

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

**April 24, 2018**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, April 24, 2018, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Vice Chair Evan Warsecke at 9:00 a.m.

Present were: Commissioners Carland, Griner, Jeannot, Money, Roelofs and Warsecke

Excused: Commission Sauer

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

### **Agenda:**

Motion by Roelofs, seconded by Carland, to approve the agenda as amended, adding BTA to Committee appointments. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

### **Minutes:**

Motion by Jeannot, seconded by Roelofs, to approve the regular session minutes of April 10, 2018 as corrected. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Motion by Roelofs, seconded by Money, to approve the closed session minutes of April 10, 2018 as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

9:03 a.m. Public Input

Karen Mallon, Homestead Township, spoke regarding the March 29, 2018 minutes.

905 a.m. Public Input Closed

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

Sabra Boyle, Benzie Senior Resources, reported that they hit another milestone by serving 5,351 meals in the month of March, 2018 (home delivered). Shari Moseler has been hired as the new RN. The lawn chore program has officially started. The Walk-A-Thon committee has started to meet and prepare for August 4 event. Comm Jeannot inquired about the February minutes regarding not using the 15-passenger van, but using the Benzie Bus. Sabra stated that she believes they would be utilizing the smaller 15-passenger van for casino trip type events due to fewer people attending.

Tom Longanbach, Equalization Director, presented the 2018 Equalization Report. State law requires that assessments be set at 50% of value; all townships made adequate adjustments to their assessments to meeting the 49-50% requirement.

Motion by Griner, seconded by Money, to adopt the 2018 Equalization Report, L-4024, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Ed Kowalski, EDC/BRA Chair, stated that they have applied for a Networks Northwest grant to promote employment in Benzie County. Priority with AES is building infrastructure along the US 31 corridor. Worker housing situation is improving in Frankfort. They are being proactive in the

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recruiting process looking for new members. Thank you for the resolution approved at the last meeting.

Comm Carland stated that one of the projects he has been working on since becoming a commissioner is the broadband expansion and he will provide Mr. Kowalski with a contact of a couple of people regarding broadband expansion.

Eric VanDussen, Building Authority Chair, spoke regarding the Opinion letter from John Axe of Clark Hill Law firm together with his emails to him. He asks the board to bring any questions you may have to Mr. VanDussen. Mr. VanDussen disagrees with Mr. Axe's opinion.

Comm Jeannot stated you keep asking because you didn't get the answer you want. Be guarded that you have a legal opinion out there. Just be careful.

Mr. Jim Clark, a member of the Building Authority, has been appointed as liaison to work to coordinate with Stu Pettitt and Comstock Construction for Phase 3 and authorized up to \$5,000 to make on-the-spot decisions.

Mr. Jeff Johnson, also a member of the Building Authority, has been appointed liaison to the DHHS Board, and tasked with discussing with them the 3-party agreement that Mr. Figura is working on to get an operations agreement with the Maples.

Comm Carland asked if there is a completion date for all construction activity. No date, and it will not be June or July; there are multiple changes in this process.

Comm Carland stated he understands you may make changes to Phase 3 with a wish list for the Maples – is that a deviation from the bond? Stu Pettitt to work with Dave Burley regarding their list. Nothing they want will be an excessive cost over Phase 3 amount.

Comm Jeannot acknowledges the quality board members and the skill set they bring; also, when you get an operating agreement together, look forward to that. We should have one.

## **COMMISSIONER REPORTS**

Comm Carland reported that he has been talking with township and villages regarding firework ordinance with the Sheriff Dept then there would be enforcement. Airport Authority received some snow – hope we don't have to deal with it anymore. Maintenance has been done on the fuel system at the Airport.

Comm Roelofs stated that the Village of Lake Ann is doing some street maintenance and upgrades. The Village needs a PASER report done. EMS Advisory board met and held discussions regarding mutual aid with Munson Manistee, impression was that they are somewhat reluctant about getting into "mutual" aid agreement. Spoke regarding passenger train from Ann Arbor to Traverse City – they are trying to revitalize it. May 19 will be Tight Line for Troops event in Manistee. May 19 there will be a memorial for Ed Carter at the Veterans Memorial starting at noon and in the afternoon, Congressman Bergman will be at the memorial for a short gathering.

Comm Jeannot reported that NMCAA Executive Director is retiring and they have promoted from within -- Kerry Baughman. Housing issues – business partners and he now have an option on 16 acres in Crystal Lake Township. Lake Township – Bill Robinson will be retiring in the next 30-60 days after 40 years of service. Former township clerk Anna Grobe will be his replacement until the next election.

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Comm Money reported that the Land Bank has sold 16 acres of property at the 669 tire fire site. May 19 will be Homestead Township clean-up day at the Road Commission. Asks the board to consider changing the COTW start time to 12:30 p.m. Will be discussed later today.

Comm Griner stated that a fireworks ordinance would be helpful & important. Northern Michigan Counties meeting was cancelled but next month they will visit the Mescota morgue. Request to Sheriff Dept – red boxes are being placed in pharmacies for drug collection and asks them to pick them up. Rail situation – have to put gates at all crossings; that is the hold-up.

Comm Warsecke reported that Inland Township propane tank fill-up and blood drive will be May 18. Attended the Colfax Township meeting, and was glad to have Mitch there as well. Attended the BTA and school safety meeting and have met separately with Matt Olson, Superintendent at Benzie schools.

10:00 a.m. Jim Henderson, EMS Director

Mr. Henderson brought two pieces of equipment with him – a ventilator and stair chair. They now have three ventilators and two were purchased with 2% grant funds received from the Grand Traverse Band. The electric stair chair was purchased with grant funds and with the sale of proceeds of unused equipment. He performed a demonstration of each of the two items for those in attendance at the meeting.

10:16 a.m. Closed Session – Attorney Grant by phone

Motion by Warsecke, seconded by Carland, 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 and Warsecke Nays: None Exc: Sauer Motion carried.

10:27 a.m. Re-enter Open Session

Motion by Carland, seconded by Griner, to accept the recommendation of county counsel as discussed in closed session. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Comm Warsecke asks that department heads to give a written report ahead of time, we can read the reports and if we have comments or questions regarding it we can ask at that time.

## COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- April 27 he will meet with Munson Manistee to discuss mutual aid.
- Maples lease and operating agreement – Mr. Figura has asked that he not share the very rough draft yet. Comm Jeannot says if there is no legal reason to not share, just share it with the appropriate people.
- RFP for financial deep dive into the county financial position – Comm Carland, Roelofs and Jeannot will work with Mitch and Treasurer Thompson and 2 – 3 citizens with financial interest in the community.

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Comm Jeannot inquired regarding the budget deadlines, and asked if the county appointed committees have input. Mitch responded yes.

Comm Carland requested the budget reports have four columns original 2017-18; amended budget year to date 17-18; proposed budget by department; fourth column would be recommended by the committee.

## **FINANCE**

Bills: Motion by Griner, seconded by Money, to approve payment of the bills from April 11, 2018 to April 24, 2018 in the amount of \$492,427.20, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Michelle Thompson, County Treasurer, provided the Tax Collection Report. Benzie County is at 95.57% collection rate.

## **COMMITTEE OF THE WHOLE**

Comm Jeannot removes items 8 and 9.

Motion by Jeannot, seconded by Warsecke, to adopt items 1 – 7 of the April 10, 2018 Committee of the Whole Consent Calendar as presented. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Comm Jeannot inquired of Comm Carland why he felt different on these two items during the COTW meeting. Comm Carland responded that making those type of adjustments in the middle of the year isn't proper, there is a time and a place to do that and feel it is at budget time, it is important to be consistent. I am not comfortable doing this.

Maridee Cutler stated that historically you have done mid-year raises; only the non-union and non-elected employees do not have the opportunity to receive increases during the year, because they are without any sort of a contract. All collective bargaining employees get a step raises.

Michelle Thompson, County Treasurer, typically we don't use the wage line item if there has been a position vacated, we don't transfer that to some other use. There has been a lot of coming back to you to use a wage line to effect a change in someone else's wage. That is a bad precedent to set. We do changes during the budgeting process.

Sheriff Schendel stated it is cause and effect, we do have a group of employees not in the union; once wages are addressed, that is taken care of you won't see the issues. Non-union wages are the ones continually falling behind.

Motion by Jeannot, seconded by Warsecke, to approve items 8 and 9 of the Committee of the Whole Consent Calendar as follows: 8: To approve the wage increase for Brianne Lindsay to a Field Appraiser 1 status effective April 24, 2018. 9: To change the employee roster to reclassify the Equalization Secretary position to a Field Appraiser 1. Roll call. Ayes: Griner, Jeannot, Money, Roelofs and Warsecke Nays: Carland Exc: Sauer Motion carried.

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### **COMMITTEE APPOINTMENTS**

Betsie Valley Trail: Motion by Griner, seconded by Roelofs, to reaffirm the appointed of Devonia Dyer as the Village of Thompsonville representative to the Betsie Valley Trail. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Benzie Transportation Authority: Motion by Carland, seconded by Roelofs, to re-appoint Susan Kirkpatrick to the Benzie Transportation Authority for 3 years, with a term to expire on April 30, 2021. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

Comm Roelofs asks that committee reappointments be run through the Chair of that particular committee before coming to the Board of Commissioners.

### **ACTION ITEMS** – None

### **CORRESPONDENCE**

- Road Commission minutes of March 29 and April 4, 2018 received.
- Benzie Transportation Authority March 2018 financial reports received.

### **UNFINISHED BUSINESS**

Take Home Vehicle Policy: Motion by Jeannot, seconded by Money, to approve the Take Home Vehicle Policy as presented. Roll call. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

### **NEW BUSINESS** – None

11:14 a.m. Public Input

Karen Mallon commented regarding the late arrival of committee appointment letters.

Eric VanDussen stated he supports the appointment to the BVT, but you have a committee appointment policy.

11:17 a.m. Public Input Closed

Motion by Roelofs, seconded by Carland, to adjourn at 11:18 a.m. Ayes: Carland, Griner, Jeannot, Money, Roelofs and Warsecke Nays: None Exc: Sauer Motion carried.

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Evan Warsecke – Vice Chair

Dawn Olney, Benzie County Clerk

### **INDEX**

1. Approved the agenda as amended, adding BTA to Committee appointments.
2. Approved the regular session minutes of April 10, 2018 as corrected.
3. Approved the closed session minutes of April 10, 2018 as presented.
4. Adopted the 2018 Equalization Report, L-4024, authorizing the chairman to sign.
5. Entered closed session to discuss with legal counsel Mallon vs Benzie County BOC.
6. Accepted the recommendation of county counsel as discussed in closed session.

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7. Approved payment of the bills in the amount of \$492,427.20, as presented.
8. Adopted items 1 – 7 of the April 10, 2018 Committee of the Whole Consent Calendar as presented. Approved items 8 and 9 of the Committee of the Whole Consent Calendar as follows: 8: To approve the wage increase for Brianne Lindsay to a Field Appraiser 1 status effective April 24, 2018. 9: To change the employee roster to reclassify the Equalization Secretary position to a Field Appraiser 1.
9. Reaffirmed the appointment of Devonia Dyer as the Village of Thompsonville representative to the Betsie Valley Trail.
10. Re-appointed Susan Kirkpatrick to the Benzie Transportation Authority for 3 years, with a term to expire on April 30, 2021.
11. Approved the Take Home Vehicle Policy as presented.



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

1. To amend the 2017-18 budget by increasing the expenditures and revenues in fund 256 Register of Deeds Automation Fund as presented in the amount of \$10,000.
2. To authorize application to the Michigan Emergency Management Performance Grants Emergency Operations Center Support Program as requested.
3. To authorize Kim Nowak to carry over 37.5 hours of vacation time to be used before May 30, 2018.
4. To approve the request to amend the 2017-18 Animal Control budget as presented in the amount of \$6,381.00.
5. To approve the request to adjust the 2017-18 County Administrator's Budget as presented in the amount of \$2,000.00.
6. To approve the request to amend the 2017-18 Circuit Court Budget as presented in the amount of \$5,000.00.
7. To amend the 2017-18 EDC Budget as presented in the amount of \$30,000.00.
8. Removed from Consent Calendar.
9. Removed from Consent Calendar.