

BENZIE COUNTY BOARD OF COMMISSIONERS

448 COURT PLACE – BEULAH, MI 49617 – (231) 882-9671

www.benzieco.net

ORGANIZATIONAL MEETING AGENDA JANUARY 4, 2022

Frank F. Walterhouse Meeting Room, Governmental Center, Beulah, Michigan

Join Zoom Meeting

<https://us02web.zoom.us/j/7493555921>

Meeting ID: 749 355 5921

One tap mobile

+13126266799,,7493555921# US (Chicago)

Find your local number: <https://us02web.zoom.us/u/kdoElbrwcl>

Turn all cell phones or other electronic devices to off or set to “mute” or “vibrate” avoid disruption during the meeting.

9:00 a.m. CALL TO ORDER
ROLL CALL
INVOCATION AND PLEDGE OF ALLEGIANCE
ELECTION OF CHAIRMAN
APPROVAL OF AGENDA
PUBLIC INPUT
ELECTION OF VICE CHAIRMAN
ADOPTION OF MEETING DATES AND TIMES FOR 2022
ADOPTION OF BOARD RULES
PUBLIC INPUT STATEMENT
COMMITTEE APPOINTMENTS
ADOPTION OF DEPOSITORIES – Resolution 2022-001
ADOPTION OF ACH – Resolution 2022-002
FAIR HOUSING – Resolution 2022-003
PUBLIC COMMENT
ADJOURNMENT

The County of Benzie will provide necessary reasonable auxiliary aids and services for individuals with disabilities at the meeting upon five (5) working days' notice to the County. Individuals with disabilities requiring auxiliary aids or services should contact the County in writing or by calling the following:

BENZIE COUNTY CLERK
448 COURT PLACE
BEULAH MI 49617
(231) 882-9671

This notice was posted by Dawn Olney, Benzie County Clerk, on the bulletin board in the main entrance of the Benzie County Governmental Center, Beulah, Michigan, at least 18 hours prior to the start of the meeting. This notice is to comply with Sections 4 and 5 of the Michigan Open Meetings Act (PA 267 of 1976).

2022
BENZIE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETINGS

Regular meetings of the Benzie County Board of Commissioners will be held in the Commissioners Room, Government Center, Beulah, Michigan.

The meetings will be held on the 2nd and 4th Tuesdays of each month unless changed by the Board of Commissioners.

All regular meetings will begin at 9:00 a.m. and Committee of the Whole will begin at 1:30 p.m.

The Benzie County Board of Commissioners will follow “Robert’s Rules of Order as Revised.”

January	4	9:00 a.m.	Organizational Meeting
	11	9:00 a.m.	
	25	9:00 a.m.	
February	8	9:00 a.m.	
	22	9:00 a.m.	
March	8	9:00 a.m.	Building Department Annual Report MAC Legislative Conference (March 21-23, Radisson, Lansing)
	22	9:00 a.m.	
April	12	9:00 a.m.	Equalization Report
	26	9:00 a.m.	
May	10	9:00 a.m.	
	24	9:00 a.m.	
June	14	9:00 a.m.	Summer Tax Hearing
	28	9:00 a.m.	
July	12	9:00 a.m.	
	26	9:00 a.m.	
August	9	9:00 a.m.	
	23	9:00 a.m.	
September	13	9:00 a.m.	Public Hearing to Set 2022 Budget Accept L 4029 – 2022 Millage Report; Adopt 2022-23 Budget MAC Annual Conference (Sept 18-21, Doubletree, Port Huron)
	27	9:00 a.m.	
October	11	9:00 a.m.	Apportionment Report; Set Elected Official Salaries
	25	9:00 a.m.	
November	8	9:00 a.m.	ELECTION DAY
	22	9:00 a.m.	
December	13	9:00 a.m.	Commission on Aging Annual Meeting
	27	9:00 a.m.	

HOLIDAYS: The Government Center will be closed the following days:

January	1	New Year’s Day (recognized Friday December 31, 2021)
January	17	Martin Luther King Jr Day (Monday)
February	21	President’s Day (Monday)
May	30	Memorial Day (Monday)
July	4	Independence Day (Monday)
September	5	Labor Day (Monday)
November	11	Veteran’s Day (Friday)
November	24-25	Thanksgiving Holiday (Thursday/Friday)
December	23-26	Christmas Holiday (Friday/Monday)
December	30-31	New Year’s Eve (Friday/Monday January 2, 2022)

BOARD RULES

Adopted: January 4, 2022

1. MEETINGS

1.1 Regular Schedule. Regular meetings of the board of commissioners are held on the second and fourth Tuesday of each month. Any regular or adjourned meeting of the board which falls upon a legal holiday (Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, the day before Christmas, Christmas Day, the day before New Years, and New Years Day) shall automatically be set over to the next regular day following that is not a legal holiday at the same time and place indicated for the regularly scheduled meeting, unless the board, in session, determines otherwise.

1.11 The Tuesday immediately following the second Monday of each April, this being the Statutory Equalization meeting. Required by state statute (MCL 209.5).

1.12 Annual meeting date after September 14 but before October 16. *[client to select date]* Required by state statute (MCL 46.1).

1.2 Time. The regular meetings of the board of commissioners shall be held on the second and fourth Tuesdays at 9:00 a.m.

1.3 Place. The board shall meet in the Benzie County Government Center.

1.4 Change in Schedule. Changes in the meeting schedule, including time and place, additional meetings, and meetings adjourned or recessed to a specific time and place, may be made by majority vote of the board of commissioners, such change to be recorded in the minutes of the meeting in which the change is made. Meetings may be adjourned or recessed "at the call of the chair" by majority vote of the board of commissioners present and constituting a quorum. Meetings adjourned or recessed for more than 48 hours "at the call of the chair" unless the board provides otherwise may be reconvened upon telephonic or other communication at least 24 hours before the time of the reconvening and upon giving the public notice. All such changes shall be in compliance with the Open Meeting Act, MCL 15.261 et seq.

1.5 Special Meetings.

1.51 Petition and Notice. A special meeting of the board of commissioners shall be held only when requested by one-third of the members, which request shall be in writing, addressed to the county clerk and specifying the time, place and purpose of the meeting. When possible, some evening meetings may be held. Upon receipt of the requests, the clerk shall immediately give notice to each board member with at least 24 hours' notice before the time of such meeting in one of the manners provided as follows:

- via a confirmed facsimile transmission to the commissioner's residence
- via personal delivery of the notice of the special meeting to the commissioner
- leaving the notice of the special meeting at the residence of the commissioner
- email to address previously supplied for such purpose by the commissioner
- via text message to the commissioner

The clerk shall post at least 18 hours before the meeting a Public Notice as required by 1976 PA 267.

- 1.6 Public Notice of Meetings. The clerk of the board of commissioners each year shall give public notice of the regular schedule of time and place in one or more newspapers circulated in the county, and by posting the schedule in the Benzie County Government Center in compliance with the Open Meetings Act. Public notice of special or rescheduled meetings and reconvening of meetings which have been adjourned or recessed for more than 48 hours shall be given by informing the newspaper in the county and posting notice in the courthouse as required by the Open Meetings Act.
- 1.7 Public Meetings. The meetings of the board of commissioners shall be open and accessible to the public and all persons may attend its meetings.

2. QUORUM

Quorum. A majority of commissioners shall constitute a quorum for the transaction of the ordinary business of the county.

Absence of Quorum. Upon the absence of a quorum, the members present may recess from time to time or to a time certain. Public notice is not required if the time set for reconvening is less than one hour. All Open Meetings Act requirements shall be adhered to.

3. VOTING

Majority Vote. All questions which shall arise at the meetings of the board of commissioners shall be determined by the votes of a majority of the members present, except (1) upon the final adoption of any measure of resolution, or the allowance of any claim against the county, which matters shall be determined by a majority of all the members elected and serving, and (2) upon the final adoption of any matters which by statute require a greater majority.

Roll Call Votes. The names and votes of members shall be recorded on an action which is taken by the board of county commissioners if the action is on an ordinance, resolution, expenditure of funds, or appointment or election of an officer, except that for the election of a board chair the vote may be by secret ballot.

Secret Ballot Voting. No vote may be taken by secret ballot on any matter except on the question of election of the chair of the board.

Voting Mandatory. Each member present shall be required to vote on every question unless excused by the chairman upon good cause shown.

Reconsideration of Vote. When a question has been put and decided by a roll call of the members, any member who voted on the prevailing side may move reconsideration thereof. On all voice votes any member may move reconsideration. However, no motion for reconsideration shall be in order unless it is made in the same meeting or the meeting next succeeding the meeting on which the vote to be reconsidered was taken. No matter may be twice reconsidered. For purposes of this rule, the term "meeting" shall mean any session which proceeds uninterrupted by an adjournment or recess of greater than three hours.

4. ORGANIZATION

Chair

4.11 Election. During the first meeting in each calendar year, the Board of Commissioners shall select, by majority vote of all the members, one of its members to serve as chair of the board for a one-year term, effective January 1. He/She shall take office and assume the duties immediately upon election.

4.12 Duties.

4.121 The chair, if present, shall preside at all meetings of the board of commissioners, preserve order, and decide questions of order subject to appeal to the board.

4.122 The chair shall be the agent for the board in the signing of contracts, orders, resolutions, determinations, and minutes of the board and in the certification of the tax rolls.

- 4.123 The chair shall serve in such capacities and make appointments as the law shall require.
- 4.124 The chair shall serve ex officio on all board committees. He/She shall not have a right to vote in committee unless he/she is expressly named a member of that committee.
- 4.125 The chair, for purposes of representing the county in various functional or ceremonial capacities, shall be considered as the chief elected official of the county.
- 4.126 Upon his/her election and subject to the approval of a majority of all members of the board, the chair shall proceed to appoint the members of all board standing committees and shall designate the chair of each committee. The term of each appointee to a board standing committee shall be for one (1) year but shall terminate as of the date such person ceases to be a member of the board of commissioners.

In addition, the chair shall, subject to the approval of the majority of all members of the board, appoint all board members who are designated to serve as a board liaison to those boards and commissions listed in section 4.4, below, as well as to any similar such board or commission where the appointee is to act as a liaison between said board or commission and the board of commissioners, and where such appointee serves as a member of such other board or commission by virtue of his or her board of commissioners membership. Such appointments shall be for one (1) year but shall terminate as of the date such person ceases to be a member of the board of commissioners.

Further, the chair shall, subject to the approval of the majority of all members of the board, appoint all those board members who are appointed to serve on various authorities and other agencies. Except as may be required by statute or bylaw of such authority or other agency, such appointment shall be for one (1) year but shall terminate as of the date such person ceases to be a member of the board of commissioners.

- 4.1271 All appointments assigned to sitting Commissioners are annual, except where dictated or mandated by statute.
- 4.1272 County Commissioners appointed to serve on boards and commissions shall be deemed to serve by virtue of their position as a County Commissioner. For such Commissioners, said appointment shall continue only so long as the commissioner continues in office, unless otherwise dictated or mandated by statute. At the point a Commissioner so appointed vacates the office of County Commissioner, all appointments enjoyed by virtue of that office shall also terminate.
- 4.127 The chair of the board shall have the power to administer an oath to any person concerning any matter submitted to the board of commissioners or any matter connected with the discharge of their duties, to issue subpoenas for witnesses and to compel their attendance in the same manner as courts of law as authorized by state statute.
- 4.128 The chair of the board, when appropriate, shall refer matters coming before the board to one of the committees of the board and he/she shall arbitrate all jurisdictional disputes between committees, decisions over which shall be subject to these rules and subject to appeal to the board.

Vice-Chair.

- 4.21 Election. During the first meeting in each calendar year, the board of commissioners shall select, by majority vote of all the members, one of its members to serve as vice-chair of the board. He/She shall take office and assume the duties immediately upon his election.
- 4.22 Duties.
 - 4.221 The vice-chair shall preside over meetings of the board if the chair is absent.
 - 4.222 The vice-chair when he/she is present shall preside at all meetings of the committee of the whole.

Clerk.

- 4.31 Designation. The clerk of the county shall perform all statutory required duties for the board of commissioners. He/She, or his/her appointed deputy, shall perform all duties pertaining to such office.
- 4.32 Duties. The clerk's duties include the following:
 - 4.321 To record all the proceedings of the board in a book provided for that purpose. MINUTES. A copy of the minutes of each board meeting shall be prepared and transmitted to each board member promptly. The county clerk or his/her designee shall prepare minutes as required by the Open Meetings Act, 1976 PA 267.
 - 4.322 To make regular entries of all the board's resolutions and decisions upon all questions.
 - 4.323 To record the vote of each commissioner on any question submitted to the board.
 - 4.324 To preserve and file all accounts acted upon by the board and for no reason allow such accounts to be taken from his/her office.
 - 4.325 To certify, under Seal of the Circuit Court, without charge, copies of any and all resolutions or decisions on any of the proceedings of the board of commissioners, when required by the board or any of its members; or when required by any other person upon payment of fifty cents (\$.50) per folio or as otherwise required by the Freedom of Information Act.
 - 4.326 To preside, until a chair or temporary chair is elected, during the first meeting of the board of commissioners in every calendar year.
 - 4.327 To perform such other and further duties as the board, by resolution, may require.
- 4.33 Absence. In the event the clerk or his or her duly appointed deputy is absent from a meeting of the board, the chair, with approval of a majority of the commissioners present and voting, shall appoint another person to act as temporary clerk until the clerk or the duly appointed deputy arrives.

In the absence of both chair and vice chair, the following commissioners will be delegated to be in charge, in the following order: Chair, Vice Chair, Board member seniority and then alphabetical order.

Parliamentarian. The county clerk of the county shall advise the chair and the board of commissioners regarding questions of parliamentary procedures.

- 4.4 Committees. The board of commissioners shall have the following committees:

STANDING COMMITTEES

EMS

Courts – 3

Commission on Aging

Committee of the Whole

Fee Committee

COUNTY COMMISSION LIAISON

Building Authority
Chamber of Commerce
Conservation District
Human Services Department (DHHS, Maples)
Land Bank Authority
MSU Extension
Road Commission
Schools
Sheriff/Jail
911 Central Dispatch
Transportation

APPOINTMENTS TO AUTHORITIES AND OTHER AGENCIES

Airport Authority
Animal Welfare League/Advisory Board
Area Agency on Aging
Benzie Housing Committee (county)
Benzie Senior Resources (formerly Council on Aging & Benzie Home Health Care)
Betsie River Watershed
Betsie River Zoning Board of Appeals
Betsie Valley Trailway Mgt Council
Benzie-Leelanau Public Health
Benzie-Leelanau Public Health Board of Appeals
Centra Wellness -- CMH
Central Dispatch Advisory
Domestic Violence Task Force
EDC/BRA (Benzie)
Human Services Collaborative Body – HSCB
LEPC
Manistee-Benzie Comm Corrections – PA 511
MAC Transportation
MAC Ag & Tourism
MAC Worker's Comp Fund
Networks Northwest/Council of Government
Northern Michigan Regional Entity
Northern Michigan Counties
Natural Scenic Rivers
Northwest Michigan Community Action Agency
ORV
Parks & Recreation Commission
Planning Commission
Platte River Watershed Committee
Point Betsie Lighthouse
Soil Erosion Board of Appeals
Solid Waste Advisory Committee
Township Association & Local Municipalities
Veterans Affairs

- 4.51 Duties: Each committee shall:
- 4.511 Report to the board.
 - 4.512 Review all appropriation requests most directly related to its own functions and make recommendations thereon for referral to and consideration by the board.
 - 4.513 Report and recommend allowance or disallowance of all claims relating to the jurisdiction of the committee as prescribed by these rules.
 - 4.514 Act as liaison between the board of commissioners and the several county officers, boards, commissions and agencies respecting matters under the jurisdiction of the committee as prescribed by these rules, except as the board shall otherwise direct.
 - 4.515 Have and perform such other duties as the board may direct.
- 4.52 Meetings. Meetings of a committee may be convened by its chair or by a majority of its members at any time upon 36 hours or more written, telephonic or email notice to all its members and in compliance with the Open Meetings Act.
- 4.53 Committee Voting. The names and votes of members shall be recorded on an action which is taken by a committee of the board.
- 4.54 Special Committees. Subject to the approval of the board of commissioners, the chair of the board may establish special committees and designate commissioners to serve thereon. The membership of special committees shall automatically be terminated upon the succession to office of a new chair of the board.

5. CONDUCT OF MEETINGS

Order of Business

- 5.11 Regular Order. The regular order shall be as follows:

Call to Order
Roll Call
Invocation and Pledge of Allegiance
Approval of Agenda
Approval and/or Correction of Minutes
Public Input (Limit 3 minutes unless extended by the chair or a majority of the board of commissioners)
Finance – Approval of Bills
Elected Officials & Dept Head Comments
Action Items
Commissioner Reports
County Administrator Report
Committee of the Whole
Committee Appointments
Old Business
New Business
Presentation of Correspondence
Public Input (Limit 3 minutes unless extended by the chair or a majority of the board of commissioners)
Adjournment

Agenda. On the fourth day before each regular and adjourned regular meeting of the board, the clerk shall provide to each member an agenda for the meeting, by placing in their mailbox at the Government Center or by placing said agenda on the county web site. Contained therewith shall be a brief description of all matters to be considered and arranged in accordance with the order specified above. All information

to be placed on the agenda must be received by the clerk of the board no later than 5:00 p.m. on the Wednesday immediately preceding said regular or adjourned regular meeting. Only with majority consent of the members present may any committee report, other than reports on routine claims, be acted upon by the board of commissioners at any regular or adjourned regular meeting.

- 5.21 Agenda Priorities. All matters to be placed on the agenda under one of the specific categories above shall be given priority of order on the basis of date and time received by the clerk of the board.

6. RIGHTS AND DUTIES OF COMMISSIONERS

RIGHTS AND DUTIES OF MEMBERS.

Speaking Priorities. The sponsor of any properly moved and seconded motion, resolution, ordinance, or report, shall have the right to speak for up to 3 minutes, after the formal introduction but prior to any discussion of the matter on the floor. In any case where there may be more than one sponsor to a particular motion, resolution, ordinance or report, it shall be in the discretion of the chair which person shall exercise the right given by this rule to first speak on the pending matter. Before speaking, each member shall address himself/herself to the chair. If two or more members seek recognition to speak at the same time, the chair shall designate the order in which they shall speak. No member, while addressing the Board, shall be interrupted, except to be called to order; and thereupon, he/she shall immediately cease talking and be seated. Every commissioner shall vote on all questions unless excused by the chair. The chair shall vote on all questions unless excused by the board.

Commentary: Matters brought up which are not on the agenda almost always are referred to committee and, of course, a motion to refer is not debatable. This rule guarantees the sponsor the right to explain the matter briefly, before its referral.

7. NON-MEMBERS ADDRESSES TO COMMISSION – Only members of the board of commissioners shall be given the floor to speak during any board meeting except: County officials may speak after receiving recognition from the chairman of the board.

7.1 Any person who, with the consent of the chair of the board or a majority of any board committee, has been given permission to be listed in an appropriate place on the agenda for the purpose of addressing the commission. Public comment as required by the Open Meetings Act is permitted.

7.2 In compliance with the Open Meetings Act: The County Board will operate under the following rules. To allow for public input. Each person wishing to speak may have up to three (3) minutes to make a statement or an address (this does not include the right to question members or individuals present). If persons know they will need more time, they should contact the County Clerk **by 5:00 p.m. on the Wednesday prior to said meeting** so that time may be allotted them on the agenda if approved by the board of commissioners.

7.3 Time has been allotted in the above schedule so that people may be heard without interrupting the County Board agenda and conduct of essential business.

8. PARLIAMENTARY AUTHORITY AND PROCEDURE

Authority. “Robert’s Rules of Order Revised” shall govern all questions of procedures which are not otherwise provided by these rules or state law.

Procedure.

- 8.21 Motions, Resolutions, Committee Reports. No motion shall be debated or voted upon unless seconded. It shall then be stated by the chair before debate. Any motion, with the

permission of the person who moved and seconded it, may be withdrawn at any time before it has been adopted. Discussion does not constitute a second to a motion.

- 8.22 Motion to Clear the Floor. If in the judgment of the chair, procedural matters have become confused, the chair may request a “motion to clear the floor”. Such motion, if made and seconded, shall take precedence over all other motions and shall not be subject to debate, or if carried, to a motion to reconsider. The motion to clear the floor, if carried, shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn.
- 8.23 Order of Precedence of Motions. When a motion is seconded and is before the board, no other motion shall be received except the following:
To fix the time to which to adjourn
To adjourn
To move the previous question
To lay on the table
To postpone indefinitely
To postpone to a time certain
To refer
To amend
These motions shall have precedence in the order as named above.
- 8.24 Suspension of the Rules. These rules may be temporarily suspended only by a majority vote of all the members of the board in order to facilitate the accomplishment of any legal objective of the board in a legal matter.
- 8.25 For any future grant applications, the county board shall receive them in a timely manner so that the Commissioners can read, understand and render informed decisions pertaining to any grant applied for, ~~effective January 4, 2002.~~
- 8.26 Division of Question. Upon request by any member, any question before the board may be divided and separated into more than one question; provided, however, that such may be done only when the original is of such a nature that upon division, each of the resulting questions is a complete question permitting independent consideration and action.
- 8.27 USE OF CELL PHONES. During meetings of the board, including committee meetings, all cell phones or other electronic devices shall be turned off or set to “mute” or “vibrate” in order to avoid disruption. Commissioners choosing to answer cell phone calls shall leave the table, and if necessary, the room, in order to avoid disruption. Notices of board and committee meetings shall include a request that all cell phones or other electronic devices be turned off or set to “mute” or “vibrate” in order to avoid disruption during the meeting. Disruption of a meeting by inappropriate use of a cell phone may be addressed in the same manner as other inappropriate disruptions.

9. ADOPTION AND AMENDMENT OF RULES

These rules having been adopted by not less than a majority of all the members of the board may be amended or rescinded by majority vote of all the members of the board. They shall remain in effect until amended or rescinded. Any proposed amendment to these rules, properly presented to the board of commissioners, shall take immediate effect when adopted, unless the board at the time of adoption stipulates otherwise.

10. ETHICAL PRINCIPLES OF CONDUCT RELATING TO THE PROCESS AND MANAGEMENT OF CONFIDENTIAL MATTERS

It is imperative from time to time that matters will come before the county that require confidential management. Matters and/or opinions sought require the action and direction of the Corporate Counsel or other properly retained Legal Advisory.

Those matters which come before the Benzie County Board of Commissioners that are subject to the attorney-client privilege or are protected by the attorney work product doctrine are considered confidential matters. Confidential matters include written opinions protected by the attorney-client privilege and/or communications between the Benzie County Board of Commissioners and its Corporate Counsel or other Legal Advisory retained by the Benzie County Board of Commissioners. Nothing in this rule shall be construed to be contrary to Michigan's Open Meetings Act or should be construed to prohibit the disclosure or dissemination of material that is subject to disclosure under Michigan's Freedom of Information Act.

- 10.1 Those services (tasks) of the Corporate Counsel, or other properly retained Legal Advisory, retained by the Benzie County Board of Commissioners, shall be discussed by the Board of Commissioners in open session and subject to a motion authorizing the Corporate Counsel or other Legal Advisory to perform legal services on behalf of the Benzie County Board of Commissioners, prior to said services (tasks) being performed whenever possible. When legal services are required prior to the Board of Commissioners meeting or in preparation for that meeting, then the County Administrator, after conferring with the Chair or Vice Chair, is authorized to obtain and task for such legal services.
 - 10.1.1 Once the Benzie County Corporate counsel or other Legal Advisory has been properly retained by the Benzie County Board of Commissioners and provided a detailed explanation of the services sought, the Chair of the Benzie County Board of Commissioners, or the County Administrator will communicate with the Benzie County Corporate Counsel or other outside Legal Advisory with regard to the status of the project and shall be the recipient of written Status Reports and other communications from the Benzie County Corporation Counsel or outside Legal Advisors.
 - 10.1.2 Any party (Commissioner) seeking information or query prior to final disposition or legal opinion will be referred to section 10.3 of the Board Rules.
- 10.2 The Administrator for the County of Benzie shall maintain a separate file for those communications with the Benzie County Corporate Counsel and/or other Legal Advisory which are subject to the attorney-client privilege. Upon request, any member of the Benzie County Board of Commissioners may review said materials but shall not disseminate or discuss to any third party the contents of communication subject to the attorney-client privilege.
- 10.3 In the event that a member of the Benzie County Board of Commissioners has questions regarding a confidential matter including, but not necessarily limited to, a communication that is subject to the attorney-client privilege, that Commissioner or party shall prepare a written communication to the Benzie County Administrator and Board Chair outlining any issues or questions regarding the confidential matter or communication. Responses to those written communications then will be processed by the Chair of the County Board of Commissioners and in most situations simultaneously shared with the entire Board of Commissioners.
- 10.4 One set of documents or related materials submitted to the Administrator or Chair will be kept and on file. Files are not to be copied nor leave the Administrator's office. Also, sharing or communicating any information related to the confidential work, including conversations, in progress or content of the documents (file) will be considered a breach of the "Board's" trust.

- 10.5 Members of the Benzie County Board of Commissioners may, by majority roll call vote, or two-thirds (2/3's) vote if required by the Open Meetings Act, move for entry into a closed session for those purposes authorized under the Michigan Open Meetings Act.
11. PUBLIC MEETINGS. Board meetings shall be open to the public as required by the Open Meetings Act.

Section 10.1 amended – 10/18/2005

Section 4.11 amended – 1/10/2006

Section 4.1271 amended – 1/10/2006

Section 4.1272 amended – 1/10/2006

Sections 1.1, 1.2, 4.33, 4.51, 5.11 amended – 1/19/2010

Sections 1.2, 4.4 amended – 1/4/2011

Sections 1.2, 4.4 and 5.11 amended – 1/4/2012

Section 1.1, 1.2, 4.4 and 5.11 amended – 1/2/2013

Section 1.1, 1.2, 4.4 and 5.11 amended – 1/15/2013

Section 1.2 and 5.11 – 1/7/2014

Section 4.4 – 1/6/2015

Section 4.127 – 2/10/2015

Sections 5.11, 7.2, page 10 items 2 and 3 – 1/3/2017

Sections 4.125, 4.4, 5.11, page 12 #11. – 1/2/2019

Sections 1.1, 1.2, 1.5, 4.4, 5.11. All reference to chairman and/or chairperson will be changed to chair. – 1/7/2020

Section 5.11; page 11 #1 per diem rate. – 1/5/2021

POLICY ON COMPENSATION

1. Effective January 1, 2023, per diem be set at \$40.00 for each meeting four hours or less, meetings lasting longer than four hours is considered two meetings (\$80.00) and after eight hours will be considered 3 meetings (\$120.00) for per diem.
2. Per diem shall not be paid for attending scheduled regular or reconvened county board meetings. However, per diem shall be paid for attending village, city and township board meetings of the district they represent, special board meetings, committee meetings, and special assignment meetings. Special assigned meetings are meetings attended at the direction of the Board of Commissioner or by the Chair of the Board of Commissioners and may also be paid per diem. Proper documentation can be obtained and filed with the County Administrator.
3. Mileage will be authorized for attending reconvened or special county board meetings, village, city and township meetings of the district they represent, committee meetings, special assignment meetings, functions benefiting Benzie County, or meetings attended at the direction of the Board of Commissioners or by the Chair of the Board of Commissioners, at the rate established by the Board of Commissioners.
4. Living expenses will be paid while attending special assignments, functions or meetings attended by the direction of the Board of Commissioners or by the chair of the Board of Commissioners that are held outside of Benzie County.
5. Per diem to be paid for weekly Accounts Payable (A/P) review by a designated board member.
(Added 1/12/2016)

County department heads will be expected to administer their yearly budgets in a reasonable and prudent manner, and should not expect supervision from the county board or its finance committee except:

- (a) When unexpected changes in county financing make it necessary, by board action, to request or impose adjustments in all departmental appropriations.
- (b) When, due to unforeseen circumstances or an emergency, it is necessary for a department head to request a supplemental appropriation not included in his or her original departmental budget.
- (c) When, in the judgment of a majority of the members of the county board, a department head demonstrates clear inability to administer public funds in a reasonable and prudent manner.
- (d) When the county board, through the chair and vice-chair, is reviewing budgetary requirements for the upcoming year.

BOARD PRACTICES

1. Decisions shall be made by a majority vote of all commissioners present at board meetings.
2. No one individual commissioner has any authority to advise Government Center employees what to do or what not to do. This applies to any chair of a committee.
3. The services of Corporate Counsel will be coordinated through the County Board Chair and the County Administrator.
4. Individual commissioners should not write instructive memos to Department Heads without going through the full board.
5. Commissioners who write and sign individual letters may not imply that the letter is by board decision and may not use Board of Commissioners letterhead.
6. Department liaison positions are only to take information from the board of commissioners to a department and vice versa, not to advise those departments how they should or should not be run.
7. Commissioners who attend committee meetings to which they have not been assigned will not be reimbursed for that attendance.
8. The Board is encouraged to present motions in writing to the Clerk prior to the meeting, if possible.
9. Effort should be made to carpool to out-of-town meetings.
10. Every effort should be made to have members of the Board of Commissioners submit per diems on a monthly basis.
11. All requests must go through the Committee of the Whole unless determined by the Chair and/or County Administrator to require immediate action by the board. (Added 2/9/2016)
12. Every odd year, the Board will consult legal counsel to review its Board Rules and Practices.
13. All policies adopted by the Board are binding on the Board.

PUBLIC INPUT

Purpose: The Benzie County Board of Commissioners is a public policy setting body and subject to the Open Meetings Act (PA 267 of 1976). The Board also operates under a set of “Benzie County Board Rules (section 7.3)” which provides for public input during their meetings. It continually strives to receive input from the residents of the county and reserves two opportunities during the monthly scheduled meeting for you the public to voice opinions, concerns and sharing of any other items of common interest. There are however, in concert with meeting conduct certain rules to follow.

Speaking Time: Agenda items may be added or removed by the board but initially at least two times are devoted to Public Input. Generally, however, attendees wishing to speak will be informed how long they may speak by the chairman. All speakers are asked to give their name, residence and topic they wish to address. This and the statements/comments will be entered into the public record (minutes of the meeting). Should there be a number of speakers wishing to voice similar opinions, an option for a longer presentation may be more appropriate for the group and one or more speakers may talk within that time frame. The Board will not be accepting public comment via zoom/online.

Group Presentations – 15 minutes
Individual Presentations – 3 minutes

Board Response: Generally, as this is an “Input” option, the board will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board. However, should the board individually or collectively wish to address the comments of the speaker(s) at the approval of the Chair and within a time frame previously established, responses may be made by the board. Additionally, the presenter may be in need of a lengthier understanding of an issue or topic and may be referred to a committee appropriate to address those issues.

Public Input is very important in public policy settings and is only one means for an interchange of information or dialogue. Each commissioner represents a district within the county and he/she may be individually contacted should greater depth or understanding of an issue be sought. Personal contact is encouraged and helpful to both residents and the board.

Commissioner Contacts:

District I – Bob Roelofs (Almira East of Reynolds Road).....	231-645-1187
District II - Art Jeannot (Almira Twp West of Reynolds Road, Platte and Lake Townships)	231-920-5028
District III – Andy Miller (Crystal Lake, Frankfort)	231-920-8300
District IV – Rhonda Nye (Benzonia).....	231-510-8804
District V – Tim Markey (Homestead)	231-871-1399
District VI - Evan Warsecke (Colfax, Inland)	231-275-3375
District VII - Gary Sauer (Blaine, Gilmore, Joyfield, Weldon)	231-651-0647

2021 Committee Appointments (updated 2/15/21)

Committee	Commissioner Representative	Meeting Date & Time	Meeting Location	Contact Person
Standing Committees				
Emergency Medical Services	Roelofs Alt. Markey	3 rd Tuesday 3:30 pm	Commission Chambers	Tom King 383-5779
Joint Court	Sauer & Nye	3 rd Thursday 3:00 pm	Alternates Benzie (odd)	Julie Schmeling 231-398-3500 x 4
Committee of the Whole	BOC	2 nd & 4 th Tuesday 1:30 pm	Commission Chambers	Maridee Cutler 882-0035
Commission on Aging	BOC	First BOC meeting in December	Commission Chambers	Dawn Olney 882-0000
Fee Committee	BOC	As needed	TBD	Tom Longanbach 882-0015
Interview Committee	BOC	As needed	TBD	Dawn Olney 882-0000
Human Resource	Nye, Markey & Miller	TBD	TBD	Maridee Cutler 882-0035
Building & Grounds	Roelofs, Sauer & Miller	2 nd Wednesday 10:00 am	Commission Chambers	Maridee Cutler 882-0035
Liaison				
Building Authority	Jeannot Alt. Markey	3 rd Wednesday 9:00 am	Commission Chambers	Eric VanDussen 231-651-9189
Chamber of Commerce	Jeannot	3 rd Wednesday 8:00 am	Benzie Chamber Bldg.	Rick Coates 882-5801
Benzie Conservation District	Warsecke	3 rd Wednesday 4:00 pm	District Office	Aime Merizon 882-4391
Drain Commissioner	Miller	TBD	TBD	Ed Hoogterp 882-4932
DHHS	Sauer Alt. Markey	4 th Thursday 1:00 pm	Maples	Jennifer Savage 231-299-4072
MSU Extension	Miller / Alt. Sauer	As needed	TBD	Jennifer Berkey

*Betsy Rvr
ZBA*

*Sauer
Nye*

Brian Bury

Local Planning Team	Markey Alt. Warsecke	4 th Thursday 7:00 pm	Emergency Management Office	Rebecca Hubers 882-0567
Land Bank Authority	Nye Alt. Markey	1 st Wednesday 9:00 am	Govt. Center Room 206	Michelle Thompson 231-882-9672
MI Assoc. of Counties Ag/Tourism	Sauer	6 Times a Year	Lansing, MI	N/A
MI Assoc. of Counties Transportation	Nye	4 th Friday 10:00 am (on-line)	MAC Headquarters Lansing, MI	N/A
MI Assoc. Workers Comp	Sauer	2 nd Thursday 10:00 am	Conference Room 1068 Cross St. Gaylord	N/A
Northern Michigan Regional Entity (SUD)	Markey	1 st Monday 10:00 am	Conference Room 1068 Cross St. Gaylord	Chip Johnson 877-398-2013
Northern Mi Counties Assoc.	Jeannot	3 rd Monday 9:45 am	Grayling Twp Hall	John Amrhein 231-922-4627
Networks Northwest	Jeannot Alt. Warsecke	1 st Monday, even months 5:00 pm	Traverse City	Matt McCauley 231-357-2777
Northwest Michigan Community Action Agency	Jeannot Alt. Warsecke	3 rd Thursday 12:30 pm	Traverse City	Kerry Baughman 231-3462161
Parks and Recreation	Nye	4 th Monday 5:00 pm	Commission Chambers	Cathy Demitroff 231-920-5203
Planning Commission	N/A	TBD	TBD	TBD
Platte River Watershed Committee	Markey	As needed	TBD	TBD
Point Betsie Lighthouse	Miller	2 nd Saturday 10:00 am Attend quarterly	Winter – TBD Summer - Lighthouse	Dick Taylor 847-917-1118
Solid Waste Committee	Warsecke	1 st Wednesday Quarterly 5:00 pm	Commission Chambers	Jesse Zylstra 231-383-1579
Benzie Schools	Warsecke	2 nd Monday 7:00 pm	Benzie Schools	Matt Olson 231-882-9653
Frankfort/Elberta Schools	Miller	TBD	Frankfort Schools	Jeff Tousley
Veteran Affairs	Roelofs	2 nd Monday 9:00 am	Government Center Room 206	Bob Roelofs 231-645-1187
Natural River ZBA	Sauer	TBD	TBD	Brian Bury 989-370-7543

DEPOSITORIES

2022 – 001

- (1) The depositories for County funds shall be: Honor Bank, State Savings Bank, West Shore Bank, Michigan Class, Flagstar Bank, Cantella/Lyon Capital, Independent Bank and Truist. Further, that the County Treasurer be authorized to invest funds with any bank, banker or trust company in the State of Michigan and that she be authorized to invest funds with any agency of the U.S. Government.
- (2) The Benzie County Board of Commissioners hereby authorizes the County Treasurer to invest the idle funds of the County of Benzie in accordance with Act 20 of the Public Acts of 1943, as amended. Be it further resolved that all such investments heretofore made are hereby ratified and validated.
- (3) The County Treasurer is authorized to sign on behalf of the Benzie County Board of Commissioners any documents pertaining to the Housing Block Grant Program also known as the Benzie County Housing Committee.
- (4) The Benzie County Board of Commissioners hereby authorizes the County Treasurer to sign all applications, documents, etc with the Federal Government and the State of Michigan as Chief Finance Officer for the County of Benzie.
- (5) The Benzie County Board of Commissioners hereby authorizes the use of electronic banking at the discretion of the County Treasurer.

WHEREAS, under the laws of this State of Michigan, Act 40 of the Michigan Public Acts of 1932, 1st Extra Session, as amended (MCL 129.12) this board is required to provide, by resolution, for the deposit of all public monies, including tax monies, belonging to, or held for, the State, County or other political units coming into the hands of the County Treasurer, in one or more banks, savings and loan associations or credit unions within the state.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

- (1) The Benzie County Board of Commissioners hereby directs the County Treasurer, to deposit all public monies, including monies and funds held for the State Board of Escheats or missing heirs, coming into his/her hands as County Treasurer in any bank, savings and loan association or credit union within the State which is a legal depository as defined by State and/or Federal law,
- (2) The County Treasurer is authorized to invest funds with these institutions, or any institution legally permitted by State statute Act No. 20 of the Michigan Public Acts of 1943, as amended (MCL 129.91) or Federal Law or regulation within the limits set therein; and
- (3) The County Treasurer is authorized to enter into and execute on behalf of the County any contracts with any bank or trust company for the safekeeping or third party custodianship of any of the County's securities as well as any contracts or

repurchase agreements with any corporation for the purchase of any such securities which will be the subject of such safekeeping or third party custodianship arrangements, on such terms and conditions as the County Treasurer shall require; and

- (4) The County Treasurer is authorized to rely on the continuing effect of this Resolution until amended or repealed by a subsequent resolution of this or a successor Board of Commissioners.

Motion:

Ayes:

Nays:

Absent:

Dated: January 4, 2022

_____, Chair

Certification

I, Dawn Olney, Benzie County Clerk and Clerk to the Benzie County Board of Commissioners, do hereby certify that the above resolution was adopted by the Benzie County Board of Commissioners on January 4, 2022.

Dawn Olney, Benzie County Clerk

2022-002

**ACH (Automatic Clearing House)
ELECTRONIC TRANSFER TRANSACTIONS**

WHEREAS, Public Act 738 of 2002 was signed by the Governor with immediate effect on December 30, 2002; and

WEREAS, Public Act 738 requires the Board of the County Commissioners adopt a resolution containing certain conditions to lawfully conduct electronic financial transactions such as payments and receipts (ACH).

NOW THEREFORE BE IT RESOLVED that the County Treasurer is hereby appointed the Electronic Transaction Officer (ETO) and is responsible for ACH agreements including payment approval, accounting, reporting and generally overseeing compliance with the ACH policy, and

BE IT FURTHER RESOLVED that documentation is to be prepared and retained, that may be contained within the computerized accounting system, for ACH transactions detailing the goods or services purchased, related costs, date of payment, and cost accounting classifications, and

BE IT FURTHER RESOLVED that the ETO will implement a system of internal accounting controls to monitor the use of ACH transactions, and

BE IT FURTHER RESOLVED that approval of ACH invoice is required before payments, and

BE IT FURTHER RESOLVED that additional requirement may be required as determined by the ETO.

Motion:

Ayes:

Nays:

Exc:

Dated: January 4, 2022

_____, Chair

Certification

I, Dawn Olney, Clerk to the Benzie County Board of Commissioners, do hereby certify that the above resolution was adopted by the Benzie County Board of Commissioners on the 4th day of January, 2022.

Dawn Olney, Benzie County Clerk

2022-003
FAIR HOUSING RESOLUTION
BENZIE COUNTY, MICHIGAN

WHEREAS, Benzie County is committed to fair housing and will work aggressively to ensure that all housing programs comply fully with all state, federal, and local fair housing laws; and

WHEREAS, Benzie County has appointed the County Clerk as their fair housing contact person, who has an understanding of the Fair Housing Laws and will attend applicable training as able to remain informed; and

WHEREAS, Benzie County has established a Fair Housing Log. The Fair Housing Log will be maintained and will disclose information regarding any and all fair housing concerns and their outcomes; and

WHEREAS, Persons wishing to file a housing-related complaint or concern will be referred to the Michigan Department of Civil Rights, HUD, and their local Fair Housing Center. The Fair Housing contact will notify MSHDA if a complaint or concern is filed; and

WHEREAS, the offices of Benzie County are accessible and barrier free, and the County will make every attempt to reasonably accommodate all of its constituents; and

WHEREAS, Benzie County will include the Fair Housing Logo on all of its documents and advertisements pertaining to its housing programs. The County will post a Fair Housing poster in a place visible to the public. The County will secure and distribute, upon request, Fair Housing material provided by MSHDA and various other Fair Housing agencies and organizations. "Fair Housing, It's Your Right" brochures will be distributed to all applicants of County housing programs; and

WHEREAS, Benzie County will consider all applicants and contractors based on qualifications. No applicant or contractor will be denied housing, or a contract based on their race, color, national origin, religion, age, sex, marital status, familial status or handicap. Persons raising concerns regarding discrimination will not be retaliated against. Marketing of all County housing programs will include minority and women applicants.

NOW, THEREFORE, BE IT RESOLVED, that Benzie County hereby reaffirms this Fair Housing Resolution, its Fair Housing Policy and all of its premises.

Ayes:

Nays:

Exc:

Motion:

Dated: January 4, 2022

_____, Chair

I, Dawn Olney, Clerk to the Benzie County Board of Commissioners, hereby do certify that the above resolution was adopted by the Benzie County Board of Commissioners on the 4th day of January, 2022.

Dawn Olney, Benzie County Clerk