

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**March 21, 2017**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, March 21, 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, Griner, Jeannot, Roelofs, Sauer and Walterhouse  
Excused: Warsecke

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

**Agenda:**

Motion by Roelofs, seconded by Griner, to approve the agenda as amended, adding ACO Grant Request; Finance Consent Calendar and HR Consent Calendar from today's meetings. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

**Minutes:**

Motion by Walterhouse, seconded by Roelofs, to approve the regular session minutes of February 28, 2017 as amended, changing Dr. Figura to Mr. Figura on page 4. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Motion by Sauer, seconded by Roelofs, to approve the closed session minutes of February 28, 2017 as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

4:05 p.m. Public Input

Doreen Carter, President of Animal Welfare League, spoke regarding millage and how the AWL supports the services of Animal Control.

4:10 p.m. Public Input Closed

**ELECTED OFFICIALS & DEPT HEAD COMMENTS:**

Craig Johnson, EMS Director, spoke regarding the School CPR classes being held at Benzie Central High School, 8<sup>th</sup> graders this week and 10<sup>th</sup> graders in two weeks; Great Lakes Surf and Rescue for kids are all getting this program this week; also on June 17 11:00 am – 3:00 pm there will be a water safety day at the mouth of the Platte River; Grow Benzie will have a food truck out there as well. Call volume is staying pretty high, about 30 runs over last year so far for March; Mutual Aid Agreement with the National Park Service.

Frank Post, Emergency Management, provided the February 2017 monthly report; reported on Search and Rescue Training that was held; April 5 Elected Officials training 6 – 9 p.m.; Weather Spotter Training; 2016-17 HMEP Grant Request.

Motion by Walterhouse, seconded by Jeannot, to authorize the Benzie County Office of Emergency Management to apply for the maximum of \$1,270 for the Hazardous Materials Emergency Preparedness Grant and authorize the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

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Kyle Maurer, ACO, provided a written report for February 2017; he stated that they have done some painting at the shelter; they now have a free-roaming cat room; calls are picking up; asks to authorize a grant application for spay and neutering, \$10,000.00 100% reimbursable.

Motion by Griner, seconded by Walterhouse, to authorize the application to Two Seven Oh, Inc. as presented for spay and neutering, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

David Schaffer, Solid Waste and Recycling, final 2016 Annual Report; stated that the Road Commission has denied his request for property at the Honor gravel pit for a recycling site, so he did not apply for the infrastructure grant as stated he would at a prior meeting, but he did apply for the education grant.

### **COMMISSIONER REPORTS**

Comm Roelofs spoke regarding Benzie County Veterans Affairs; Memorial service at the Veterans Memorial and they are on track to have 99% completion there; Buildings and Grounds Committee – working on getting a generator to cover the entire building the way it should be; 911 meeting; technology committee met this month; EMS committee; Village of Lake Ann had applied for a grant through the Grand Traverse Band and didn't realize they got it until they received a letter – will be for a street scape project.

Comm Walterhouse spoke regarding the dividend report for 2008-2015 from MCWCF \$517,891 total has gone back to the counties; Benzie County has received \$345,481; Benzie Transportation has received \$49,557 and Maples has received \$122,779. He attended the Homestead Township meeting on March 6; the school in the Village of Honor will be closing – the building is over 70 years old and it would be \$4.5 million dollars to bring it up to code.

Comm Griner reported on Buildings & Grounds; was at the Crystal Lake Township meeting where Dave Schaffer talked about recycling.

Buildings & Grounds Consent: Motion by Walterhouse, seconded by Griner, to adopt the March 8, 2017 Buildings and Grounds Consent Calendar items 1 – 3 as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Comm Jeannot stated that he met on March 2 with Chuck Clarke regarding the Point Betsie Lighthouse grant request; Lake Township held their meeting and they have \$6 million worth of new building projects this year; Clean Up day is scheduled; school was there to talk about their sinking funds; NWCAA meeting – asked him to identify an appropriate candidate in Benzie County to serve on their Youth Homeless project – Dave Claussen has agreed to service; Attended several other meetings: 3/13 Technology Committee meeting; Almira Township talked about park improvements and new fire truck; Business After Hours; Platte Township meeting; met with Doug Durand about Benzie Senior Resources millage request and HR.

Comm Sauer attended the MDOT meeting and they reviewed their road projects; attended Buildings and Grounds; Village of Thompsonville is working on a major water project; Betsie Valley Trail is working to improve the stretch from County Farm to Beulah; Village of Elberta applying for a DNR grant to upgrade the park; Marina Project is still there in the Village of Elberta.

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Comm Carland attended the Village of Benzonia meeting; Village of Beulah – the main topic was final approval for the water loan; Networks Northwest talked about the closure of Camp Pugsley – sounds like it won't be reopened – they may try and give it to Networks Northwest; met with MERIT Network last week regarding internet access; Airport Authority; U of M will do a bi-centennial graduation ceremony in April and he will attend on behalf of Benzie County

Technology Consent: Motion by Carland, seconded by Walterhouse, to approve the March 13, 2017 Technology Consent Calendar item 1 as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

5:09 p.m. Sean Duperron, Point Betsie Lighthouse

Sean presented a power point presentation regarding the grant application to the Michigan Natural Resources Trust Fund.

Motion by Walterhouse, seconded by Jeannot, to adopt 2017-006 Resolution of Authorization – Local Unit of Government Match with Donated Funds to the Michigan Natural Resources Trust Fund, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

5:29 p.m. Patty Roth, MSUE, Fuel Up To Play – Fuel up our bodies with health foods so that we can exercise or play for 60 minutes per day.

Patty appears with several others to discuss their experience in Lansing and a Ford Field with the Benzie Valley Fuel Up To Play Group.

Connie Hemingway, Asa Kelley, Macy Jones, Jonathan Rollo, Morgan Kalosky, Olivia Cooper, Aidan Erforth and Amy Erforth (Principal at Betsie Valley School).

## ACTION ITEMS

Doug Durand, Commission on Aging Millage Request – Mr. Durand presents information to the board to justify the request for the additional request.

Motion by Walterhouse, seconded by Sauer, to authorize a Commission on Aging ballot proposal for August 8, 2017 at 0.85 mill, 3 years, 2017-19, authorizing the Clerk to contact Dave Stoker to prepare the ballot wording. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

## Medical Examiner Contract

Three Party Contract: Motion by Walterhouse, seconded by Griner, to enter into a Three Party Agreement for the Creation of a Regional Medical Examiner's Office for the Counties of Benzie and Manistee and the Appointment of a Medical Examiner as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Use of Space: Motion by Griner, seconded by Sauer, to adopt the Use of Space Agreement with Jowett Funeral Home, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Resolution 2017-007: Motion by Griner, seconded by Roelofs, to adopt 2017-007 Resolution Appointing County Medical Examiner as presented, authorizing the chairman to sign. Roll call.

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Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke  
Motion carried.

EMS Agreement with NPS: Motion by Roelofs, seconded by Walterhouse, to enter into General Agreement between the United States Department of the Interior National Park Service and Benzie County as presented for EMS services, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

6:22 p.m. Break

6:32 p.m. Reconvene

Motion by Carland, seconded by Sauer, to enter closed session pursuant to Section 8(e) of the Open Meetings Act to discuss trial or settlement strategy in the matter of Benzie County et al vs Cole, with it being the opinion of legal counsel that to have a discussion in open court will have an adverse financial impact to the county litigation and settlement, to include Richard Figura, Haider Kazim, Mitch Deisch, Dawn Olney and Parks and Recreation Commission. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Motion by Carland, seconded by Griner, to authorize legal counsel to proceed in accordance with the recommendation made in closed session regarding Benzie County vs Cole. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Motion by Carland, seconded by Roelofs, to enter into closed session under MCL 15.268 (c) to discuss negotiation strategy for a collective bargaining agreement, to include Mitch Deisch and Dawn Olney. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Motion by Carland, seconded by Roelofs, to authorize the transmittal of a last best offer to the Union consistent with the County attorney's recommendation. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

## COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- Administrator's Update dated March 21, 2017.
- April 2017 monthly calendar.
- Northwest Michigan Local Government Summit April 7, 2017.

## FINANCE

Bills: Motion by Griner, seconded by Carland, to approve payment of the bills from March 1, 2017 to March 21, 2017 in the amount of \$528,632.96, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Consent Calendar: Motion by Walterhouse, seconded by Sauer, to adopt the March 21, 2017 Finance Consent Calendar items 1 – 7 as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.



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Michelle Thompson, County Treasurer, reported that there are 68 parcels left on the foreclosure list; Township settlement of 2016 taxes is complete; delinquent tax amount for 2016 taxes is \$1,997,000.

### HR AND PERSONNEL

Comm Carland removes item #4.

Motion by Carland, seconded by Walterhouse, to adopt items 1 -3 of the February 28, 2017 HR Consent Calendar as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

#4: Motion by Carland, seconded by Jeannot, to create an ad hoc committee to determine an appropriate approach to redraft the County Planning Ordinance. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

Motion by Sauer, seconded by Jeannot, to adopt items 1 & 2 of the March 21, 2017 HR Consent Calendar as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

### COMMITTEE APPOINTMENTS

NMRE: Motion by Walterhouse, seconded by Sauer, to appoint Coury Carland to the Northern Michigan Regional Entity. Ayes: Carland, Jeannot, Roelofs, Sauer and Walterhouse Nays: Griner Exc: Warsecke Motion carried.

Veterans Affairs: Motion by Griner, seconded by Jeannot, to appoint Bob Roelofs and Ed Kowalski to the Veterans Affairs Committee for a 4-year term. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

### CORRESPONDENCE

- Road Commission minutes of January 26 and February 15, 2017 received.
- Veterans Affairs minutes of February 6, 2017 received.

### UNFINISHED BUSINESS – None

### NEW BUSINESS

2017-008: Motion by Sauer, seconded by Roelofs, to adopt resolution 2017-008 Resolution to Conform to House Bill No. 4970, with regard to Veterans Affairs, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried.

8:20 p.m. Public Input – None

8:20 p.m. Motion by Griner, seconded by Sauer, to adjourn until the April 11, 2017 Regular meeting or the call of the chair. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Walterhouse Nays: None Exc: Warsecke Motion carried



Coury Carland – Chair

Coury



Dawn Olney, Benzie County Clerk

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### INDEX

1. Approved the agenda as amended.
2. Approved the regular session minutes of February 28, 2017 as amended.
3. Approved the closed session minutes of February 28, 2017 as presented.
4. Authorized Emergency Management to apply for the HMPG.
5. Authorized the application to Two Seven Oh, Inc. as presented for spay and neutering.
6. Adopted the March 8, 2017 Buildings and Grounds Consent Calendar items 1 – 3 as presented.
7. Approved the March 13, 2017 Technology Consent Calendar item 1 as presented.
8. Adopted 2017-006 Resolution of Authorization – Local Unit of Government Match with Donated Funds to the Michigan Natural Resources Trust Fund.
9. Authorized a Commission on Aging ballot proposal for August 8, 2017 at 0.85 mill, 3 years, 2017-19, authorizing the Clerk to contact Dave Stoker to prepare the ballot wording.
10. Entered into a Three Party Agreement for the Creation of a Regional Medical Examiner's Office for the Counties of Benzie and Manistee and the Appointment of a Medical Examiner as presented.
11. Adopted the Use of Space Agreement with Jowett Funeral Home, authorizing the chairman to sign.
12. Adopted 2017-007 Resolution Appointing County Medical Examiner as presented, authorizing the chairman to sign.
13. Entered into General Agreement between the United States Department of the Interior National Park Service and Benzie County for EMS services as presented, authorizing the chairman to sign.
14. Entered closed session regarding Benzie County et al vs Cole.
15. Authorized legal counsel to proceed in accordance with the recommendation made in closed session regarding Benzie County vs Cole.
16. Entered into closed session to discuss negotiation strategy for a collective bargaining agreement.
17. Authorized the transmittal of a last best offer to the Union consistent with the County attorney's recommendation.
18. Approved payment of the bills from March 1, 2017 to March 21, 2017 in the amount of \$528,632.96, as presented.
19. Adopted the March 21, 2017 Finance Consent Calendar items 1 – 7 as presented.
20. Adopted items 1 -3 of the February 28, 2017 HR Consent Calendar as presented.
21. Created an ad hoc committee to determine an appropriate approach to redraft the County Planning Ordinance.
22. Adopted items 1 & 2 of the March 21, 2017 HR Consent Calendar as presented.
23. Appointed Coury Carland to the Northern Michigan Regional Entity.
24. Appointed Bob Roelofs and Ed Kowalski to the Veterans Affairs Committee for a 4-year term.
25. Adopted resolution 2017-008 Resolution to Conform to House Bill No. 4970, with regard to Veterans Affairs, as presented.

**TECHNOLOGY**

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Motion by Carland, seconded by Walterhouse, to approve the Technology Consent Calendar as follows:

1. To enter into contract with Abilita to help navigate through finding and re-assessing our IT providers for Benzie County.

## **BUILDINGS & GROUNDS**

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Motion by Walterhouse, seconded by Griner, to approve the Buildings and Grounds Consent Calendar as follows:

1. To authorize TAG Construction to install the countertops, with the funds coming out of Jail Building and Grounds fund.
2. To authorize the purchase of two desks for Dispatch as presented, not to exceed \$30,000.00, with the funds coming out of Dispatch Fund Balance.
3. To authorize Rick Morris to replace the receptacle outlets for the generator with red covers.



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

1. To enter into contract with Abilita to seek new IT services under Phase I.
2. To authorize 2016-17 budget adjustment for the Jail Fund in the amount of \$2,855.00 as presented.
3. To amend the 2016-17 Budget for Fund 213 in the amount of \$10,100.00 as presented.
4. To amend the 2016-17 Budget for fund 262 in the amount of \$5,000.00 as presented.
5. To amend the 2016-17 Budget for fund 261 in the amount of \$45,000.00 as presented.
6. To authorize the purchase of new ambulance in the amount of \$190,000 with full amount to be deferred to next fiscal year.
7. To approve the 2016-17 budget adjustment for the Road Commission Audit in the amount of \$6,000.00 as presented.

Motion by Carland, seconded by Walterhouse, to adopt the HR Consent Calendar as follows:

1. The County Administrator draft a separate policy for Animal Control employee only to carry a Concealed Pistol, and bring it back before the HR committee for review. It is to include what level of training the employee has to have and how does our insurance carrier respond to this.
2. Adopt amended Emergency Medical Services Quality Assurance Manager job description, to include the two changes discussed.
3. Allow the Brownfield Redevelopment Authority to operate with five members.
4. Removed from Consent Calendar.

Motion by Sauer, seconded by Jeannot, to adopt the HR Consent Calendar as follows:

1. Adopted the Benzie County Animal Control Use of Deadly Force and Firearms Policy as presented.
2. Authorize the hiring of Jeannie McPherson as the Parks & Recreation Committee recording secretary as requested.