

THE BENZIE COUNTY BOARD OF COMMISSIONERS
March 29, 2018

The Benzie County Board of Commissioners met in a regular meeting on Thursday, March 29, 2018, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Gary Sauer at 9:00 a.m.

Present were: Commissioners Carland, Griner, Jeannot, Money, Roelofs, Sauer 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, removing 10:00 Toby Dunne and 10:15 Ken Talsma and adding Tire Grant under Dept Head. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Jeannot, seconded by Money, to approve the regular session minutes of March 13, 2018 as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:02 a.m. Public Input

Eric VanDussen spoke regarding the lawsuit against the BOC regarding the OMA violation; proposed TNT millage language.

9:05 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

David Schaffer, Solid Waste/Recycling, introduced Jesse Zylstra, the new recycling coordinator for Benzie County. Mr. Schaffer spoke regarding the DEQ tire grant, this is the same agreement that we have entered into in the past; Benzie Bus has received 4 new vehicles, one of which will be wrapped advertising recycling. The education grant has gone live on social media – recycling.benzie.co.net. Frankfort site has been relocated and is going well, this is a temporary solution. April 14 is Early Childhood Development Fair at Betsie Valley from 10 am – 1 pm. April 21 is the Benzie Business Expo at Benzie Central High School from 10 am – 3 pm.

Comm Jeannot congratulates David on his new position and asks why do you have to market and what is your source of funding? DEQ offered funding through a grant for recycling education; we reviewed that opportunity and the BOC agreed to pursue and encourage ownership. This is a state effort to create diversion rates from the landfills.

Chairman Sauer echo Comm Jeannot's comments and welcome to Jesse.

Motion by Warsecke, seconded by Griner, to accept the DEQ Scrap Tire Cleanup Grant Agreement as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Doug Durand, Benzie Senior Resources, provided a written report and spoke regarding the Federal government passing the 2018 fiscal budget and the Older Americans came out well. Lawn Chores Spring Cleanup will start April 2, 2018. Recently received grants: Community Chest \$15,000; Delta Dental – applied for \$5,000 but have not heard what we will receive; Building Healthy Communities \$2,000 for kitchen equipment. June 8 will be the Senior Expo at Trinity Lutheran Church in

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Frankfort. Senior Project Fresh, will receive over 90 additional coupons this year. Partnering with Munson Medical Center and Grow Benzie on fresh produce. All programs are up and growing.

Kyle Maurer, Animal Control, presented the 2017 Animal Shelter Annual Report that is required by the State of Michigan.

Comm Jeannot asked about the potential lawsuit regarding removal of some animals. Mr. Deisch stated he has been in contact with MMRMA and at this time there is no additional information to share.

Comm Money asks about the sale of a vehicle – Mr. Maurer stated that Grand Traverse County will be purchasing a new vehicle, so he will seek out other possibilities for sale. Comm Money stated that there is another option – suck it up and use it.

Comm Jeannot agrees with Comm Money – use the vehicle.

Comm Money asked that he talk about the change in staffing – Jaime has accepted a job with Grand Traverse ACO so her leaving is contingent on a background check and physical. If she does end of leaving they will need to fill her position and he is working to get the position posted.

COMMISSIONER REPORTS

Comm Griner reported on the MAC transportation committee of which he is a part of; Michigan is the cheapest for feed available in the nation and we will have a new processing plant near Battle Creek and they will be processing 10,000 pigs per day. He also spoke about the Ballast water law.

Comm Money stated that we have some fine universities in Michigan as well as Ohio; we don't want to copy things that they do. That is the only state in the ~~county~~ country that has had a river catch on fire.

Comm Jeannot attended six meetings on behalf of the county since our last meeting. He yields his time to those that attended the MAC conference.

Comm Warsecke attended two meetings – Inland Township and Conservation District – they are holding their seedling sale through April 13.

Comm Carland attended the MAC conference and stated that the State of Michigan is exploring a state-wide law on septic tanks and drain fields. Michigan Indigent Defense Fund – the state has determined that it will cost them about \$87 million, so now they want the counties to pay more of that than we were lead to believe. Fireworks law that was passed by the state a few years ago, has caused some issues – one being enforcement. Leelanau prepared an Ordinance and then the local units signed on and the Sheriff Dept does enforcement. School Resource Officer – there may be funds coming from the State and Federal government. Attended a luncheon on Beaver Island last Saturday. ~~for the Airport Authority.~~

Comm Roelofs also attended the MAC conference and enjoyed the networking with other Commissioners – he attended a session on mental health and the courts for education and/or rehab. All comes down to money. Attended VA breakout sessions; collective bargaining. EMS Advisory is looking at a used ambulance. Benzie County VA is getting ready for Memorial Day service at noon. Comm Jeannot asks how the local Veterans would rate us. It is a personality issue. The services out there are adequate if not better.

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Comm Sauer reported on the Village of Elberta sewer issue; MDOT projects thru 2022 of which we have three projects set for Benzie county 2019, 2020. Attended the Maples meeting and they are about 91% occupancy. Chamber discussions regarding economic concerns. Health Dept held discussions regarding law for septic systems – if it becomes a state law, then we would have to rescind the Point of Sale Ordinance regarding water – funding is a big issue. Indigent Defense is another unfunded mandate. Regarding School Resource Officer, the state probably won't come up with the money. There was talk about perhaps the officers can sit in the school parking lot to write ~~them~~ reports or have lunch at the schools – just their presence is going to help.

Comm Jeannot stated regarding the MDOT meeting, once they have you within 5 years of replacing a road, they will do nothing but pot holes. SRO – the sinking funds can be used for this purpose.

Comm Jeannot asked about his thought on the conference: Had breakfast the last day with Houghton County. Everyone seems to have the same issues. There seems to be a lot of jails being built. Was disappointed with timing and no legislators being there.

COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- Provided a written update dated March 21, 2018.
- Budget at a Glance.
- Michigan Indigent Defense Commission – appears to be some unfunded mandates coming down the road regarding this. The law is clear that -- This doesn't begin until the State of Michigan provides adequate funding.
- Attended the MAC conference – Crisis Management session – Frank Post is an amazing asset to our organization. Region 7 pays 40% of his wages and benefits; Frank is viewed across the state as an expert in this.
- Replacement for David Schaffer: when we have one individual running a department, we have an issue – Mid-March we found out that David had accepted a position with Grand Traverse County. Due to the timing, he did not have time to post the position, advertise, interview. He talked with the SW Advisory chair and Chair Sauer and he called the individual that was second in the running when Mr. Schaffer was hired. Jesse Zylstra was contacted and he was still interested.

10:30 a.m. – Sheriff Schendel -- TNT Ballot Language

Millage language – it was recommended that the language be corrected to replace “in Benzie County” with “...for drug enforcement and awareness programs in the TNT jurisdictions, including Benzie County, ...”

Sheriff is present with Lt. Dan King of the Michigan State Police. Lt King stated that he is glad that Benzie County has TNT millage. We are the only county in the area with a millage to fund a TNT officer. When you fund a position without a millage, what do you get? 15 detectives from the TNT that do not cost us a dime; undercover officer. You do not pay for meth lab clean up. Eight counties are members of TNT.

Motion by Carland, seconded by Jeannot, to send resolution 2018-011 to Attorney Dave Stoker for completion of resolution and ballot language. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

11:03 a.m. Break

11:11 a.m. Reconvene

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FINANCE

Bills: Motion by Carland, seconded by Warsecke, to approve payment of the bills from March 14, 2018 to March 28, 2018 in the amount of \$334,372.59, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMITTEE OF THE WHOLE

Chairman Sauer removes item #1.

Motion by Warsecke, seconded by Carland, to adopt item 2 of the March 13, 2018 Committee of the Whole Consent Calendar as presented. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

#1: Chairman Sauer stated that he has concerns with county vehicles with the county logo in another county – it's a public perception issue.

Comm Money agrees with Chairman Sauer.

Chairman Sauer stated that he believes it is better to drive in with their own vehicle then get a county vehicle.

Comm Jeannot says we are talking about people that provide public safety response here.

Expediency is everything. Without testing it, we really don't know.

Motion by Jeannot, seconded by Roelofs, to approve and support the request to take Animal Control vehicles home and come back for review in six (6) months, and that a policy be written and brought for approval in the next 60 days. Roll call. Ayes: Carland, Jeannot, Money, Roelofs and Warsecke Nays: Griner and Sauer Motion carried.

COMMITTEE APPOINTMENTS – None

ACTION ITEMS

2018-009: Motion by Warsecke, seconded by Money, to adopt resolution 2018-009 authorizing Millage Election for Conservation District as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

2018-010: Motion by Money, seconded by Griner, to adopt resolution 2018-010 Merganser Control Program as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

EDC/BRA: AES was originally recommend for hire to help EDC. The BOC approved action as well as a portion of funding for it. The BOC has leveraged AES time as much as if not more than the EDC. The EDC board shares some frustration that they have no control or any say over what the direction of AES does. Request is to acknowledge that AES has solid line responsibility to EDC/BRA and BOC wants to be updated. AES is to be managed by the EDC.

Ed Kowalski, Chair of EDC/BRA, they are trying to develop a chain of command; EDC wants to manage AES's schedule.

Comm Jeannot says EDC is asking to be allowed to manage the AES's time. BOC needs to acknowledge that AES was hired to aid in EDC.

Lisa Leedy, AES, stated that she is looking for who to take direction from.

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Comm Carland says the contract needs to be revisited and those performance provisions need to be added; and a professional county employee to be liaison between AES/EDC/BRA.

Comm Jeannot feels we need to set up a budget with EDC to pay AES.

County Treasurer Michelle Thompson says the contract is with the county – not EDC.

Comm Jeannot says the EDC should be the one that authorizes the payment.

Comm Money would like to study it for a month before deciding.

Mr. Deisch sees this as two prong: 1) do a resolution to lay out what AES is to do; and 2) look at the contract. He will prepare a resolution with EDC/BRA for action on April 10 Board of Commissioner meeting and he will talk in April to the EDC/BRA about the contract.

12:03 p.m. Comm Griner leaves.

CORRESPONDENCE

- Parks & Recreation minutes of January 22, 2018 received.
- Road Commission minutes of February 22, 2018 received.
- Road Commission minutes of March 1, 2018 received.
- Veterans Affairs minutes of February 5, 2018 received.
- Benzie Bus February 2018 Statement of Activities received.

UNFINISHED BUSINESS – None

NEW BUSINESS – None

12:12 p.m. Public Input – None

Motion by Warsecke, seconded by Roelofs, to adjourn at 12:12 p.m. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Abs: Griner Motion carried.

Gary Sauer – Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the regular session minutes of March 13, 2018 as presented.
3. Accepted the DEQ Scrap Tire Cleanup Grant Agreement as presented, auth the chairman to sign.
4. Approved to send resolution 2018-011 TNT millage request to Attorney Dave Stoker for completion of resolution and ballot language.
5. Approved payment of the bills from in the amount of \$334,372.59, as presented.
6. Adopted item 2 of the March 13, 2018 Committee of the Whole Consent Calendar as presented.

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7. Approved and supported the request to take Animal Control vehicles home and come back for review in six (6) months, and that a policy be written and brought for approval in the next 60 days.
8. Adopted resolution 2018-009 authorizing Millage Election for Conservation District as presented.
9. Adopted resolution 2018-010 Merganser Control Program as presented.

Motion by Warsecke, seconded by Carland, to approve the Committee of the Whole Consent Calendar as follows:

1. Removed from Consent Calendar.
2. Approved to amend the 2017-18 Budget for the 425 Account as presented.