried.

## **UNFINISHED BUSINESS** – None

## **NEW BUSINESS** – None

6:50 p.m. Public Input

Eric VanDussen - perplexed after reading in Record Patriot regarding kicking members off the DHHS Board; Board rule 10.01 regarding Corporate Counsel –did this process occur regarding tasking Mr. Figura to give this written opinion.

Kathy Howland, Thompsonville – when are we going to move residents into the new building.

Tom Longanbach, Homestead Township – have heard that someone is moving their parents out of the Maples into a facility in Suttons Bay.

6:56 p.m. Public Input Closed

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Motion by Sauer, seconded by Warsecke, to adjourn until the March 21, 2017 Regular meeting or the call of the chair. Ayes: Carland, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None  
Exc: Griner Motion carried

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Coury Carland – Chair

Tammy Bowers, Benzie County Chief Deputy Clerk

### INDEX

1. Approved the agenda as amended.
2. Approve the regular session minutes of February 14, 2017 as corrected.
3. Approve the Electronic Waste Collection Contract as presented, authorizing chairman to sign.
4. Approve the Household Hazardous Waste Collection Contract as presented, authorizing chairman to sign.
5. Rescinded the motions of February 14, 2017 that authorized mileage and per diem for Comm Griner to attend the MAC AG & Tourism and MAC Transportation meeting in Lansing.
6. Authorize mileage and per diem for Comm Griner to attend the MAC AG & Tourism and MAC Transportation meeting in Lansing, bi-monthly.
7. Accept and place on file Networks Northwest PASER report.
8. Approve payment of the bills from February 15, 2017 to February 28, 2017 in the amount of \$272,710.21.
9. Approve the February 14, 2017 Finance Consent Calendar items 1 through 9 as presented, authorizing chairman to sign.
10. Award Anderson Tackman Co the bid for auditing services for three years 2017 through 2019, authorizing chairman to sign.
11. Deny Recycling Surcharge appeal for parcel 026-022-02.
12. Approve Resolution 2017-005 Community Development Block Grant Loan Fund Application – Sleeping Bear Apiaries as presented, authorizing chairman to sign.
13. Adopt the Benzie County Animal Control Millage as presented, authorizing County Clerk to contact Dave Stoker as to ballot wording.
14. Amend the Benzie Transportation Authority bylaws to state the board shall consist of seven members instead of nine member, authorizing chairman to sign.
15. Approve ADR Clerk Position being absorbed into the Deputy Court Administrator job description; and be placed in Pay Grade 5 of the Manistee County's Court pay grade structure.
16. Authorize the chairman to sign the Railroad Point Trust Fund closing documents that were previously approved.
17. Go into closed session pursuant to section 8(H) of the Michigan Open Meetings Act to discuss a written legal opinion from the County Legal Counsel provided to us under the attorney-client privilege, which opinion discussed the legal options available to the Board of Commissioners to get patients moved into the new Maples County Medical Care Facility, to include the County Administrator, Attorneys and Chief Deputy County Clerk.
18. Re-enter into open session

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

1. To proceed with the project to have the air ducts at the Jail cleaned at a cost of \$22,500 with Stanley Steamer.
2. To amend the 2016-17 Budget for department 305 as presented.
3. To authorize David Schaffer to apply for two DEQ grants and use fund balance from the Solid Waste Department of up to \$20,000 toward the infrastructure grant and up to \$2,500 for the educational grant.
4. To amend the Emergency Management 2016-17 Budget as presented.
5. To amend the 2016-17 Budget for department 266 Legal & Contracted Services as presented.
6. To amend the CDBG Housing 2016-17 budget as presented.
7. To allow the County Treasurer to sign up for Hometown Giving donations, pending legal review regarding any possible conflict with the owner of Hometown Giving and Benzie County.
8. To authorize the creation of an endowment fund with the remaining balance of the Sears Estate funds through the five-county regional Community Foundation.
9. To pay off the existing ECT balance to avoid the interest charges, with funds to come from the Delinquent Tax Revolving Funds.