

THE BENZIE COUNTY BOARD OF COMMISSIONERS
February 19, 2008

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, February 19, 2008, in the Annex and 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 Walterhouse, seconded by Smeltzer, to approve the agenda as presented. Motion carried.
Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Pitcher, seconded by Kelley, to approve the regular meeting minutes of January 22, 2008 as presented.

Motion by Walterhouse, seconded by Smeltzer, to amend to add to the statement by Comm Walterhouse on page 3 regarding the ambulances ...but the boxes are good.

Vote on amendment: Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Vote on original motion as amended: Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Pitcher, seconded by Walterhouse, to approve the special meeting minutes of January 31, 2008 as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Chairman Roper explained the procedure for today regarding the ORV issue; if the board decides to go forward with this issue, a committee will be formed and will work on possible changes to the existing DRAFT ordinance; if approved today, will only proceed with committee – not adoption of an ordinance.

9:07 a.m. PUBLIC INPUT

The following people spoke regarding the ORV/ATV issue:

Clarence Davis, Platte Twp Supervisor: Township is not in favor of this.

Sally Casey, Lake Township: No way to enforce.

Jack Crandall: If the county adopts then townships can choose if they want to adopt or not.

Anne Kingsbury, Joyfield Township: Feels it is being pushed through; objects to the process.

Charles LaDuke, Platte Township: Not in support of this; need to rethink it.

Delores Burton, Almira Township: Not in support.

Fran Holley, Benzonia Township: Not in support

Nancy Call, Benzonia Township & President of the Friends of the Betsie Valley Trail: Work with DNR, let's work together.

Cathy Demitroff, Homestead twp Supervisor: Work with DNR – wisest way to go.

Keith Bonney, Benzonia Township: Need a compromise; in support – we need it.

Bill Olson, Blaine Township: Not in support; let it go.

Terry Lautner, Fewins Road: Feels a lot of people with help out – volunteers.

Jane Graham, Almira Township: Where will financial support come from; table it.

COMMISSIONERS

Page 2

February 19, 2008

Thelma Ryder-Novak, Crystal Lake Township: Put to the voters to decide if this should proceed.
9:48 a.m. Public Input Closed

ORV Issue: Chairman Roper asks for a motion – if this moves forward, we will research and study the issues and not adopt an ordinance at this time; if no motion is made or passed the issue stops here.

Motion by Kelley, seconded by Roper, to consider going forward with an ATV/ORV Ordinance with help from the public on redrafting.

Comm Walterhouse states that people have contacted him and there is about 50/50 for and against the ordinance; in support of a study group to look at this; need more people's input.

Comm Kelley feels there are some real pluses here; if the DNR was going to do something, why haven't they; get people together.

Comm Smeltzer applauds all citizens that came out and told their views; roads are a shared resource; people aren't as courteous or thoughtful as they should be; don't have the consensus to go forward.

Comm Pitcher says to first consider getting a legal trail in Benzie County; the DNR says this proposal is illegal.

Comm Damm agrees with Comm Pitcher – it is premature to put this in place; good idea to have a citizen-based group to get a legal trail system; in favor of a study group that is citizen lead.

Roll call on motion: Motion denied. Ayes: Kelley, Roper and Sandman Nays: Damm, Pitcher, Smeltzer and Walterhouse

Motion by Walterhouse, seconded by Sandman, to form a study group and study all acts and come back to this board. Roll call. Motion denied. Ayes: Kelley, Sandman and Walterhouse Nays: Damm, Pitcher, Roper and Smeltzer

10:25 a.m. Recess

10:37 a.m. Reconvene in Commissioners Room

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Craig Seger, Zoning Administrator, presents a revision of the proposed Grand Vision letter together with a starter list of organizations to send the letter to; further revisions to be made.

Brandon Fast, ACO, is present and shows the board the new uniforms; the cat room is complete and asks that the board come and visit.

Craig Johnson, EMS Coordinator, requests the board to write-off the balance on ambulance bills, at the request of the patient; he also provides information regarding purchase/lease of new/used ambulances.

Motion by Kelley, seconded by Damm, to authorize the ambulance bill write-off in the amount of \$648.48, as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

COMMISSIONERS

Page 3

February 19, 2008

Motion by Smeltzer, seconded by Kelley, to authorize Craig Johnson to explore specifications for medium duty ambulances, to include air ride suspension, and bring back to this Board of Commissioners. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman and Smeltzer
Nays: Walterhouse

11:15 a.m. Susan Miller, Benzie Transportation Authority

Tom Stobie, BTA Board member, says thank you to the Board of Commissioners on behalf of BTA; we serve the people the way we are suppose to; Sue is a great leader.

Sue presents a power point presentation of the BTA over the past year; January 2006 there were 1,150 riders; January 2007 there were 5,700; 1,300 are active riders.

11:40 a.m. Steve Haugen, Building Department

Steve presents the Annual report for 2007 for the Building, Electrical, Plumbing & Mechanical Departments.

12:00 noon Break for Lunch and Annual Report at The Maples

1:40 p.m. Reconvene

FINANCE COMMITTEE REPORT

Comm Pitcher presents Consent Calendar items 1-9.

Comm Sandman removes item 8.

Motion by Pitcher, seconded by Smeltzer, to approve Consent Calendar items 1-7 and 9 as presented.

Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and

Walterhouse Nays: None

Motion by Pitcher, seconded by Smeltzer, to authorize payment of \$0.25 cents per hour above the Secretary III position, retroactive to 10/1/2007, for the Assistant to the Zoning Administrator and the Appraiser I positions. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer and Walterhouse Nays: Sandman

PERSONNEL COMMITTEE REPORT

Motion by Walterhouse, seconded by Kelley, to put the IT Resources Policy on hold and bring back at the March 2008 meeting, after attorney review. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Kelley, seconded by Pitcher, to approve the Assistant to the Zoning Administrator job description as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Kelley, seconded by Walterhouse, to approve the Appraiser I job description as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

COMMISSIONERS

Page 4

February 19, 2008

Motion by Kelley, seconded by Pitcher, to reappoint Frank Putney to the Zoning Board of Appeals for a three-year term, to expire October 1, 2010. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Kelley, seconded by Pitcher, to reappoint Richard Hendricks to the zoning Board of Appeals for a three-year term, to expire October 31, 2010. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Kelley, seconded by Walterhouse, to extend the term of Steven Nugent to the Workforce Development Board of an additional year, to expire December 31, 2009. Motion carried. Ayes: Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Motion by Roper, seconded by Walterhouse, to reappointed Don Smeltzer and Tom Kelley to the Manistee-Benzie Community Mental Health Services until December 31, 2008. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

COUNTY ADMINISTRATOR'S REPORT

Motion by Pitcher, seconded by Sandman, that the Board of Commissioners commit to building the best rural Michigan County Planning, Zoning and Building Code program that the County can afford. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Craig Seger presents the final draft of the Grand Vision letter; it will be put on letterhead, signed by the chair and sent out.

CORRESPONDENCE

- Manistee County Board of Commissioners request for letter of support to Energy Fair. Motion by Smeltzer, seconded by Walterhouse, to send a letter of support to Manistee County for the Michigan Energy Fair, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- Benzie County Road Commission minutes of December 12, 2007 and January 9, 2008 received.
- Letter received from Carl Levin – information only.
- Benzie-Leelanau District Health Dept minutes of January 24, 2008 received.
- Letter received from Dept of Labor & Economic Growth regarding Building Dept Performance Evaluation.
- Thank you letter from NMCOG regarding contribution to the Grand Vision project.
- Kalkaska County resolution regarding Common Water Use – information only.
- Airport Authority minutes of January 3 and February 7, 2008 received.
- Building Dept activity report for January 2008 received.
- Letter from Rep. Joel Sheltrown requesting support of HB 4323. Motion by Pitcher, seconded by Walterhouse, to adopt Resolution to Encourage Support for the passage of HB 4323 of

COMMISSIONERS

Page 5

February 19, 2008

- 2007, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Kelley, Pitcher, Roper, Sandman and Walterhouse Nays: Damm and Smeltzer
- Announcement from NPS regarding draft General Management Plan to be available after May 2008. Motion by Roper, seconded by Walterhouse, to request a copy of the plan for the Government Center, but only one need be obtained for the building. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None
- Announcement from DEQ re Land Acquisition Opportunities – information only.
- Notice of Homestead & Inland Twp joint planning meeting.
- Benzie Transportation Authority minutes of February 12, 2008 received.

NEW BUSINESS -- None

COMMISSIONER REPORTS

Comm Pitcher reported that she attended a DNR Land Consolidation meeting and states that the map will be available on the DNR web site or in our Zoning office.

Comm Kelley presented a written report and states that perhaps a ballot proposal would be best for the ATV/ORV issue.

Comm Sandman presented a written report.

Comm Damm informed the board regarding the Beulah Visioning Sessions – next one is tonight regarding the water front.

Comm Walterhouse reported on road commission meeting regarding the gravel pit – put on hold for now; Homestead Twp; Personnel; Headlee Committee; MAC Conference.

Comm Smeltzer has nothing additional.

Comm Roper presents the proposal for committee of the whole; personnel needs the full board's attention; we would meet on the 2nd and 3rd Tuesdays of each month; there will be a budget sub-committee with three commissioners then the last two meeting all commissioners will attend.

Comm Damm states that she has a hard time understanding the rationale behind this.

Comm Roper states that there will be five sub-committees: Budget; Interview; Assignments to Committees; Labor Contracts; HR Study.

Comm Pitcher states that other counties do this and she saw great efficiencies when we started the Finance Committee of the Whole.

Motion by Smeltzer, seconded by Pitcher, to adopt the Committee of the Whole proposal for Finance and Personnel for the remainder of 2008. Motion carried. Ayes: Kelley, Pitcher, Roper and Smeltzer Nays: Damm, Sandman and Walterhouse

COMMISSIONERS

Page 6

February 19, 2008

Board Rules: Motion by Smeltzer, seconded by Pitcher, to adopt the amended board rules as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Chairman Roper states that all 2008 Committee Appointments will remain the same.

Motion by Pitcher, seconded by Smeltzer, to approve the Committee of the Whole meeting dates as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Chairman Roper appoints the following sub-committees:

Budget	Don Smeltzer (chair), Mary Pitcher, Tom Kelley
Interview	Frank Walterhouse(chair), Jeff Sandman
Committees	Whole Board
Labor Contracts	Tom Kelley (chair), Frank Walterhouse
HR Study	Anne Damm (chair), Mary Pitcher

If two commissioners are not enough on a committee, the chair may appoint an additional third member from the Board of Commissioners to sit on that sub-committee.

Chairman Roper informs the board that the Turtle Lake Public Hearing was originally to be held today, but the attorney states that we can adopt the Turtle Lake Overlay District Ordinance next month without a public hearing. A letter will be requested from the attorney regarding enforcement of the ordinance.

3:45 p.m. PUBLIC INPUT

Cathy Demitroff, Homestead Twp, cautions the board to be double sure on the redistricting, that there will be no problems with the Crystal Lake suit.

3:47 p.m. PUBLIC INPUT CLOSED

Motion by Kelley, seconded by Smeltzer, to adjourn until March 18, 2008, or the call of the chair. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Mark E. Roper -- Chairman

Dawn Olney – Benzie County Clerk

INDEX

1. Approved the regular meeting minutes of January 22, 2008 as amended.
2. Approved the special meeting minutes of January 31, 2008 as presented.
3. Denied motion to consider going forward with an ATV/ORV Ordinance.
4. Denied motion to form a study group and study all acts and come back to this board.
5. Authorized the ambulance bill write-off in the amount of \$648.48, as presented.

COMMISSIONERS

Page 7

February 19, 2008

6. Authorized Craig Johnson to explore specifications for medium duty ambulances, to include air ride suspension, and bring back to this Board.
7. Attended Lunch and Annual Report at The Maples
8. Approved Consent Calendar items 1-7 and 9 as presented.
9. Authorized retroactive payment to Asst to the Zoning Admin and the Appraiser I positions.
10. Approved to put the IT Resources Policy on hold and bring back at the March 2008 meeting, after attorney review.
11. Approved the Assistant to the Zoning Administrator job description as presented.
12. Approved the Appraiser I job description as presented.
13. Reappointed Frank Putney to the ZBA for a three-year term, to expire October 1, 2010.
14. Reappointed Richard Hendricks to the ZBA for a three-year term, to expire October 31, 2010.
15. Extended the term of Steven Nugent to the Workforce Development Board to December 31, 2009.
16. Reappointed Don Smeltzer and Tom Kelley to the Manistee-Benzie CMH until December 31, 2008.
17. Committed to building the best rural Michigan County Planning, Zoning and Building Code program that the County can afford.
18. Auth letter of support to Manistee County for the Michigan Energy Fair, auth the chairman to sign.
19. Adopted Resolution to Encourage Support for the passage of HB 4323, auth the chairman to sign.
20. To request one copy of the NPS Management plan.
21. Adopted the Committee of the Whole proposal for Finance and Personnel for the remainder of 2008.
22. Adopted the amended board rules as presented.
23. Chairman Roper states that all 2008 Committee Appointments will remain the same as 2007.
24. Approved the Committee of the Whole meeting dates as presented.
25. Sub-committees for Committee of the Whole appointed.
26. Turtle Lake Overlay District Ordinance will be handled next month.