

THE BENZIE COUNTY BOARD OF COMMISSIONERS
February 13, 2018

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, February 13, 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 Jeannot, seconded by Roelofs, to approve the agenda as amended, adding Brief Discussion regarding Orientation under Committee Appointments. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Jeannot, seconded by Griner, to approve the regular session minutes of January 23, 2018 as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Motion by Carland, seconded by Warsecke, to approve the special session minutes of February 1, 2018 as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:04 a.m. Public Input

Eric VanDussen, Benzonia Township and Chair of the Building Authority, spoke regarding building authority issues and the need for funding to hire general civil counsel; also, Mr. Roy quit regarding the arbitration issue and he stated there was a break-down in communication was the reason for his leaving – that is false.

9:08 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Sara Swanson, Prosecuting Attorney, provided a summary of what has been done in her office for the past year. She stated that the 2017 numbers are comparable to 2016, but 2016 was higher than prior years. Comm Jeannot asks for another column(s) showing the prior year counts to compare to.

Ted Schendel, Sheriff, reported on a significant drug bust last weekend in Benzie County and during the chase, one of their vehicles was severely damaged. He stated that it has been reported to MMRMA and are waiting for an adjuster to come out and look at the vehicle. Regarding the snowmobile grant that was received from the state, you were not given the correct information to make an informed decision. The BOC was going to use the township donations for the match – you can't do that according to Richard Kennedy with the DNR. The MDNR stated regarding the match, that the money from the townships is irrelevant, this is an agreement between the County and the State. He stated that the county needs to put up the 15% match or you forfeit the grant.

Motion by Griner, seconded by Warsecke, to authorize \$1,200 from the General Fund be applied toward the match for the snowmobile grant. Roll call. Ayes: Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: Carland Motion carried.

COMMISSIONERS

Page 2 of 6

February 13, 2018

David Schaffer, Recycling Coordinator, presented the 2017 Annual Report.

He stated that in 2017 there were 90 more pulls and 34 more tons than the prior year; people continue to recycle. At the February 27, 2018 meeting he will have a 3-year contract with American Waste for your consideration with a 2.9% increase. We have a 21.26% diversion rate in Benzie County. About \$9,000 was generated for the schools through the cardboard recycling program.

Motion by Jeannot, seconded by Money, to accept the 2017 Solid Waste Annual Report as presented. Ayes: Carland, Griner, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Dan Smith, Jail Administrator, reported that they have hired two new corrections deputies – 1 from Wexford and 1 from MDOC. They are averaging 28-29 inmates per day; the numbers are up a little bit. Plan to reduce water usage -- will install new water valves to showers and toilets and we will see a savings in 3 ½ -5 years.

COMMISSIONER REPORTS

Comm Jeannot reported that he has attended 10 meetings since the last BOC meeting – January 24 he attended Advocates for Benzie County annual meeting – they have received the 501C3 status. January 29 he attended Housing Committee and approved one emergency application. Also on January 29 he attended the MERS presentation. He attended the Lake Township meeting and they reported that 20% of the road millage comes from Lake Township. Platte Township made an appointment to replace Julie Mountz on the board – Matt Wieber. Almira Township – they are having a give-away of up to 30 smoke detectors and have 3 or 4 homes committed to that.

Comm Griner reported that he attended the Frankfort Elberta School Board meeting last night as he has been appointed liaison. One major topic was the migrant program. He will make them aware of the facility on Nurnberger Road which is funded by the federal government. Attended the BOC interview. He likes the orientation idea presented by Art. He went to the snowmobile race with Bob. Bob is the President of the State of Michigan Disabled American Vets – on the way up he was on the phone with a veteran going through a crisis and he was able to assist and direct him to the right resources.

Comm Carland welcomes Terry Money; he attended the interviews for the Planning Commission a couple of weeks ago. The Planning Commission held the first community dialog session for the US 31 Corridor in Benzie County – there was a sense from the attendees is to work together. Went to Kalamazoo for Michigan Community Mental Health Association Winter Conference – it was a good conference. One session he attended dealt with opioid abuse. Next week he will be in Lansing for the annual Airport Conference. He attended Networks Northwest with the newly installed CEO Matt McCauly.

Comm Roelofs says thank you to Roger for what he said and he did learn a lot from Roger too. Roger was in the first I-500 race 50 years ago. Benzie County Veteran's Affairs will have a Memorial Day service at noon. Grow Benzie discussed Veterans Affairs and he attended to have discussions with them and hopefully help some folks out. He also attended the interview for the EMS Advisory Board and will go to the Lake Ann Village meeting tonight.

Comm Warsecke welcomed Terry Money. He spoke regarding opioid arrests and feels that with MSP in Honor and we have TNT on board that they were able to help with the arrests. There were

COMMISSIONERS

Page 3 of 6

February 13, 2018

three overdose deaths last week in Traverse City from opioid abuse. Attended the Benzie Central School Board meeting last week – Governor is trying to raise the per pupil amount of money. Inland Township held their chili cook-off last weekend for the Fire Department. The Inland Township Fire Department has submitted a grant application to FEMA to try and buy a new mini pumper truck.

Comm Money attended the Homestead Township meeting where they welcomed back Shelley Rosa from an illness. There was a lot of talk regarding St. Ambrose. He attended the Honor Village meeting last night and they were gushing about the Land Bank work that has been done. The Village now has \$100,000 in the bank and are moving ahead with projects.

Comm Sauer reported on the US 31 Corridor meeting – he was very impressed with the route they are taking with the community on board. The Planning Commission is headed in the right direction. The Road Commission opened bids for this year's paving projects – on the 21st they will decide on where to go with local road committee and what will be done. He went to the Health Department meeting at the end of the month. Hepatitis A is an issue and shots are available at the Health Department. He attended the MERS presentation and said it was very helpful – they will discuss how the county and employees can go forward; perhaps bringing in spouses too. Phil Hoyt's funeral is February 24. The family is asking for donations to the Veteran's memorial. He will bring in a card and put it at the Treasurer's Office for anyone to sign and donate.

10:37 a.m. Break

Comm Griner excused.

10:45 a.m. Reconvene

COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch

- Administrator's update presented.
- Correspondence #7 talks about the FOIA Appeal with a letter from Mr. Figura that you accept the appeal today and you will have 10 business days from today to make a decision at the February 27 board meeting for action.
- Judge Thompson has made a decision on Vogler vs Longanbach and Stobie case.

Comm Jeannot commented regarding the FOIA appeal in the request some of the communication there was a suggestion that the terms of your agreement were never made publicly public; but look at the January 9, 2018 minutes, it was all disclosed.

Mr. Deisch to contact Mr. Figura of the decision of this board for him to move forward with review and provide a written opinion regarding the FOIA appeal.

FINANCE

Bills: Motion by Carland, seconded by Warsecke, to approve payment of the bills from January 24, 2018 to February 13, 2018 in the amount of \$537,724.76, as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Michelle Thompson, County Treasurer, reported that March 1 begins delinquency of the 2017 taxes, forfeiture of the 2016 taxes and foreclosure of the 2015 taxes. They will also begin settlement of the 2017 taxes from the townships on March 1.

COMMISSIONERS

Page 4 of 6

February 13, 2018

Building Authority Budget Amendment: Motion by Jeannot, seconded by Carland, to amend the 2017-18 Building Authority Budget Fund 569 as follows:

Increase:

569-000-721.00	Per Diem	\$2,100.00
569-000-727.00	Office Supplies	\$ 200.00
569-000-800.00	Contracted Services	\$1,200.00

Increase:

569-000-691.00	Fund Balance	\$3,500.00
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Roll call. Ayes: Carland, Jeannot, Roelofs, Sauer and Warsecke Nays: Money Exc: Griner
Motion carried.

COMMITTEE OF THE WHOLE

Consent: Motion by Jeannot, seconded by Warsecke, to approve the February 1, 2018 Committee of the Whole Consent Calendar items 1 – 13, as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

COMMITTEE APPOINTMENTS

EMS: Motion by Jeannot, seconded by Warsecke, to appoint Elizabeth Merrill to the vacant seat on the EMS Advisory Board to expire December 31, 2018. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Motion by Sauer, seconded by Roelofs, to reappoint Neal Nye to the EMS Advisory Board for a three-year term to expire December 31, 2020. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Planning Commission: Motion by Money, seconded by Carland, to appoint Irene Dunham-Thayer to a 1-year term; Rosemary Naulty to a 2-year term; Jason Barnard to a 2-year term and Greg Wright to a 3-year term on the Planning Commission. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Motion by Sauer, seconded by Roelofs, to appoint Chris Walrad to the Planning Commission as the Educational Component, for a 3-year term, to expire on December 1, 2020. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Committee Orientation: Comm Jeannot stated that he believes we lack a process for people that are appointed to committees or authorities. Who meets with them to talk about per diems and meetings. Mr. Deisch stated that he will have to think about it. Maybe HR can provide some feedback. Comm Roelofs stated that with regard to Veterans Affairs, the chair does it.

ACTION ITEMS

Emergency Action Guidelines: Motion by Jeannot, seconded by Carland, to accept the updated Benzie County Emergency Management Action Guidelines, authorizing the chairman to sign. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

COMMISSIONERS

Page 5 of 6

February 13, 2018

Betsie Valley Trail Reconstruction Application: John Rothhaar, Trail Care Coordinator for 2 years and now a member of the BVTMC is present and explains the application. This would be a \$150,000 project with an \$110,000 grant application. There will be no financial responsibility to the county. If you approve this, a Public Hearing will be held at the next BOC meeting.

Motion by Carland, seconded by Money, to approve the application to the Michigan Natural Resources Trust Fund on behalf of the Betsie Valley Trail Management Council as presented. Roll call. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

CORRESPONDENCE

- Parks & Recreation minutes of December 28, 2017 received.
- Wexford County resolution opposing HB 5096-5098 received.
- Eaton County resolution opposing HB 5096-5098 received.
- Road Commission minutes of January 11, 2018 received.
- Gogebic County resolution opposing HB 5096-5098 received.
- Benzie Leelanau Health Dept minutes of January 25, 2018 received.
- FOIA Appeal received from Karen Mallon.
- Building Authority DRAFT minutes of February 6, 2018 received.

UNFINISHED BUSINESS – None

NEW BUSINESS – None

11:23 a.m. Public Input

Karen Mallon, Homestead Township, welcomes Mr. Money; she stated that the St. Ambrose issue isn't noise – it is actually a zoning violation. They are in a rural residential area and have several violations. Early 2015 is when this started, so they were not blind-sided.

Eric VanDussen stated that he received an updated email during this meeting from attorney John Axe and he would propose to charge us \$290.00 per hour.

11:26 a.m. Public Input Closed

Motion by Warsecke, seconded by Roelofs, to adjourn at 11:26 a.m. Ayes: Carland, Jeannot, Money, Roelofs, Sauer and Warsecke Nays: None Exc: Griner Motion carried.

Gary Sauer – Chair

Dawn Olney, Benzie County Clerk

INDEX

1. Approved the agenda as amended.
2. Approved the regular session minutes of January 23, 2018 as presented.
3. Approved the special session minutes of February 1, 2018 as presented.

COMMISSIONERS

Page 6 of 6

February 13, 2018

4. Authorized \$1,200 from the General Fund be applied toward the match for the snowmobile grant.
5. Accepted the 2017 Solid Waste Annual Report as presented.
6. Approved payment of the bills from January 24, 2018 to February 13, 2018 in the amount of \$537,724.76, as presented.
7. Amended the 2017-18 Building Authority Budget Fund 569 as presented.
8. Approved the February 1, 2018 Committee of the Whole Consent Calendar items 1 – 13, as presented.
9. Appointed Elizabeth Merrill to the vacant seat on the EMS Advisory Board to expire December 31, 2018.
10. Reappointed Neal Nye to the EMS Advisory Board for a three-year term to expire December 31, 2020.
11. Appointed Irene Dunham-Thayer to a 1-year term; Rosemary Naulty to a 2-year term; Jason Barnard to a 2-year term and Greg Wright to a 3-year term on the Planning Commission.
12. Appointed Chris Walrad to the Planning Commission as the Educational Component, for a 3-year term, to expire on December 1, 2020.
13. Accepted the updated Benzie County Emergency Management Action Guidelines, authorizing the chairman to sign.
14. Approved the application to the Michigan Natural Resources Trust Fund on behalf of the Betsie Valley Trail Management Council as presented.