

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**March 18, 2008**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, March 18, 2008, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse  
Absent:           Excused: Commissioner Pitcher

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

Motion by Smeltzer, seconded by Kelley, to approve the agenda as amended, adding Craig Seger at 11:30 a.m. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse  
Nays: None   Exc: Pitcher

Motion by Smeltzer, seconded by Sandman, to approve the minutes of February 19, 2008 as presented. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse  
Nays: None   Exc: Pitcher

9:02 a.m. PUBLIC INPUT

Craig Seger, Zoning Administrator, presents and reads a letter from Secluded Land Company, LLC. with concerns regarding Turtle Lake Overlay District.

Keith Bonney, owner of Turtle Lake Campground has concerns regarding the Turtle Lake Overlay District.

9:10 a.m. PUBLIC INPUT CLOSED

**ELECTED OFFICIALS & DEPT HEAD COMMENTS**

Marlene Wood-Zylstra, Recycling Coordinator, has attended all township board meetings in the past few months; Record Patriot did do a follow up article; March 26 meeting scheduled for Manistee Alliance for Economic Success to look a regional approach for recycling; April 22 is Earth Day; she misses the holding of the informal department sessions.

Craig Seger, Zoning Administrator, says permits are trickling in for soil erosion and zoning; ZORC is moving ahead in getting the updates for the zoning ordinance; looking at activities for the Grand Vision activities – hopefully with the high school; March 20 Planning workshop at the Civic Center 6:30 – 9:30 p.m.; discussion regarding possible amendment/elimination of the G district.

Tom Longanbach, Equalization District, says county equalization will be in April and he updates the board on ratios; Comm Roper inquires regarding the assessors and their duties; extensive discussion held; the assessors just would like justification on the direction to increase assessments.

Dawn Olney, County Clerk, updates the board on the possible proposed June 3 2008 Presidential Primary re-do. The legislature needs to make a decision by Thursday, March 20.

Chuck Clarke, County Administrator, states that Aldo Davis may begin Short Term Disability with a crushed foot (non-work related); Charles Sessoms will need to have shoulder surgery; one deputy may go on short term disability as well.

## COMMISSIONERS

Page 2

March 18, 2008

10:00 a.m. Break

10:13 a.m. Reconvene

## COMMITTEE REPORTS

### **Finance:**

Chairman Roper presents Finance Consent Calendar items 1-6.

Comm Sandman removes items 2 and 3.

Motion by Smeltzer, seconded by Sandman, to adopt the Finance Consent Calendar items 1, 4, 5 and 6 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

Motion by Smeltzer, seconded by Damm, to adopt Finance Consent Calendar items 2 and 3 as follows: 2) To trade in the Ford ambulance with the most serious maintenance history; and 3) To trade in the Ford ambulance with the most serious maintenance history and purchase new vehicle from Road Rescue with three-year lease. Roll call. Motion carried. Ayes: Damm, Kelley, Roper and Smeltzer Nays: Sandman and Walterhouse Exc: Pitcher

### **Personnel:**

Motion by Smeltzer, seconded by Sandman, to approve the Personnel Consent Calendar items 1-7 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

**Animal Control:** Nothing

**EMS:** Nothing

**Planning & Zoning:** Nothing

### **County Administrator Report:**

Chuck presents the revised IT Policy.

Motion by Smeltzer, seconded by Sandman, to adopt the IT Resources Policy as amended, by removing the word "modify" from page 1 General Policy paragraph 4 line 4, as discussed. Roll call. Motion carried. Ayes: Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: Damm Exc: Pitcher

Watershed letter: Motion by Smeltzer, seconded by Damm, to authorize a letter be sent to the Crystal Lake & Watershed Association regarding the Crystal Lake water levels, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

## CORRESPONDENCE

- Manistee-Benzie Community Mental Health minutes of January 10, 208 received.
- Snowmobile reports for December 2007 and January 2008 received.
- Coastal Zone Management funding opportunity.

## COMMISSIONERS

Page 3

March 18, 2008

- Iron County Resolution – information only.
- Road Commission minutes of January 23 and February 13, 2008 received.
- EDC minutes of February 21, 2008 received.
- EMS minutes of February 5, 2008 received.

10:54 a.m. Break

11:08 a.m. Reconvene

11:10 a.m. Bill Sholten and Lt. Mike Hosh, MEMAC.

Lt Hosh presents a power point of the MEMAC program; 1776 jurisdictions around the state and any of them can become MEMAC members; adoption of a resolution does not bind us to respond; does not supersede other agreements; Michigan is the 43<sup>rd</sup> state to join EMAC; there is no cost to the county and can get out of the agreement at any time with 30 days written notice.

Motion by Kelley, seconded by Damm, to adopt the resolution for Michigan Emergency Management Assistance Compact as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

11:45 a.m. Marlene Wood-Zylstra, Recycling Coordinator

Marlene requests approval of four agreements:

Drug & Lab for two household hazardous waste collections; Goodwill Industries for two computer recycling collections; Memorandum of Understanding with Richard Nanni for a recycling site and Memorandum of Understanding with Benzie County Central Schools for cardboard recycling at Betsie Valley Elementary School.

Motion by Walterhouse, seconded by Damm, to enter into a contract with Drug & Laboratory Disposal, Inc. for the period March 11, 2008 through March 10, 2009 for Household Hazardous Waste Collections, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

Motion by Walterhouse, seconded by Damm, to enter into agreement with Goodwill Industries of Traverse City for two computer collection days, May 3 and August 9, 2008, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

Motion by Walterhouse, seconded by Smeltzer, to enter into a Memorandum of Understanding between Benzie County and Richard Nanni for a county recycling program site, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

Motion by Kelley, seconded by Damm, to enter into a Memorandum of Understanding with Benzie County Central Schools for cardboard recycling at Betsie Valley Elementary School as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

## COMMISSIONERS

Page 4

March 18, 2008

12:00 p.m. Craig Seger, Zoning Administrator

Presents information regarding the Turtle Lake Watershed Overlay District. This would be an amendment to the current County Zoning Ordinance; extensive discussion held; Mr. Figura has provided a letter as well; his concern is inefficient enforcement of the ordinance; Mr. Bonney inquires regarding mowing: Craig state that if he is mowing now, it is grandfathered; the use goes with the land, not the owner; if the land is not currently developed, then they need to follow the ordinance.

The results of this proposal are a negotiated settlement – the owners are not happy with the proposed ordinance, but say they can live with it.

If we approve this amendment and Inland & Homestead Twps decide to go on their own, this could be thrown out.

Motion by Walterhouse, seconded by Kelley, to bring back the Zoning Ordinance amendment regarding the Turtle Lake Watershed Overlay District to the April 15, 2008 meeting. Roll call. Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None Exc: Pitcher

12:40 p.m. Break for Lunch

1:20 p.m. Reconvene

## **CORRESPONDENCE – Continued**

- Building Dept report for February 2008 received.
- Letter received from Dept of Human Services regarding amended 2007-08 Child Care Fund – information only.
- Michigan Northern Counties minutes of January 28, 2008 received.
- Frankfort City-County Airport Authority minutes of February 7, 2008 received.
- Northern Michigan Substance Abuse Services minutes of January 7, 2008 received.
- Letter from Michigan EDC notifying of permission to incur Revolving Loan Funds for Crystal Mtn received.
- Region 7 Homeland Security Planning Board regional grant information regarding EMS agencies received.
- Transportation Authority minutes of March 11, 2008 received.
- Grand Vision information received.
- Region 7 Homeland Security Planning Board regional grant information for 911 dispatch center received.
- Frankfort City-County Airport Authority minutes of March 6, 2008 received.
- Snowmobile report for February 2008 received.
- Letter received from ROARR (Reaching Out Against Road Rage) requesting resolution. Motion by Kelley, seconded by Sandman, to adopt resolution in support fort July 13 through July 19, 2008 as Road Rage Awareness Week. Roll Call. Motion carried. Damm, Kelley, Roper, Sandman and Smeltzer Nays: Walterhouse Exc: Pitcher

## COMMISSIONERS

Page 5

March 18, 2008

### COMMISSIONER REPORTS

Comm Kelley: Provides a written report

Comm Sandman: Provides a written report

Comm Damm: Village of Beulah is going very strong with the Beulah Vision sessions; we should encourage of villages to do the same; frustrated with the HR study – sheriff dept is non-compliant, she has talked with Undersheriff Heckman and will talk with him again.

Comm Walterhouse: Nothing to add.

Comm Smeltzer: Glad we are holding off on the Turtle Lake deal – he will go visit the site; will provide copies to all commissioners of booklet “ Harnessing the Principles of Persuasion.

Comm Roper: Meeting at Northern Michigan Counties regarding legislation – feel the legislation is being run by the lobbyists; feels things are going good with the Committee of the Whole.

1:50 p.m. PUBLIC INPUT – None

Motion by Smeltzer, seconded by Damm, to adjourn until April 15, 2008, or the call of the chair.

Motion carried. Ayes: Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse Nays: None

Exc: Pitcher

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Mark E. Roper -- Chairman

Dawn Olney – Benzie County Clerk

### INDEX

1. Approved the agenda as amended.
2. Approved the minutes of February 19, 2008 as presented.
3. Adopted Finance Consent Calendar items 1, 4, 5 and 6 as presented.
4. Adopted Finance Consent Calendar items 2 and 3.
5. Approved Personnel Consent Calendar items 1-7 as presented.
6. Adopted the IT Resources Policy as amended.
7. Authorized a letter be sent to the Crystal Lake & Watershed Assoc.
8. Adopted the resolution for MEMAC as presented.
9. Entered into a contract with Drug & Laboratory Disposal, Inc. for the period March 11, 2008 through March 10, 2009 for Household Hazardous Waste Collections, authorizing the chairman to sign.
10. Entered into agreement with Goodwill Industries of Traverse City for two computer collection days, May 3 and August 9, 2008, authorizing the chairman to sign.
11. Entered into a Memo of Understanding between Benzie County and Richard Nanni for a county recycling program site, authorizing the chairman to sign.
12. Entered into a Memo of Understanding with Benzie County Central Schools for cardboard recycling at Betsie Valley Elementary School as presented, authorizing the chairman to sign.
13. To bring back the Zoning Ordinance Amendment for the Turtle Lake Watershed Overlay District to the April 15, 2008 meeting.
14. Adopted a resolution in support for July 13 through July 19, 2008 as Road Rage Awareness Week.