

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**May 15, 2007**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, May 15, 2007, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse  
Absent: None

The pledge of allegiance was given with invocation by Commissioner Kelley.

Motion by Pitcher, seconded by Walterhouse, to approve the agenda as amended, adding Drug Court Application and Holding Tank issues during Dept Head time; Animal Welfare League request under County Administrator's time. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Pitcher, seconded by Smeltzer, to approve the minutes of April 17, 2007, as printed. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Walterhouse, seconded by Smeltzer, to approve the minutes of April 30, 2007, as printed. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

**9:05 a.m. Public Input**

Thelma Rider-Novak discussed the committee appointment policy.

Carol Merrill read a letter from the AFSCME union members regarding wages.

Eric VanDussen discussed the County Administrator's evaluation.

9:11 a.m. Public Input Closed

**Elected Officials & Department Head Comments**

Mike Rice, Juvenile Officer, presented an application for the Michigan Drug Court Grant Program; no additional funds will be needed to run this program.

Motion by Pitcher, seconded by Kelley, to approve this FY 2008 Michigan Drug Court Grant application, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Marlene Wood-Zylstra, Recycling Coordinator, presents a contract for Household Hazardous Waste Services with Drug & Laboratory.

Motion by Pitcher, seconded by Smeltzer, to approve a contract with Drug & Laboratory Disposal, Inc., for household hazardous waste and electronic collections, for the period May 10, 2007 through May 9, 2008, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Craig Johnson, EMS Coordinator, updates the board regarding the new garage; there does seem to be a drainage issue and requests approval of additional funds to have a new system installed.

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Motion by Walterhouse, seconded by Kelley, to accept the proposal from Moore Mechanical in the amount of \$3,613.00, as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Craig Seger, Zoning Administrator, updates the board on his attendance at township meetings – he has received a warm welcome for all; have focused on Homestead and Inland Townships and their exploring leaving county planning & zoning and have asked them to keep the communication open with them too; look forward to Mark Wyckoff's study and report.

Rory Heckman, Undersheriff, stated that this is Police Officer Memorial Week; the boat which they ordered will be delivered next week and grant money was used for the purchase; State auction is Saturday in Traverse City and they will put one vehicle in; Grand Rapids Press article – Benzie County is not the only county with road patrol shortage.

### **Finance Committee**

Comm Pitcher removes items 10 and 11.

Motion by Pitcher, seconded by Walterhouse, to approve Consent Calendar items 1-9 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

#11 – Motion by Pitcher, seconded by Walterhouse, to authorize Commissioner Damm to write a grant to MMRMA for the Citizen Planner Training Reimbursement, for \$1,000. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

#10 – Motion by Pitcher, seconded by Damm, to keep the current level of deputy sheriff staffing and allow the Sheriff the flexibility to assign the SRO to patrolled uniform division and take the funds up to \$18,000 from fund balance, for the remainder of the fiscal year. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer and Walterhouse Nays: Sandman

10:00 a.m. Break

10:05 a.m. Reconvene

### **Personnel Committee**

Comm Kelley states that the proposed draft for the Policy & Procedures for County Committee Appointments has been handed out and asks the board to submit any proposed changes. Chairman Roper allows input from Ms. Novak-Rider; Mr. Rineer and Mr. VanDussen.

Chairman Roper states that any comments from this board need to get back to Comm Kelley and the personnel committee will review on June 12 with another draft back to this board.

### **County Administrator's Report**

Mr. Clarke states that he has received a request from the Animal Welfare League to remodel the Animal Shelter and they would absorb 100% of the cost.

Motion by Walterhouse, seconded by Pitcher, to allow the remodeling of the Animal control Shelter to improve the cat room, that they building department approve the plans, with no county funds to be

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used, that 100% of the cost will be covered by the Animal Welfare League, authorizing the county administrator to oversee the project. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

### **Correspondence**

- Allegan County Resolution re HB 4398: Motion by Damm, seconded by Pitcher, to adopt resolution in opposition to HB 4398, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- EDC Minutes of April 19 and May 4, 2007 received.
- Clinton County Resolution re State Budget Crisis: Motion by Kelley, seconded by Pitcher, to adopt as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- Motion by Pitcher, seconded by Walterhouse, to approve the Authorized Signature Designation Form from MSHDA regarding the Benzie Housing Committee as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- Huron County resolution re HB 4254 received – information only.
- Letter received from the Zoning Administrator regarding demolition issue; Referred to an ad hoc committee which has been formed of Comm Kelley & Sandman, together with Chuck Clarke.
- Information provided regarding Emerald Ash Borer – information only.
- Animal Control report for April 2007 received.
- Proposed letter to MSHDA regarding increase in funding: Motion by Walterhouse, seconded by Pitcher, to approve the letter to Michael DeVos, Director as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- Information provided from Citizens for Access to the Lakeshore; Comm Pitcher will contact them to come for a presentation.
- Building Dept report for April 2007 received.
- Agenda from Northwestern Michigan Regional Comm Correction Advisory Bd received.

10:55 a.m. Break

11:03 a.m. Reconvene

### Commission on Aging & The Maples Millage Dates

Both organizations state that they cannot fund the election to be held in August; they would work jointly to encourage people to vote.

Motion by Kelley, seconded by Walterhouse, to authorize an August 2007 election, with funds to come from fund balance. Roll call. Motion denied. Ayes: Kelley and Walterhouse Nays: Damm, Pitcher, Roper, Sandman and Smeltzer

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Motion by Walterhouse, seconded by Kelley, to authorize a November 2007 election for The Maples and Commission on Aging. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Walterhouse, seconded by Pitcher, to authorize the County Administrator and the County Clerk to work with Dave Stoker to review the proper ballot wording. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Pitcher, seconded by Kelley, that this Board of Commissioners support the renewal of the millage for The Maples and Commission on Aging and will work to ensure their passage. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

11:30 a.m. Art Jeannot, EDC Update

Mr. Jeannot updates the board of the happenings of the EDC so far this year: contracted with TB EDC for all tasks except cash handling; for 2007 they are focused on marketing; hold weekly office hours at the Chamber office; Attended the Benzie Business Expo; Will be holding a community meeting in the Fall; Will hold workshops to discuss tools for economic development; approved a \$125K loan for the Village of Benzonia; Request a member to set on the community interview committee for the Chamber.

Motion by Kelley, seconded by Smeltzer, to appoint Chairman Roper to set on the community interview committee. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

### **Correspondence Continued**

- Letter from Homestead Twp that they have declined the Intergovernmental Agreement for county zoning.
- Airport Authority minutes for May 3, 2007 received.

11:45 a.m. John O'Neill, Benzie Housing Council

Mr. O'Neill requests a letter of support for funding to MSHDA.

Motion by Smeltzer, seconded by Walterhouse, to authorize a letter of support to MSHDA for the Benzie Housing Council HOME grant, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

11:50 a.m. Tim McGuire, Michigan Assoc of Counties

He states that things are looking good with the workers comp board and Benzie is a charter member on that board. He states that it has been frustrating to work at the Capitol, the convention tax issue is going on right now; the legislature wants to take money away from the counties; the people aren't talking to one another; Sentencing Guidelines; 911 funding bills would provide that all users under 911; MAC PAC day is June 20.

Comm Pitcher thanks Mr. McGuire and MAC; MAC has helped us out in Lansing.

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Comm Smeltzer asks if term limits is an issue with MAC – MAC has not taken a position on that issue.

Motion by Pitcher, seconded by Walterhouse, support the resolution for 911 funding in SB 410 and SB 411 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Walterhouse, seconded by Pitcher, to the resolution on the proposed Cut to County Convention Facility Funds as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

12:15 p.m. Break for Lunch  
1:15 p.m. Reconvene

1:15 p.m. Jack Rineer, Building Department Issues

Mr. Rineer thanks the board for allowing him to speak; he feels there are relatively serious problems with the administration of the building department in Benzie County; he waited until the new policies affected him directly before coming forward. Before December 15, 2006 there was a system of required permits for 30 years; the policies have been changed and no one knows how or when they were changed; he has not grievance with any inspector in the department, nor with the secretaries; never received anything that new permit were now received; even the secretaries don't know day to day what is what; I have supported this department through thick and thin; we now need site plans for a roof, never did before; this is severely broken and you need to find on your own. I am thankful you are working on it; he feels this is the biggest issue you will ever deal within you life.

Chairman Roper explains that an ad hoc committee has been formed to work on this issue.

1:40 p.m. Tom Longanbach presented the Equalization Report.

Motion by Walterhouse, seconded by Pitcher, to accept and place on file the 2007 Equalization Report as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

### **Correspondence Continued**

- Michigan Northern Counties Assoc Meeting Notice for May 21 received.
- Crystal Lake and Platte Lake Elevation Reports received.
- Benzie Transportation Authority 2<sup>nd</sup> quarter financial reports received.
- 2007 Marine Safety Program Federal Assurances Form: Motion by Walterhouse, seconded by Smeltzer, to authorize the Chairman to sign and submit the DNR Assurances Form as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Sandman, Smeltzer and Walterhouse Nays: None
- Marine Dept report for April 2007 received.

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Motion by Pitcher, seconded by Smeltzer, to approve and place the evaluation summary of the County Administrator in his personnel file. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Comm Pitcher presents the County Administrator's contract with two changes: expiration date to end coinciding with the end of the fiscal year so that we wouldn't be doing salary adjustments mid year. Motion by Kelley, seconded by Damm, to approve the County Administrator's contract as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer and Walterhouse Nays: Sandman

### **Commissioner Reports**

Comm Pitcher reported on a letter of resignation from Jan Tennant from the ZBA; she states that she is glad a committee is looking into the building department issues, when this board hired Steve, there were grave concerns over things in that department and he needed to update the policies (just info for the committee); Household Hazardous Waste Clean Up; Solid waste is meeting with business representatives to come up with a voluntary contribution program of recycling; Benzie county was not awarded one of the Brownfield grants, but we can reapply in November.

Motion by Pitcher, seconded by Smeltzer, to send a letter of thank you for her years of service on the Zoning Board of Appeals. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Comm Kelley presented a written report and senses a real problem in the building department. Mr. Clarke states that they have met and the communication is better, but still needs some work.

2:23 p.m. Comm Pitcher excused.

Motion by Damm, seconded by Walterhouse, to refer to personnel the letter from Parks & Rec regarding their appointment to the Betsie Valley Trail Committee. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

Comm Sandman presents a written report.

Comm Damm states that the Villages of Beulah and Benzonia have met regarding the water tower issue and a looking to possibly put in a ground tank.

Comm Walterhouse states that Homestead twp has held their clean up day and it worked out quite well, 500 trees were given away by the Road Commission at that same time; Platte River school held a mock emergency; Homestead and Inland Twps held a planning meeting regarding zoning; provides a letter from Lake and Almira Townships regarding zoning and comments on the email from him that Mr. VanDussen handed out and apologizes to Mr. Clarke for the comments made.

2:50 p.m. Comm Damm excused

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Comm Smeltzer reported the he and Comm Sandman attended a meeting regarding water test results around Betsie Lake and that lake is cleaner than Herring Lake.

3:00 p.m. Public Input

Deb Lindgren talks about the building dept permits – even for window and door replacement.

Ralph Hillquist stated that the conversation this morning regarding 911 was interesting.

3:06 p.m. Public Input Closed

Motion by Smeltzer, seconded by Sandman, to adjourn until June 19, 2007, or the call of the chair.  
Motion carried. Ayes: Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc:  
Damm and Pitcher

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Mark E. Roper -- Chairman

Dawn Olney – Benzie County Clerk

### INDEX

1. Amended the agenda as presented.
2. Approved the minutes of April 17, 2007, as printed.
3. Approved the minutes of April 30, 2007, as printed.
4. Approved the FY 2008 Michigan Drug Court Grant application, auth the chairman to sign.
5. Approved a contract with Drug & Laboratory Disposal, Inc., for household hazardous waste.
6. Accepted the proposal from Moore Mechanical in the amt of \$3,613.00, for the ambulance garage.
7. Approved Consent Calendar items 1-9 as presented.
8. Auth Comm Damm to write a grant to MMRMA for the Citizen Planner Training Reimb, for \$1,000.
9. Approved to keep the current level of deputy sheriff staffing, for the remainder of the fiscal year.
10. Appr to allow the remodeling of the Animal Control Shelter.
11. Adopted resolution in opposition to HB 4398, authorizing the chairman to sign.
12. Adopted resolution re state budget crisis as presented.
13. Appr the Authorized Signature Designation Form re the Benzie Housing Committee as presented.
14. Appr the letter to Michael DeVos, Director of MSHDA as presented, auth the chairman to sign.
15. Denied request for an August 2007 election.
16. Auth a November 2007 election for The Maples and Commission on Aging.
17. Auth the Co Admin and the Co Clerk to work with Dave Stoker to review the proper ballot wording.
18. Appr that this Bd of Comm support the renewal of the millage for The Maples and COA.
19. Appointed Chairman Roper to set on the community interview committee.
20. Auth a letter of support to MSHDA for the Benzie Housing Council HOME grant.

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21. Supported the resolution for 911 funding in SB 410 and SB 411 as presented.
22. Adopted resolution on the proposed Cut to County Convention Facility Funds as presented.
23. Accepted and place on file the 2007 Equalization Report as presented.
24. Auth the Chairman to sign and submit the DNR Assurances Form as presented.
25. Appr and place the evaluation summary of the County Admin in his personnel file.
26. Appr the County Administrator's contract as presented.
27. Appr to send a letter of thank you to Jan Tennant for her years of service on the ZBA.
28. Referred ltr from Parks & Rec regarding their appt to the Betsie Valley Trail to personnel.