

THE BENZIE COUNTY BOARD OF COMMISSIONERS

January 2, 2018

The Benzie County Board of Commissioners met in an organizational meeting on Tuesday, January 2, 2018, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by County Clerk Dawn Olney at 9:00 a.m.

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

Absent: Commissioner Walterhouse (arrived at 9:20)

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

Election of Chair:

Commissioner Griner nominates Gary Sauer

Commissioner Roelofs nominates Coury Carland

No further nominations; Nominations are closed.

Secret ballot is used for election; tallied by clerk.

Commissioner Carland received 3 votes

Commissioner Sauer received 3 votes

Tie vote; County Clerk continues to run the meeting.

Agenda:

Motion by Griner, seconded by Roelofs, to approve the agenda as amended, adding Opioid Litigation discussion following resolutions. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer and Warsecke
Nays: None Abs: Walterhouse Motion carried.

9:04 a.m. Public Input – None

Meeting Dates and Times:

Comm Roelofs stated that he saw very little public here for the 4 p.m. meetings and would recommend 9:00 a.m. start for all meetings.

Comm Jeannot stated that if the meetings started later than 4 p.m., they would conflict with some evening commitments.

Comm Sauer stated that daytime meeting on the 4th Tuesday conflicts with the Maples meeting.

Motion by Jeannot, seconded by Carland, to adopt the regular meetings for 2018 for the 2nd and 4th Tuesdays of each month beginning at 9:00 a.m., with the exception of December meetings will be December 4 and December 18.

Comm Warsecke feels we should still have one evening meeting.

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

Discussions held regarding the possibility of Committee of The Whole for the four main committees (HR, Buildings & Grounds, Technology, Finance) with finance being at the end.

Comm Griner feels we should go this route.

Comm Roelofs says this would streamline things for everyone.

Comm Jeannot asks about pros and cons.

Comm Griner feels it would help with questions that we would all have.

Comm Carland says it would be like an informal study session.

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Comm Jeannot inquired about postings, and would it be a problem.

Comm Warsecke says you will save money.

Comm Sauer stated he doesn't know if we will save money. Biggest problem with the committees is that people don't come prepared. Great idea and everyone should be on board.

Comm Griner stated we could try it and always go back.

Comm Carland says if there is something urgent, we could act. Coury talked about MSU have information on Committee of the Whole.

Comm Griner says we could all participate in all committee meetings, where we can't now.

Mitch stated that the budget is a big issue too; everyone could participate and to the same level of discussion and the budgeting process.

Comm Walterhouse stated that the COTW worked out well in the past.

Comm Jeannot asks for an opinion on whether or not we could have action items, posting this properly with OMA and would ask to review the effectiveness in 3 or 4 months.

Comm Roelofs and Mitch share concerns about replacing one regular meeting with COTW.

Challenge is how do you find a third day to all be here.

Comm Roelofs stated that we should have two regular BOC meetings starting at 9:00 a.m. and then if you want to structure a COTW, go from there, but it is important for this community to see two days with BOC action.

Comm Carland stated that we could have HR, Buildings & Grounds and Technology after the first BOC meeting of the month, then the following week have an Executive committee finance meeting to handle all the issues from the prior week.

Comm Warsecke suggested now HR & Finance on the 2nd and 4th, then add Buildings & Grounds and Technology to each one then have them after each BOC meeting.

Comm Jeannot suggested we should leave it as is and sit on it for now until we have a solid plan.

Board Rules:

Comm Carland would like to see an addition to board practices to have legal review of the board rules every two years, on odd years.

Motion by Carland, seconded by Jeannot, to add #12 to Board Practices: Every odd year, the Board will consult legal counsel to review its Board Rules and Practices. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Comm Jeannot asked regarding Policy on Compensation #5 and Comm Sauer explains that would allow the commissioner that reviews A/Ps prior to paying.

Page 13, #1 – Comm Roelofs states what his view is regarding this item; 4 would be a quorum, but 3 would be the majority to vote.

Comm Carland talked about travel time – should it be counted toward per diem? Do you count travel time or meeting time?

To be added to Policy on Compensation #6: Travel time and meeting time may be included in the calculation of full day per diem rate.

Comm Sauer would like to see in the board rules regarding use of phone-in meeting. Needs to be in here so it is clear. Also that a phone-in cannot make a quorum, you must be physically present.

Michelle Thompson stated that the Land Bank Authority should be moved under Liaison.

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Comm Sauer says we should add Schools and remove Brownfield.

Comm Carland says AES should also be added.

Mitch to contact Peter Cohl and ask him to clarify his suggested possible inserts and where they would fit in and why is he recommending it.

Commissioner Committee Appointments:

Commissioners are asked to complete their requests and provide the information back to the County Clerk Monday, January 8, 2018.

Resolutions:

Depositories: Motion by Warsecke, seconded by Roelofs, to adopt resolution 2018-001 setting the County Depositories with suggested changes, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

ACH: Motion by Jeannot, seconded by Roelofs, to adopt resolution 2018-002 ACH (Automatic Clearing House) Electronic Transfer Transactions as presented, authorizing the chairman to sign. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Opioid Litigation Discussion:

Comm Jeannot stated that he was contacted by Tim Smith and he has addressed his concerns: 1) language for expenses; 2) who handles the cost or litigation if we are counter sued; and 3) resolution about how we intended to use the money.

Andrew Shotwell, with Smith Johnson is present and answers any questions: 1) how cost would get paid: contingency fee matter, the cost is fronted by the law firms; under the rules of professional conduct, we cannot put language in the retainer. 2) Frivolousness, this is a federal court action, only the signatories of the lawsuit can be subject to sanctions that the lawsuit lacked merit and only the attorney sign the documents.

Comm Warsecke, Carland, Jeannot are all comfortable now.

Payment of Bills:

Motion by Sauer, seconded by Griner, to approve payment of the bills from December 15 to December 28, 2017, in the amount of \$497,690.84, as presented. Roll call. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

Election of Chair:

Comm Griner nominates Gary Sauer

Comm Roelofs nominates Coury Carland

Secret ballot used; clerk tallies.

Comm Sauer 4 votes

Comm Carland 3 votes

Comm Sauer asked to hold off on determination at this time. Set aside at this time.

10:41 a.m. PUBLIC INPUT – None

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Motion by Roelofs, seconded by Sauer, to adjourn until January 9, 2018 Regular Meeting or the call of the chair. Ayes: Carland, Griner, Jeannot, Roelofs, Sauer, Walterhouse and Warsecke Nays: None Motion carried.

-- Chairman

Dawn Olney – Benzie County Clerk

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