

THE BENZIE COUNTY BOARD OF COMMISSIONERS

April 10, 2018

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, April 10, 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 Carland, seconded by Roelofs, to approve the agenda as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Carland, seconded by Warsecke, to approve the regular session minutes of March 29, 2018 as amended. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:05 a.m. Public Input

Kathy Wiejaczka introduced herself as a candidate for the State House of Representatives for the 101st District. She and her husband reside in Empire.

Karen Mallon, Homestead Township, commented on the board minutes with a couple more corrections.

Eric VanDussen, Benzonia, reported that he lost an OMA violation case against the Grand Traverse County Board of Commissioners; also spoke regarding the closed session scheduled for today.

9:10 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Sheriff Schendel gave an update on the drug bust that occurred last Friday. It is very concerning that it was 2 kilos which equals 4.4 pounds of cocaine meant to be delivered and distributed from here. Thank goodness we are a member of TNT. The goal is to keep the poison out of the community – thank you to the community for continuing to provide tips to us.

Jim Henderson, EMS, stated that things are running well; they are seeing a spike in cardiac arrests. They are very happy to have Almira Township in our EMS system.

Comm Griner asked about the Copemish/Thompsonville/Springdale Township service. Mr. Henderson stated that they are working on a mutual aid agreement with Manistee Munson.

Comm Money asked if they were to come up with the amount of money we are paying, would that make a difference. Mr. Deisch stated that it can be a part of the discussions.

Comm Jeannot stated that we need to keep this mutual aid agreement moving.

We have a mutual aid agreement with Thompsonville, but not with Manistee Munson.

Comm Griner stated that Mitch and/or Jim need to come monthly with an update regarding this issue.

Bert Gale, Building Official, presented the 1st quarter 2018 Building Code and Safety report. He reported that revenue is up; they are getting busy and have hired a part-time secretary. They also have a new building inspector. Steve Houghton is still doing soil erosion, but he doesn't know for how long. Mr. Gale will be meeting with Mitch regarding their records and how to purge them.

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Comm Jeannot asks if he has a percentage difference between residential and commercial permits. There is a lot going on at Crystal Mountain.

Comm Carland asked Mr. Gale if he can provide a list of all new completed construction. How much new value will be added to the tax role – Michelle Thompson stated that would be a Tom Longanbach question.

Frank Post, Emergency Manager, provided his March 2018 activity report. He stated that Almira Township will be administering the AFG grant; bids were opened and it came in well under the grant amount at \$605,765.20, so based on that, they will upgrade some of the items for a new total of \$631,000. We will hold Tornado and Fire drill discussions with staff tomorrow to explain how the system will work. We hope to have actual drills in the future. On March 8 there was a CodeRED test to approximately 10,000 residents. Two meetings have been held with the school officials and First Responders – the next meeting is scheduled for April 16 at 10:00 a.m. FEMA will be here tomorrow from 2 – 4 p.m. for a presentation regarding flood and hazard maps for the county. EOC activation procedures have been updated.

10:05 a.m. Ron Berns, 911 Central Dispatch, 911 Surcharge; 2018-012 Telecommunications Week
Mr. Berns spoke regarding the surcharge rate and asked to continue with \$3.00 surcharge per device, or we will need to tell the state we are changing the rate.

Chairman Sauer asked what the fund balance is – 9/30/17 = \$559,827. County Treasurer indicated it is \$454,159 as of now and after the \$45,000 for a tower top amplifier, so it is reduced to about \$400,000.

Comm Jeannot inquired of the amount of the operating budget -- \$822,000. We receive approximately \$130,000 from the State and we could see an increase in that revenue due to SB 400 that changes prepaid phones.

Chairman Sauer said that if we are sitting on a pile of money and we do not have a focus on what we are going to have done, he feels we need to reduce the amount for the public.

Comm Jeannot stated he was not able to make a decision right now, because we do not have enough information. He suggested that a plan be presented to show how the fund balance will be used.

This matter will be rescheduled to come back before this board on May 8.

Comm Jeannot stated that he would be glad to work with Ron and Mitch and asks the board to get their questions to Ron so he is ready to respond.

10:33 a.m. Break

10:41 a.m. Reconvene

10:41 a.m. Ken Talsma, Anderson Tackman – 2017 Benzie County Audit Report

Mr. Talsma stated that they have completed an accounting of all assets, liabilities, revenue, expenses to be sure that policies adopted by the board are being followed. The County has received an Unmodified opinion, which is the best. He reviewed graphs presented to the board. The Fund Balance as of 9/30/2017 is \$1.8 million.

Mr. Deisch asked where we should be with our fund balance.

Mr. Talsma stated that normal is 10-15% of what you budget next year; you are at 28%. You need to look at 5 years out for what will need to be done – do a capital plan. Pension is an unfunded liability; retiree health insurance – you don't have; sick and vacation time payable; you have a risk with the unfunded pension – you are 64% funded as of the end of 12/31/2016.

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Comm Carland asked Mr. Talsma if he has worked in communities that have bonded for their pension. Yes, Crawford and Saginaw – and Saginaw is \$19 million behind again.

Medical Care facility is at \$1.951 million liability in their pension.

Comm Jeannot asked about the rental income – it is for the DHHS office. Mr. Talsma will send an email with more detailed answer. He also inquired if there are any material audit findings to be concerned with. Mr. Talsma responds two findings: their firm gathering the data has an internal control concern; couple areas needed to book payables with MERS and public safety (car). The State of Michigan will send a letter asking how it will be fixed. Leases will be reported differently in the future. Comm Jeannot inquired of the housing loans – Mr. Talsma responded that files were pulled to make sure the procedure, approval process, amount of the lien and any payments are all accurate.

Motion by Jeannot, seconded by Warsecke, to accept the 2017 Benzie County Audit report. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

11:30 a.m. Jennifer Kolinski, Finance Manager, Benzie County Road Commission – Millage Request

Resolution with ballot wording has been provided by Attorney Dave Stoker.

Motion by Jeannot, seconded by Griner, to approve resolution 2018-014 authorizing a Millage Election for Benzie County Roads and Highways Maintenance and Repair Millage Renewal and Restoration Proposal and Certifying Ballot Language as presented, subject to reinstating matching funds for township roads beginning in FY 2019-2020. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

11:51 a.m. Greg Grant, Attorney

Motion by Sauer, seconded by Roelofs, to go into closed session to consult with our attorney regarding settlement in connection with the case of Karen Mallon vs Benzie County Board of Commissioners, File No. 18-10847-CZ pending in the Circuit Court for the County of Benzie pursuant to Section 8(e) of the Open Meetings Act since discussion in an open meeting will have a detrimental financial effect on the litigating position of Benzie County and its Board of Commissioners. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

11:53 a.m. Enter Closed Session

12:12 p.m. Re-enter Open Session

Motion by Carland, seconded by Warsecke, to accept the advice of counsel as discussed in closed session regarding Mallon vs Benzie County Board of Commissioners. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMISSIONER REPORTS

Comm Carland reported that the Village of Benzonia has applied for a Passport Grant for an Academy Park. Village of Beulah water tower construction will begin in May; attended the opioid conference last week in Manistee; attended Networks Northwest; he reported that former County Administrator Karl Sparks passed away over the weekend.

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Comm Roelofs reported that the Benzie County Veterans Affairs met and bids have gone out for the building of a pavilion; Area Agency on Aging was cancelled last week.

Comm Warsecke attended Inland Township last night – May 18 will be their fire department fundraiser 11 a.m. to 7 p.m. with a propane sale @ Beechcraft Sawmill and blood drive in memory of Dan Beechcraft. He also attended Benzie Central school board meeting last night.

Comm Griner spoke regarding the cruise ship business and putting containers on the railroad. He anticipates a session at the MAC summer conference in Frankenmuth.

Comm Money stated that the Village of Honor meeting was very short. Homestead Township Clean-up is on May 19. The issue regarding St. Ambrose is going to the Zoning Board of Appeals. Road Commission is working out issues regarding labor/grievances.

Comm Warsecke asked Mitch to see if it is a conflict for him to sit on the Inland Township ZBA.

Comm Jeannot spoke regarding the Finance Manager position and discussions have been held – they are discussing an RFP for an outside firm to come in and doing a deep-dive of county finances; Lake Township will be posting Crystal Drive and Deadstream Road to no thru truck traffic; he attended a Frankfort Housing meeting; Almira Township fire chief is requesting additional staffing.

Comm Sauer reported that he also attended the opioid symposium and it was a good presentation; Village of Thompsonville received a letter from Rep VanderWall regarding Act 51 funds which was a little over \$6,000; Thompsonville will close next week on their loan for their water project.

12:28 p.m. Comm Griner leaves.

COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- Attended the opioid conference and will set an appointment with the firm handling Benzie County in the lawsuit.
- Take Home Vehicle Policy is being worked on.
- Finance Manager – re-wording to only focus on finance and stay away from IT and then will repost.

FINANCE

Bills: Motion by Warsecke, seconded by Carland, to approve payment of the bills from March 29, 2018 to April 10, 2018 in the amount of \$1,372,401.74, as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

COMMITTEE OF THE WHOLE

Comm Sauer removes item #4.

Motion by Warsecke, seconded by Roelofs, to adopt items 1-3 and 5-9 of the March 29, 2018 Committee of the Whole Consent Calendar as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

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#4: Chairman Sauer stated that it bothers him to take money out of the General Fund when there is not dire need to use it; the numbers didn't add up.

Motion by Sauer, seconded by Warsecke, to amend the 2017-18 General Fund budget as presented in the amount of \$2,030.60. Roll call. Ayes: Carland, Money, Roelofs and Warsecke Nays: Jeannot and Sauer Exc: Griner Motion carried.

COMMITTEE APPOINTMENTS

Centra Wellness: Motion by Carland, seconded by Money, to reappoint Donald Tanner and Mary O'Connor to the Centra Wellness Board for a three-year term, expiring March 31, 2021. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Land Bank: Motion by Warsecke, seconded by Jeannot, to reappoint Amy Bissell, Terry Money and Mark Roper to the Land Bank Authority for a three-year term, expiring April 5, 2021. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

ACTION ITEMS

2018-011 TNT Millage Resolution: Motion by Warsecke, seconded by Jeannot, to adopt resolution 2018-011 authorizing Millage Election for Benzie County Drug Enforcement Program Operating Millage Proposal and Certifying Ballot Language as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

2018-013 EDC/BRA Resolution: Motion by Jeannot, seconded by Roelofs, to adopt resolution 2018-013 Economic Development Oversight Responsibility as presented. Roll call. Ayes: Jeannot, Money, Roelofs, Sauer and Warsecke Nays: Carland Exc: Griner Motion carried.

CORRESPONDENCE

- Letter from Rep VanderWall received regarding HB 4321 road funding package.
- MMRMA letter regarding grant funding award – EMS Stair Chair.
- MMRMA letter regarding grant funding award – Court Security Improvements.
- Wexford County resolution Opposing Amendatory Legislation to PA 93 of 2013.
- Benzie-Leelanau Health Dept minutes of March 22, 2018 received.
- Road Commission minutes of March 8, 2018 received.
- Veterans Affairs minutes of March 5 and March 11, 2018 received.
- Networks Northwest notice of Stormwater Management in the Cold Creek Watershed community dialogue set for May 10, 2018 at 6:00 p.m. at the Benzie County Government Center.

2018-012 Proclamation: Motion by Carland, seconded by Warsecke, to adopt resolution 2018-012 recognizing National Public Safety Telecommunicators Week April 8 – 14, 2018 as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

UNFINISHED BUSINESS – None

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NEW BUSINESS – None

Public Input – None

Motion by Warsecke, seconded by Roelofs, to adjourn at 1:17 p.m. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Gary Sauer – Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as presented.
2. Approved the regular session minutes of March 29, 2018 as amended.
3. Accepted the 2017 Benzie County Audit report as presented.
4. Approve resolution 2018-014 authorizing a Millage Election for Benzie County Roads and Highways Maintenance and Repair Millage Renewal and Restoration Proposal and Certifying Ballot Language as presented, subject to reinstating matching funds for township roads beginning in FY 2019-2020.
5. Entered closed session to consult with our attorney regarding settlement in connection with the case of Karen Mallon vs Benzie County Board of Commissioners, File No. 18-10847-CZ.
6. Accepted the advice of counsel as discussed in closed session regarding Mallon vs Benzie County Board of Commissioners.
7. Approved payment of the bills.
8. Adopted items 1-3 and 5-9 of the March 29, 2018 Committee of the Whole Consent Calendar as presented.
9. Approved to amend the 2017-18 General Fund budget as presented in the amount of \$2,030.60.
10. Reappointed Donald Tanner and Mary O'Connor to the Centra Wellness Board for a three-year term, expiring March 31, 2021.
11. Reappointed Amy Bissell, Terry Money and Mark Roper to the Land Bank Authority for a three-year term, expiring April 5, 2021.
12. Adopted resolution 2018-011 authorizing Millage Election for Benzie County Drug Enforcement Program Operating Millage Proposal and Certifying Ballot Language as presented.
13. Adopted resolution 2018-013 Economic Development Oversight Responsibility as presented.
14. Adopted resolution 2018-012 recognizing National Public Safety Telecommunicators Week April 8 – 14, 2018 as presented.

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

1. To amend the 2017-18 Animal Control budget as presented in the amount of \$4,939.23.
2. To approve \$9,109.50 from the building repairs budget for security improvements as presented.
3. To amend the 2017-18 General Fund budget as presented in the amount of \$7,603.00.
4. Removed from Consent Calendar.
5. To amend the 2017-18 Housing budget as presented in the amount of \$10,000.00.
6. To upgrade to Office 365 for 72 PCs in the amount of \$9,763.20 annually.
7. To approve the request for up to \$30,000 to purchase a 2013 McCoy Miller used ambulance, with funds from the EMS budget.
8. To add \$500.00 from the 911 Central Dispatch budget as requested for the purchase of a Bi-Directional Amplifier.
9. To amend the 2017-18 911 Central Dispatch budget as presented in the amount of \$60,000.00.