

THE BENZIE COUNTY BOARD OF COMMISSIONERS
May 9, 2017

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, May 9, 2017, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Coury Carland at 9:00 a.m.

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

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

Agenda:

Motion by Roelofs, seconded by Warsecke, to approve the agenda as amended, add HR Minutes and 2017-017 Maples Millage under Action Items. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Minutes:

Motion by Jeannot, seconded by Warsecke, to approve the regular session minutes of April 11, 2017 with the changes as cited. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Carland, to approve the closed session minutes of April 11, 2017 as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

9:03 a.m. Public Input

Eric VanDussen, Benzonia, spoke regarding the closed session today regarding Mr. Figura's opinion, and stated that the agenda didn't state enough information; he suggests you not go into closed session.

9:06 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

David Schaffer, Solid Waste & Recycling, stated that the Village of Honor has given their blessing for 10791 Main Street (formerly Bud's) as the new location for the recycling bins – for now; the insurance will be moved; he will come back with a lease agreement; at the Household Hazardous Waste and Electronics collection in Frankfort on June 17, they were going to offer a mattress collection disposal, but since there have been -0- requests for that, he will cancel that portion of the event at this time.

Steve Houghton, Building Dept, stated that the Executive Order 2017-3 that he provided has given some confusion – we are OK here; Construction Board of Appeals – some boards are compensated, he feels the Board of Commissioners should consider a per diem for their time.

Chairman Carland feels the per diem issue should be looked into.

Comm Walterhouse stated it should be referred to Finance.

James Henderson, EMS, stated that the new ambulance is ready to be delivered, however different wording is needed regarding the availability to pay off early. Needs to be a 3-year lease with the intent to pay off in one year.

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1) Motion by Walterhouse, seconded by Carland, to purchase a new ambulance with a 3-year lease and tax exempt leasing with the intent to pay off after the first year. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

2) The first autopsy has been performed at the Benzie Count Morgue, but the case did not come from Benzie County; it was a Manistee County case and it went well, but long. They are still trying to find a Histologist.

Comm Walterhouse stated that Thompsonville has had a lot runs.

Mitch Deisch stated the Weldon and Colfax Townships and Village of Thompsonville are OK; Cleon and Springdale Townships, Manistee County, are not OK – they do not pay the .85 mills that all of Benzie County does; we cannot continue to subsidize Manistee County townships.

Comm Sauer said it was brought up at the Village of Thompsonville meeting last night and they stated that the lawyers at Munson Medical Center got involved and shut off the service; they are trying to cut off the service from West Shore, so we need to bring Munson in for these discussions.

Kyle Rosa, Undersheriff, introduced Bob Hawkins, new maintenance employee at the Sheriff Dept – jack of all trades; the first week of May was Corrections Officer Memorial Week – two employees have been at the Academy this week in Grand Traverse County; the week of May 15 is National Police Officers' Memorial Week. Marty Blank has graduated from the West Shore Community College Police Academy – the extra training and help will be great for the department. Thank you to Fresh Winds Church for lunch last week on Wednesday; ORV safety class will be held Saturday, May 13.

Comm Jeannot inquired of the Concealed Carry Ordinance for ACO and whether they have been trained yet – Kyle believes they have talked about it, but no date has been set.

COMMISSIONER REPORTS

Comm Roelofs reported that he has attended the HSCB and the topic for that meeting was trauma – all aspects; DVTF -- Domestic Violence Task Force – child awareness and how to talk to the kids identifying domestic violence with children to make them comfortable; Inland and Almira Twp. clean-up day was last week; Memorial Day service will be at 12:00 noon at the Veterans' Memorial. He and Phil Hoyt met with local Honor Boy Scouts at the Veterans' Memorial and they moved sand.

Comm Walterhouse reported on the May 2 election for the Village of Honor; May 8 the Village discussed sewer rates.

Comm Jeannot reported that Platte Township discussed a Marijuana Ordinance on May 4; June 17 the National Park Services is offering a water awareness class in Lake Township; May 10 Almira Township will hold stroke awareness training.

Comm Griner reported that he took the SWD Ordinance to Lansing and delivered the information; MAC – in the next 30–40 years you will have to double the amount of food that will be produced; MAC changes with the retirement of the director; reported on rail container system and cruise ship business; AES is not changing their meeting, so he will not attend the BOC meeting in two weeks, he will be attending the AES meeting.

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Comm Sauer reported that he attended the VCAT meeting last month; May 19 and 20 will be the Take Vets Fishing weekend – Tight Lines for Troops; Road Commission held an on-line auction and they took in \$46,700 for old equipment and they also agreed to give the Solid Waste and extra month to remove the recycle bins; The Maples Work Group gave a presentation to the BA meeting and they voted not to accept the recommendation; village of Thompsonville had a contest to name their park and will call it the Thompsonville Community Memorial Park; Joint Planning Commission decided to do a resolution to opt out of Medical Marijuana – Colfax, Thompsonville and Weldon. Maples Open House on June 5 2-4 p.m. and June 6 will be moving patients into the facility.

Comm Warsecke reported on informational meeting at Inland Township re Medical Marijuana facility – about 35 citizens there and the majority voiced their opinion that they do not want it; Inland Township fire millage passed; blood drive and propane fill on May 19.

Comm Carland attended the BA meeting with Comm Sauer and Comstock will meet with contractors to determine if the bids are still in the ball park; toured the old facility; June 5 as the Open House date, once Phase 3 is initiated, it will take approximately 4 months to complete; last Friday he traveled to SE Michigan to Ann Arbor for the U of M Bi-Centennial and he represented Benzie County; Monday went to SUD advisory meeting from MNRE and they voted if Benzie and Manistee Counties can tap into the liquor money for an opiate program – they voted unanimously that they can; Planning Commission Work Group to discuss the reorganization; next week will go to the Merit Member Conference.

Comm Jeannot comments regarding his disappointment in the Building Authority ignoring the group and commissioners.

Comm Sauer asks for a document that said it was time to build a new facility (Maples) back in 2010.

Motion by Jeannot, seconded by Griner, to ask that the Building Authority appear on June 13 and explain why they continue to reject ideas from the BOC as well as the ad hoc committee made up of citizens, want a mapped out plan and be well prepared to represent their position.

Mitch suggested specific questions that you would like to have them answer.

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

10:14 a.m. Jennifer Berkey, MSUE Annual Report

Ms. Berkey provides a power point presentation of the 2016-2017 Annual Report for Benzie County.

10:30 a.m. Tim Figura, Attorney

Motion by Carland, seconded by Griner, to enter closed session to consider written material subject to the attorney-client privilege. The nature of the written material is a legal opinion regarding our insurer's recommended handling of a claim and the viability of a process for addressing such issues in the future. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke
Nays: None Motion carried.

10:57 a.m. Re-Enter Open Session

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Motion by Sauer, seconded by Griner, to authorize our attorney to proceed as recommended in closed session. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke
Nays: None Motion carried.

COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- He is working on a use agreement with Mecosta/Newaygo for use of their morgue facilities
- Sunrise Rotary yesterday he helped to take 110 Benzie Central 8th graders to MSU and CMU campus.
- We were still having some fax issues with the new phone line – all fixed now.
- OMA & FOIA training will be scheduled for July.

FINANCE

Bills: Motion by Walterhouse, seconded by Warsecke, to approve payment of the bills from April 25, 2017 to May 9, 2017 in the amount of \$203,432.51, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Michelle Thompson, County Treasurer, stated that they are trying to catch up now; settling in on the new dog license program.

HR AND PERSONNEL – Minutes of April 25, 2017 presented – No consent calendar.

COMMITTEE APPOINTMENTS – None

ACTION ITEMS

US Coast Guard Request: Carry over to May 23 meeting to allow preparation of a letter.

Sheriff Patrol Agreement with Lake Township: Motion by Walterhouse, seconded by Jeannot, to enter into agreement with Lake Township for additional police protection as presented, authorizing the chair to sign. Roll call. Ayes: Walterhouse and Warsecke Nays: Carland, Griner, Jeannot, Roelofs and Sauer Motion denied.

It was recommended to have any agreements for Summer patrol require half of the agreed upon amount be paid upfront with the balance due by September 30th.

2017-017 Maples Millage: Motion by Sauer, seconded by Roelofs, to adopt resolution 2017-017 submitting to a Vote of the Electorate a Millage Renewal Question for the Benzie County Medical Care Facility (The Maples) Operations, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

CORRESPONDENCE

- Crystal Lake elevation report for April 2017 received.
- Little Platte Lake elevation report for April 2017 received.

UNFINISHED BUSINESS

NEW BUSINESS – None

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11:35 a.m. Public Input

Eric VanDussen, Benzonia, stated that your agenda wasn't clear with regard to the closed session; asks the board to not go into closed session to discuss OMA issues with an Attorney/Client letter when received from Mr. Figura; which attorney do you believe.

Public Input Closed

Judge Mead introduces Walter Armstrong and asks the Board to adopt resolution approving the Appointment of Mr. Armstrong as District Court Magistrate.

Motion by Griner, seconded by Jeannot, to suspend the board rules for consideration of information provided by Judge Mead, Resolution 2017-018. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Walterhouse, seconded by Roelofs, to adopt 2017-018, Resolution of Support for Approval of the Appointment of Walter E. Armstrong as District Court Magistrate by the Manistee County Board of Commissioners. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Chairman Carland spoke regarding the Michigan Public Policy Survey.

Motion by Jeannot, seconded by Sauer, to adjourn until the May 23, 2017 Regular meeting or the call of the chair. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried

Coury Carland – Chair

Dawn Olney, Benzie County Clerk

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- 1) Approved the agenda as amended.
- 2) Approved the regular session minutes of April 11, 2017 with the changes as cited.
- 3) Approved the closed session minutes of April 11, 2017 as presented.
- 4) Approved to purchase a new ambulance with a 3-year lease and tax exempt leasing with the intent to pay off after the first year.
- 5) Approved to ask that the Building Authority appear on June 13 and explain why they continue to reject ideas from the BOC as well as the ad hoc committee made up of citizens, want a mapped out plan and be well prepared to represent their position.
- 6) Entered closed session.
- 7) Authorized our attorney to proceed as recommended in closed session.
- 8) Approved payment of the bills from April 25, 2017 to May 9, 2017 in the amount of \$203,432.51, as presented.
- 9) Denied motion to enter into agreement with Lake Township for additional police protection as presented, authorizing the chair to sign.

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- 10) Adopted resolution 2017-017 submitting to a Vote of the Electorate a Millage Renewal Question for the Benzie County Medical Care Facility (The Maples) Operations, authorizing the chairman to sign.
- 11) Adopted 2017-018, Resolution of Support for Approval of the Appointment of Walter E. Armstrong as District Court Magistrate by the Manistee County Board of Commissioners.