

## **THE BENZIE COUNTY BOARD OF COMMISSIONERS**

**September 12, 2017**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, September 12, 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 Walterhouse, seconded by Warsecke, to approve the agenda as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

### **Minutes:**

Motion by Warsecke, seconded by Roelofs, to approve the regular session minutes of August 22, 2017 as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Sauer, to approve the closed session minutes of August 22, 2017 with reference to Cole vs Benzie County et al, as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Griner, to approve the closed session minutes of August 22, 2017 with reference to Tucker vs Benzie County as presented. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

9:04 a.m. Public Input

Thelma Novak commented on the Building Authority meeting on September 1, 2017.

9:07 a.m. Public Input Closed

### **PUBLIC HEARING FOR 2017-18 BUDGET**

Mr. Deisch presents a power point and explains the process of preparing the budget; he stated that we held a number of meetings; the tentative budget will be placed on the County Clerk's counter until September 26, 2017 the date of proposed adoption.

10: 08 a.m. Motion by Griner, seconded by Sauer, to open the public hearing for the 2017-18 proposed budget. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

No public comments.

Motion by Jeannot, seconded by Roelofs, to close the public hearing. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Walterhouse, seconded by Sauer, to set the 2017-18 Budget as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

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

David Schaffer, Recycling Coordinator, stated that you have recycling site lease agreements are up for renewal and are up for action later today, the only change is Homestead Township location and term, also to remove a paragraph that said they would be responsible for the site; Manistee County landfill open house is scheduled for September 28, 2017 11:30 a.m. – 2:00 p.m.; he presented the 2017 Special Collections Report.

U/S Rosa reported that the gentlemen that went to Houston to assist with the hurricane relief were sent to Beaumont Texas are now home and assisted with search and rescue. They were met with open arms; they reached out to this community to go – Sheriff let them take his truck and the air boat. Comm Roelofs stated that what U/S Rosa is not saying, is that there were his sons. Thank you.

Frank Post, Emergency Manager, presented his August 2017 activity report; he has been attended meetings of local units of government and talks about the Mass Notification System; he attended the fourth and final installment of the National Emergency Management Advanced Academy; we have received a 2% tribal grant in the amount of \$6,000 for fire fighter training; we have received a MMRMA grant for the Treasurer's Office security improvements; Mass Casualty Exercise Plan – will have an after-action review and report back to you; Emergency Management Grant is in the action items later today; we have received a Communications Grant from FEMA – Almira Township will be the fiduciary.

### **COMMISSIONER REPORTS**

Comm Walterhouse attended a couple of meetings – Homestead Township and Village of Honor.

Comm Roelofs reported that the Grand Traverse Veterans Affairs is moving forward to hire an administrator; Benzie County Veterans Affairs met yesterday and things are going well; he attended the Coho Festival on behalf of the Veterans Affairs; he attended an event last Saturday at Twisted Trails for veterans.

Comm Jeannot reported 10 meetings on behalf of the county and reported that he attended two Building Authority meetings, EDC meeting on September 1 and is ~~watching~~ AES would suggest to monitor AES regarding organizational changes; he met with Xpert Fulfillment and have asked them to have dialog regarding an industrial park in Benzonia Township; two of his three townships that he represents have shown overwhelming support for what we are doing at the Planning Commission level.

Comm Griner reported that the ME is doing very well; Health Dept received a \$650,000 grant for dental with 5 dental chairs; they also provide doctor (medical) and mental health services; affordable housing; help wanted signs in Traverse City; people that travel the Mississippi River get \$1,200/day to ride on the boat; will be having a new boat coming into the Muskegon area, bringing the cruise ships back to the great lakes is something that he will continue to work on.

Comm Warsecke attended the HR meeting and Inland Township meeting last night.

Comm Sauer reported he has also been attending the Planning Commission meetings – have a few folks that are interested in the new plan; MSU research station and they had demos, presentations,

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discuss problems growers are facing; went to the Patriot Game in Traverse City – well attended, but you can't find a place to park; asks if Evan and Roger have been attending the school board meetings – we haven't had any reports.

Comm Carland reported that the Village of Beulah streetscape project is underway; a local business owner (Rich Allen) wants a liquor license (owner of the old bowling alley); Ed Hoogterp will be requesting a resolution of support for a DEQ grant of \$500,000 with a match required of approximately \$150,000 of which the Crystal Lake Watershed has pledged \$50,000 for that; went to the Regional Entity SUD yesterday – they oversee the liquor tax money.

10:55 a.m. Break

11:04 a.m. Reconvene

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

- September 26, 2017 we will have another Public Hearing regarding adoption of the 2017-18 budget.
- October 16, 2017 is the Networks Northwest Housing Summit – BOC to let him know who wishes to attend.
- Motion by Walterhouse, seconded by Carland, to authorize the County Administrator to make budget transfers between departments to balance the 2016-17 budget for all funds. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

### **FINANCE**

Bills: Motion by Walterhouse, seconded by Warsecke, to approve payment of the bills from August 23, 2017 to September 12, 2017 in the amount of \$398,351.79, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Michelle Thompson, County Treasurer, reported that the second sale of tax foreclosed properties will be held on-line; she has met with the firm contracted to do the MALB Impact Study of Land Banks; taxes are due September 14 to the Townships.

### **HR AND PERSONNEL**

Consent Calendar: Motion by Warsecke, seconded by Jeannot, to adopt the August 22, 2017 HR Consent Calendar items 1 – 3 as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Warsecke, to adopt the September 5, 2017 HR Consent Calendar one item as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

County Administrator evaluation forms will be handed out before the meeting is over.

### **COMMITTEE APPOINTMENTS**

Building Authority Discussion & Potential Action: Comm Jeannot requested this item and reported to those present of his thoughts and comments regarding the current building authority meetings and

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their actions; Comm Jeannot reported on the practice of the building authority regarding approval of change orders, obtaining warranty information; wasting policy and what it means. Mr. Jeannot provided information to the board regarding removal of building authority members which was prepared by Dr. Olson and provided by the work group to all BOC members.

Comm Roelofs stated that he had not seen this item.

Comm Sauer says that he has seen it before but doesn't remember where.

Comm Carland talked about the asbestos bid; statute of limitations.

Comm Griner feels that Mr. Roy is making the decisions and running the show.

Comm Sauer comments regarding Mr. Campbell making a motion to replace the roof when he was still on the building authority; says the building authority has to vote on change orders before the work is done; warranty issues – who has the warranty information; communication has been an issue from day one; feels that things get blamed on us; there have been too many things missed.

Comm Jeannot feels there are two phases left and phase 4 is recovery of damages. The objective today is to remove two building authority members and to move forward – there is no confidence position among the public.

Comm Carland comments that you said it is the sole fault of the Building authority; Sept 2016 we were told the building would be able to be occupied. I has been very difficult to get information from the DHHS board – not just this chair, but the prior chair as well. Conflict of interest of Mr. Roy has been brought up before – do not put a lot of stock in it.

Motion by Jeannot, seconded by Griner, to remove the Building Authority members Tom Longanbach and Marcia Stobie for cause, pursuant to the Articles of Incorporation of the Benzie County Building Authority, Article V Section 10 dated September 11, 1989.

Comm Warsecke says he is not willing to go against our attorney.

Comm Roelofs stated that more times than not we haven't gained information or respect from the Building Authority and DHHS; we are constantly getting slapped in the face and am not willing to tolerate this anymore.

Motion by Jeannot, seconded by Sauer, to call for the vote. Ayes: All Nays: None Motion carried.

Roll call. Ayes: Griner, Jeannot, Roelofs and Sauer Nays: Carland, Walterhouse and Warsecke Motion carried.

### ACTION ITEMS

BVTMC MOU with DNR: Motion by Walterhouse, seconded by Warsecke, to approve the Memorandum of Understanding and Agreement for the Recreation Improvement Fund with the Betsie Valley Trail Management Council and the Michigan Department of Natural Resources, for the period October 1, 2016 and September 30, 2018 in the amount of \$10,000, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Secondary Road Patrol Application: Motion by Warsecke, seconded by Jeannot, to approve the Secondary Road Patrol Application as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Food Services Contract – Jail: Motion by Warsecke, seconded by Sauer, to approve the Food Services contract with the County, Sheriff and Canteen Services of Northern Michigan for the period

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October 1, 2017 thru September 30, 2020, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Amendment to Building Authority Articles of Incorporation: Motion by Jeannot, seconded by Warsecke, to approve the amendments as presented, authorizing the chairman to sign. Roll call. Ayes: Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: Carland Motion carried.

2017 Emergency Management Grant Program: Motion by Warsecke, seconded by Griner, to approve the 2017 Emergency Management Performance Grant Program as presented, authorizing the chairman to sign. Roll call. Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

### Recycling Site Leases (7):

Motion by Warsecke, seconded by Walterhouse, to enter into the Recycling Site Lease between Benzie County and Richard Rineer at 404 Parkview Lane, Frankfort, Michigan as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Jeannot, to enter into the Recycling Site Lease between Benzie County and Almira Township at 7276 Ole White Drive, Lake Ann as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Griner, to enter into the Recycling Site Lease between Benzie County and the Village of Thompsonville at the DPW Maintenance Building property at 7458 Michigan Street, Thompsonville, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Sauer, to enter into the Recycling Site Lease between Benzie County and the Village of Beulah located at the Municipal Parking Lot, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Sauer, to enter into the Recycling Site Lease between Benzie County and Tom Freeman, Freeman Family Enterprises, 1579 Benzie Highway, Benzonia, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Walterhouse, to enter into the Recycling Site Lease between Benzie County and Homestead Township at 11508 Honor Highway, Honor, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Motion by Warsecke, seconded by Carland, to enter into the Recycling Site Lease between Benzie County and Benzie County Central Board of Education for the property located at Lake Ann Elementary School at 19375 Bronson Lake Road, Interlochen, authorizing the chairman to sign.



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

Board of Canvasser Appointment: Motion by Griner, seconded by Warsecke, to table until additional information is received from each applicant.

2017-026 – EDC & BRA Merger: Motion by Jeannot, seconded by Griner, to accept the resolution 2017-026 merging EDC and Brownfield, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

2017-027 SB 386: Motion by Walterhouse, seconded by Warsecke, to adopt 2017-027 in Opposition to Senate Bill 386 of 2017 as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

## **CORRESPONDENCE**

- Leelanau County resolution regarding the Spotted Wing Drosophila received.
- Parks and Recreation minutes of July 24, 2017 received.
- MMRMA notice of Grant Funding requirements for digital cameras for the Jail.
- MMRMA notice of Grant Funding requirements for security project for the County Treasurer.
- Little Platte Lake elevation report for August received.
- Crystal Lake elevation report for August received.
- Mecosta County resolution of Concern for Michigan Association of Counties conference sites.

## **UNFINISHED BUSINESS** – None

## **NEW BUSINESS** – None

12:47 p.m. Public Input

Thelma Novak commended the board for standing up for the citizens of this county; this board she feels is dumping on the DHHS for this when it is the fault of the building authority. You can examine the BA information at any time.

Ryan King, Benzonia, a couple of years ago he heard Mr. Deisch says that there isn't a lot of building going on in this county; he watches the Advocates for Benzie County and AES and wonders what \$30,000 a year we get from AES; we could have an indoor soccer field for that cost; does it make sense to pay for two school districts within 8 miles of each other. Over the next 10 years it would make sense to consolidate Elberta with Frankfort and Beulah with Benzonia.

12:52 p.m. Public Input Closed

All items on the agenda having been taken care of, the chairman declared this meeting adjourned

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1. Approved the agenda as presented.
2. Approved the regular session minutes of August 22, 2017 as presented.
3. Approve the closed session minutes of August 22, 2017 with reference to Cole vs Benzie County et al, as presented.
4. Approved the closed session minutes of August 22, 2017 with reference to Tucker vs Benzie County as presented.
5. Public hearing held for the 2017-18 proposed budget.
6. Set the 2017-18 Budget as presented.
7. Authorized the County Administrator to make budget transfers between departments to balance the 2016-17 budget for all funds.
8. Approve payment of the bills.
9. Adopted the August 22, 2017 HR Consent Calendar items 1 – 3 as presented.
10. Adopted the September 5, 2017 HR Consent Calendar one item as presented.
11. Approved to remove the Building Authority members Tom Longanbach and Marcia Stobie for cause, pursuant to the Articles of Incorporation of the Benzie County Building Authority, Article V Section 10 dated September 11, 1989.
12. Approved the MOU with the BVTMC and the MDNR.
13. Approved the Secondary Road Patrol Application as presented, authorizing the chairman to sign.
14. Approved the Food Services contract with the County, Sheriff and Canteen Services of Northern Michigan.
15. Approved the amendments to the Articles of Incorporation of the Building Authority.
16. Approved the 2017 EMPG for Emergency Management.
17. Entered into the Recycling Site Lease between Benzie County and Richard Rineer.
18. Entered into the Recycling Site Lease between Benzie County and Almira Township.
19. Entered into the Recycling Site Lease between Benzie County and the Village of Thompsonville.
20. Entered into the Recycling Site Lease between Benzie County and the Village of Beulah.
21. Entered into the Recycling Site Lease between Benzie County and Tom Freeman, Freeman Family Enterprises.
22. Entered into the Recycling Site Lease between Benzie County and Homestead Township.
23. Entered into the Recycling Site Lease between Benzie County and Benzie County Central Board of Education for the property located at Lake Ann Elementary School.
24. Tabled the appointments to the Board of Canvassers until additional information is received from each applicant.
25. Accepted the resolution 2017-026 merging EDC and Brownfield.
26. Adopted 2017-027 in Opposition to Senate Bill 386 of 2017.

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

1. To accept Dearborn National as provider for Life Insurance, AD&D, STD and LTD for a 2-year contract 2017-18 and 2018-19, as presented, authorizing the chairman to sign.
2. To authorize Mitch Deisch to handle the TPOAM grievance.
3. To approve this draft of responsibilities and duties of the prospective Finance Manager/IT, to include the reorganization of the County Administrator's Office.



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

1. To accept the Proposed Separation Agreement, and to incorporate the following changes:
  - a) Change the date of the agreement to September 12, 2017
  - b) Provide the County cellular phone to Mr. Johnson after Wyant has an opportunity to scrub the phone clean of County material.
  - c) Provide a County owed laptop to Mr. Johnson after Wyant has an opportunity to scrub the computer clean of County material.