

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**October 27, 2020**

The Benzie County Board of Commissioners met in a regular session on Tuesday, October 27, 2020 in the Frank F. Walterhouse Board Room, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chair Bob Roelofs.

Present were: Commissioners Farrell (phone in Frankfort, Michigan), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke

The invocation was given by Commissioner Roelofs and the Pledge of Allegiance was recited.

**Agenda:**

Motion by Warsecke, seconded by Taylor, to approve the agenda as amended, adding Deputy County Administrator during Action Items. Voice vote: Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

**Minutes:**

Motion by Jeannot, seconded by Nye, to approve the regular session minutes of October 8, 2020 as presented. Voice vote: Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

9:04 a.m. Public Input

John McCormick, Blaine Township, spoke regarding concerns about the Blaine Township Planning Commission and a Short-Term Rental Ordinance that is trying to be pushed through. Asks how many other townships in Benzie County have Short-Term Rental Ordinances.

Annie Browning, Beulah, stated she was here to attend the meeting in person this morning and was very disappointed to learn she could not stay.

9:08 a.m. Public Input Closed

**ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS**

Doug Durand, Benzie Senior Resources, reported that they have hired a new health care worker and interviewing for a homemaker tomorrow; 9 churches are donating to the Christmas Bags – requesting donations; have first in-home dental clients; libraries are reporting that people are checking out resource materials; through a grant, we will be sending one individual in November to CENA training; will participate in the Subaru Share-The-Love event again this year; foot care clinic will restart in November – 2 days per week; next week will have their annual audit. Gift Bags – PPE, shelf stable foods, socks, granola bars, hand lotions, crossword puzzles, word search puzzles – can be dropped off 11-1:30 p.m. at the Gathering Place or call the office.

Tom King, EMS, reported that all trucks are running good; doing education each month for staff; COVID 19 supplies are OK; one employee tested positive with COVID; transported two people in the last couple days with positive COVID tests; they are planning to sell the old Echo unit via the MiBID auction; Frankfort Station, attended a meeting with Kristi Johnson, POMH Administrator, and the building manager regarding the conditions at Station 3, they are starting a dialog on what needs to be done to the station.

Rebecca Hubers, Emergency Management, provided a written report together with the After-Action Review Report regarding COVID – First 6 months – opens it up for questions from the board.

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Comm Jeannot spoke regarding the 3<sup>rd</sup> recommendation regarding communication – how long to hold information before it is released because changes so rapidly. Rebecca stated that she addressed over 200 Executive Order over the last 6 months; the issue is that we put out information and within a couple of weeks we are having to make changes; how long do we hold it – she reads them thoroughly and puts out directives and changes as they are needed. We do not want to delay putting out valuable information.

Tom Longanbach, Equalization Director, requests approval of the 2020 Apportionment report which are millages to be levied per unit of government.

Motion by Sauer, seconded by Warsecke, to approve the 2020 Apportionment Report as presented.

Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None  
Motion carried.

Greg Hubers, Undersheriff, Election Site Safety – will be putting a deputy on overtime from noon to 8:00 p.m. to handle polling place issues; DEA drug take back – over 220 pounds of prescription meds to the DEA to properly dispose of; the deputy is healing well from the crash and back to work; the corrections deputy with a presumptive positive COVID test has been determined negative and is back to work; will assist Tom King with the vehicle sale.

## ACTION ITEMS

Deputy Administrator information added – not needed.

MERS DC Adoption Agreement: Motion by Sauer, seconded by Nye, to adopt the MERS Defined Contribution Plan Adoption Agreement for Division 13 as presented, authorizing the chair to sign. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None  
Motion carried.

MiSAIL Agreement: Motion by Sauer, seconded by Taylor, to adopt the Michigan Statewide Authoritative Imagery and LiDAR Program Intergovernmental Agreement for Data Exchange between Benzie County and DTMB as presented, authorizing Tom Longanbach to sign. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None  
Motion carried.

10:00 a.m. Judge Mead – requests adoption of a resolution authorizing appointment of Amanda O'Brien as Magistrate.

Motion by Sauer, seconded by Farrell, to adopt resolution 2020-024 Approval of the Appointment of Amanda M. O'Brien as District Court Magistrate as presented, authorizing the chair to sign. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None  
Motion carried.

10:12 a.m. Break

10:17 a.m. Reconvene

10:17 a.m. Jennifer Berkey, MSUE Agreement for Services

Motion by Jeannot, seconded by Farrell, to approve the Agreement for Services with the Board of Trustees of Michigan State University on behalf of Michigan State University Extension for 2020-

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2021, authorizing the chair to sign. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

## **COMMISSIONER REPORTS**

Comm Jeannot provided a written report (attached) and reported that he and Comm Sauer have been in discussions with the Point Betsie Lighthouse folks, we want to keep in front of this board that we have some type of responsibility at the lighthouse and in the future the Friends of Point Betsie will be coming to us for some type of formal request.

Comm Farrell attended 4 meetings – 10/13/2020, Crystal Lake Twp over 550 AV ballots have been sent out; 10/14/2020 HR Committee meeting – minutes are in the packet; 10/20/2020 City of Frankfort has reestablished their Pier Safety Committee; received \$5,000 for election equipment, bathrooms are being installed in Market Square, sink hole, Halloween will be Trunk or Treat between Fourth and Fifth Streets from 3 – 5:00 p.m.; 10/22/2020 Airport Authority – break in at one hanger, nothing was taken, but door was destroyed. Requests the county to make a donation of \$500.00 to the Human Services Collaborative – \$250 for 2020 and \$250 for 2021, discussions held and to continue at a later date.

Comm Nye attended the Parks & Rec meeting where the Ikens easement resolution was approved, Betsie Valley Trail will have two possible Spring projects, also given a presentation for a single track motorcycle trail in Platte Township on behalf of the West Michigan Trail Riders. Benzonia Township discussed a fire department pumper truck USDA grant did not come in in time, have entered into a 50% down payment agreement and balance to be paid within a year; conversation regarding a new fire hall; Love Road was discussed; also received \$5,000 for election costs; HR Committee will present revision segments of the policy to the COTW.

Comm Taylor attended the HR committee as well; Land Bank where discussion were held on sales that happened and after paying expenses to the treasurer, the balance will be placed in an escrow account until decided where to be disbursed; Benzie Senior Services; LPT – presentation from NPS received an EMILY – a boat that is about 5 feet and remote control, to use to send out to someone who needs assistance, it won't bring them back, but use as a support for the individual.

Comm Warsecke attended the Colfax meeting last week and provided a Betsie Valley Community Center Progress report for October 2020; BTA has discontinued the \$3.00 per hour premium pay; free rides to the polls; Annual report will be presented to the Board of Commissioners.

Comm Roelofs reported that Area Agency on Aging rescheduled; interview for BTA board; EMS had discussions regarding where the board is standing on rent – they have kept the building up and that should offset the rent. Asks everyone to keep Coury Carland in your thoughts with the loss of his mother. Veterans Day – all events in the area have been cancelled.

Comm Jeannot asked if there was a rental agreement between EMS and the County? No there is not. Should we have something.

Comm Nye asks for some type of governing document for the property and buildings – who pays what expenses, who pays rent. It will assist future boards.

Comm Sauer spoke regarding Gilmore Twp was approached about a Class A Grow Operation; Village of Elberta – Flies & VandenBrink is doing a study regarding the excess water is coming

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from. Road Commission is receiving a prototype truck and have 18 months to use it, they were also approached about the motorcycle trail. SRO came to the safety meeting – still doing lock-down drills, having truancy issues. Maples – one more positive test with an employee, to date there are no residents that have tested positive. Chlorine levels are increasing through the day. They have extended the hazard pay to December 31, 2020; they want to come to the board and discuss the excess millage; one kitchen has been completed and they are working on the others.

### **COUNTY ADMINISTRATOR'S REPORT – Mitch Deisch**

Provided a written updated report dated October 21, 2020 (attached). He spoke with Mr. Ikens and informed him that the documents for the easement are not completed yet and will be rescheduled; he agrees to wait for all documents. BSR contract – being reviewed by Doug Durand and the BSR legal counsel.

### **FINANCE**

Bills: Motion by Jeannot, seconded by Taylor, to approve payment of the bills from October 17, 2020 thru October 27, 2020 in the amount of \$310,454.17, as presented. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

Michelle Thompson, County Treasurer, stated that the auditors are here for a couple of days; regarding the property sale, we received a total of \$304,000 for eight properties; most of the funds may not come back to us, it is sitting in escrow until the state decides what happens moving forward.

### **COMMITTEE OF THE WHOLE**

Motion by Warsecke, seconded by Roelofs, to approve item 1 of the October 13, 2020 Committee of the Whole Consent Calendar as presented. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

### **COMMITTEE APPOINTMENTS**

BTA: Motion by Jeannot, seconded by Warsecke, to appoint Jeffery Pataky to the Benzie Transportation Authority for a term to expire April 30, 2023, as presented. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

DHHS: Motion by Sauer, seconded by Nye, to reappoint Gaylord Jowett to the DHHS Board for a 3-year term to expire October 31, 2023. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

Veterans Affairs: Motion by Nye, seconded by Taylor, to reappoint Ed Kowalski to the Veterans Administration Committee for a 4-year term to expire December 31, 2024. Roll call. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

BVTMC: Resignation: Motion by Sauer, seconded by Warsecke, to accept the resignation of Dan Schoonmaker as the CLPRA representative to the Betsie Valley Trail Management Council, with Frank Ikens as the replacement. Voice vote. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

**UNFINISHED BUSINESS – None**

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**NEW BUSINESS** – None

### **PRESENTATION OF CORRESPONDENCE**

- HR Committee minutes of October 14, 2020 received.
- Iosco County resolution recommending the Impeachment of Governor Whitmer received.

12:03 p.m. Public Input – None

Motion by Warsecke, seconded by Sauer, to adjourn at 12:03 p.m. Voice vote. Ayes: Farrell (phone), Jeannot, Nye, Roelofs, Sauer, Taylor, and Warsecke Nays: None Motion carried.

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Bob Roelofs, Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the regular session minutes of October 8, 2020 as presented.
3. Approved the 2020 Apportionment Report as presented.
4. Adopted the MERS Defined Contribution Plan Adoption Agreement for Division 13 as presented, authorizing the chair to sign.
5. Adopted the Michigan Statewide Authoritative Imagery and LiDAR Program Intergovernmental Agreement for Data Exchange between Benzie County and DTMB as presented, authorizing Tom Longanbach to sign.
6. Adopted resolution 2020-024 Approval of the Appointment of Amanda M. O'Brien as District Court Magistrate as presented, authorizing the chair to sign.
7. Approved the Agreement for Services with the Board of Trustees of Michigan State University on behalf of Michigan State University Extension for 2020-2021, authorizing the chair to sign.
8. Approved payment of the bills from October 17, 2020 thru October 27, 2020 in the amount of \$310,454.17, as presented.
9. Approved item 1 of the October 13, 2020 Committee of the Whole Consent Calendar as presented.
10. Appointed Jeffery Pataky to the Benzie Transportation Authority for a term to expire April 30, 2023, as presented.
11. Reappointed Gaylord Jowett to the DHHS Board for a 3-year term to expire October 31, 2023.
12. Reappointed Ed Kowalski to the Veterans Administration Committee for a 4-year term to expire December 31, 2024.
13. Accepted the resignation of Dan Schoonmaker as the CLPRA representative to the Betsie Valley Trail Management Council, with Frank Ikens as the replacement.

**Art Jeannot**  
**Commissioner Report**  
**October 27, 2020**

- Participated in 3 meetings on behalf of the County since our October 13<sup>th</sup> meeting.
- **10/15 NMCAA** – Tom Kelly has resigned for health reasons. Agency has received a grant in the amount of \$131,433 for COVID community response for access to internet for low income households.
- **10/19 NMCA** – New commissioner school will be offered virtually after the first of the year. Discussion regrading court case to return net proceeds from a tax sale to property owner.
- **Other –**
  - On **October 16<sup>th</sup>** I participated in a discussion with County's legal counsel on the subject of compliance under the new OMA, MDHHS and MIOSHA orders.
  - On October 19<sup>th</sup> Gary Sauer and I meet with Dick Taylor and Senator VanderWall to discuss funding option for high water damage repairs at Pointe Betsie Lighthouse. At some point in the next few months this may become a discussion at the BOC.

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OCT 28 2020

DAWN OLNEY  
BENZIE COUNTY CLERK  
BEULAH, MI 49617



October 27, 2020  
Commissioner's Report to the BOC  
Linda Farrell, District #3  
Frankfort and Crystal Lake Township

I attended 4 meetings (via remote attendance) on behalf of the County since our meeting on October 13, 2020.

October 13

**Crystal Lake Township Trustees Meeting** - They are gearing up for the election. As of that day the clerk had sent out over 550 Absentee Voter Ballots out of a probable 1000 voters. She expects the AV Ballots will total more than 600 by election day.

October 14

**Human Resources Committee** - I attended with Commissioners Nye and Taylor - Chair Nye will give a report. The Draft Minutes are included in our packet for today's BOC meeting.

October 20

**City of Frankfort Council Meeting -**

- There was discussion about re-establishing a Community Pier Safety Committee; The Chief of Police would like to see someone other than the Frankfort Police in charge of the regular operation of any warning system established at the pier.
- Frankfort received a \$5000 grant for election expenses including screens, PPE, and sanitation supplies. They also are having high Absentee Voter participation. They had their tabulator accuracy test on October 16th; everything is in order.
- The Council set a Special meeting to review a STR registration form and a draft STR ordinance.
- Bathrooms are being installed in Market Square Park.
- There was another sink hole and water main failure adjacent to one repaired in the spring. They are looking at including upgrades in their Capital Improvement Plan.
- For Halloween, instead of a parade, the City will hold a "Trunk or Treat" event on Main Street between 4th and 6th Streets from 3 to 5 PM. Master Pumpkin carver Ed Moody will be carving, and will have an interesting way to deliver candy to the kids. Cars should arrive after 2pm and back into a parking space to deliver treats to the kids on the sidewalk. As it is expected to be crowded masks are recommended, and social distancing requested.

October 22

**Airport Authority Meeting -**

- Air traffic is down from last year's levels - approximate operations were 282 for September
- MDOT did drone mapping for air encroachments - they are working on 2 encroachments
- There was a break-in at one of the hangars - nothing inside was missing, but the door was destroyed. It has been replaced with a steel door.
- There was an electrical spike that destroyed the electronics on the fuel system. It is being replaced through insurance. Cost estimate is \$2200 (\$1200 insurance and \$1000 deductible).

**Human Services Collaborative Annual Donation** - I have been remiss in asking for a donation from the County to the Human Resources Collaborative. I was reminded at our last meeting when we were presented with the fundraising progress to date. They have reached 83% of their goal for 2020. Their "Suggested Dues Structure" ranges from \$150 to \$6000 per year.

In past year Benzie county has given: 2012: \$500; 2013: \$500; 2014: \$0; 2015: \$0; 2016: \$0; 2017: \$200; 2018: \$200; 2019: \$0. I would like to bring a budget amendment for \$500 to the BOC at our next meeting that would allow us to pay dues of \$250, for both 2020 and 2021.

BLDHD - COVID update

BLDHD reported for Benzie County 7 new and one probable case Saturday to Monday; 34 active cases and 105 total (+ 8 probable) cases.

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OCT 27 2020

DAWN OLNEY  
BENZIE COUNTY CLERK  
BEULAH, MI 49617



448 Court Place • Beulah, MI 49617

Memo To: Board of Commission  
From: Mitchell D. Deisch, Administrator  
Date: October 21, 2020  
Subject: Admin Update for 10/27/2020 BOC Meeting

1. **Commission Meeting** – the 10/27/2020 BOC meeting will be posted for a virtual meeting only. Only essential personnel (Commissioners, Administration, Department Heads) will be allowed to attend the meeting in person. All citizen participation will be required to attend virtually, through the conferencing call phone number. After extensive discussions with Legal Counsel Cohl, Stoker & Toskey, Benzie County is in compliance with both the MDHHS Emergency Order and MIOSHA Emergency Rules that were recently issued. Essential employees will still be required to wear masks into the Government Center, practice social distancing, respiratory etiquette, hand washing, hand sanitizing as required by the state orders. While the BOC room is cleaned the evening before, I will continue to disinfect the commission room before the meeting starts as I have done since March 2020.
2. **POAM Grievance #20-242 Update** – Previously the BOC appointed the County Administrator to represent the Commission on the POAM Grievance #20-242. A step 3 meeting was held that unfortunately was unable to resolve the grievance at this step. The POAM has filed for arbitration with the Michigan Employee Relations Commission (MERC). MERC has randomly selected arbitrators to hear this matter. At this point Labor Counsel with Cohl, Stoker & Toskey will be reaching out to POAM for additional discussions before we proceed with arbitration. More to follow.
3. **Ikens Easement Request** – I confirmed on Wednesday October 21, 2020 that the Michigan Department of Natural Resources (MDNR) *has not* completed their review of the easement request, thus the easement request is not ready to be brought before the BOC. I have informed the Ikens of this situation and told them I am preparing to have this agenda item before the BOC at their November 10, 2020 meeting. The ball is in the MDNR court to move this easement request forward. More to follow.
4. **Meeting with Paul Oliver Memorial Hospital** – County Chair Bob Roelofs, EMS Director Tom King and myself are set to meet with POMH representatives on Thursday October 29, 2020. The primary focus of the meeting will be to introduce new POMH management to the County, talk about how the relationship is working for both parties and discuss the EMS station number 3 across the street from POMH. More to follow.

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OCT 21 2020

DAWN OLNEY  
BENZIE COUNTY CLERK  
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