

THE BENZIE COUNTY BOARD OF COMMISSIONERS
June 17, 2008

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, June 17, 2008, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Roper, Smeltzer, Stobie and Walterhouse
Absent: Commissioner Pitcher arrived at 9:05 a.m.

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

Agenda: Motion by Walterhouse, seconded by Smeltzer, to approve the agenda as amended, adding Commissioner Appointments and Procedure for Filling Commissioner Vacancies. Motion carried.
Ayes: Damm, Kelley, Roper, Smeltzer, Stobie and Walterhouse Nays: None Abs: Pitcher

Minutes: Motion by Walterhouse, seconded by Damm, to approve the minutes of May 20, 2008 as presented. Roll call. Motion carried. Ayes: Dam, Kelley, Roper, Smeltzer, Stobie and Walterhouse
Nays: None Abs: Pitcher

Motion by Damm, seconded by Smeltzer, to approve the minutes of June 10, 2008 special meeting as presented. Motion carried. Ayes: Damm, Kelley, Roper, Smeltzer, Stobie and Walterhouse Nays: None Abs: Pitcher

9:05 a.m. Commissioner Pitcher Arrives

9:05 a.m. **PUBLIC INPUT**

Thelma Ryder-Novak thanks the board for upholding the democratic vacancy; encourages Marcia Stobie to accept the Airport Authority vacancy; appreciate her coming forward to fill the vacancy.

9:06 a.m. **PUBLIC INPUT CLOSED**

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Craig Johnson, EMS Director, says the new vehicle is outside and when you take a break perhaps you can go look at it; things are rolling along.

Chuck Clarke introduces the new Animal Control Officer, Jamie Croel.

Craig Seger, Zoning Administrator has three things to discuss: 1) letter to Bud Shipstead regarding the Grand Vision; 2) Village of Beulah is looking to hire the county for their zoning matters; and 3) Flooding issue on the East side of US-31 behind the Brookside and will be seeking funding to get the job done.

Motion by Smeltzer, seconded by Damm, to authorize letters of thank you regarding the Grand Vision project for Benzie County, authorizing the Chair and Vice Chair to sign. Motion carried.
Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Walterhouse, seconded by Pitcher, to authorize the Benzie County Zoning Department to provide zoning administrator services to the Village of Beulah under an agreement prepared by the County Attorney and signed by the Board of Commissioners Chairman for a period of six months,

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effective July 1, 2008. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse
Nays: None

Tom Longanbach, Equalization Director, informed the board that he is working on the 2009 numbers – has five townships complete.

COMMITTEE REPORTS

Committee of the Whole:

Finance:

Commissioner Roper presents Finance Consent Calendar items 1-9.

Comm Roper removes item 2.

Motion by Pitcher, seconded by Smeltzer, to approve Finance Consent Calendar items 1 and 3-9 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Pitcher, seconded by Smeltzer, to approve item 2 as amended and as follows: To approve the County Administrator's proposal to move forward with splitting the Benzie County Friend of the Court financial accounting away from Manistee County and handle separate Cooperative Reimbursement Program grants. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Claiming Reports:

Motion by Walterhouse, seconded by Damm, to approve the Claiming Report as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Pitcher, seconded by Smeltzer, to approve the Prepaid Bills as presented. Roll call. Motion carried. Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Personnel:

Commissioner Roper presents Personnel Consent Calendar item 1.

Motion by Kelley, seconded by Stobie, to approve the Personnel Consent Calendar item 1 as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Walterhouse, seconded by Pitcher, to approve the Animal Care Clerk job description as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Pitcher, seconded by Smeltzer, to approve the Animal Control Officer job description as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

The Field Appraiser (proposed new title: Appraiser II) job description was approved in May, 2008.

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Chairman Roper appoints Marcia Stobie to fill the term of Jeff Sandman's committees.
Motion by Pitcher, seconded by Walterhouse, to affirm the Chairman's appointment of Marcia Stobie to fill Jeff Sandman's committees. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

10:00 a.m. Break

10:17 a.m. Reconvene

Chairman Roper discusses the procedure followed for the appointment of the commissioner vacancy; this board decided on the procedures to follow; letters were sent to Gilmore Township, Village of Elberta and City of Frankfort seeking their input for proposed candidates; then an ad hoc committee was set up to review the letters of interest with a deadline for letters of June 6 at 12:00 noon, the committee would meet at 1:00 p.m. on that date; if there were concerns from other commissioners about the procedures they should have been brought up then – not at a meeting where the appointment was to be made.

Comm Damm says she did talk about appointing a democrat to the position and felt that it was consent that would happen; also agreed to not appoint a candidate; surprised there were no interviews done – it was irresponsible to not interview.

Comm Pitcher feels that those issues should have been brought up on May 20 not at the meeting where the appointment was made; she didn't support that.

Comm Damm says it was not adequate what we did.

Comm Pitcher felt it was adequate and she read the applications.

Comm Damm felt we should have interviewed as a group; she did read the letters of interest; she wants a procedure in place.

Comm Roper states that in the future commissioners should do their homework if there is a concern.

Comm Stobie says she would have welcomed phone calls to her.

Comm Smeltzer was not upset with the process; the system worked.

Comm Pitcher says she was OK with the process except for the disrespect to the commissioners.

Animal Control – no report

EMS – no report

Planning/Zoning – will be scheduling the analysis committee in the next couple of weeks.

COUNTY ADMINISTRATOR'S REPORT

Crystal Lake & Watershed Association request for resolution for Charitable Gaming License.

Motion by Walterhouse, seconded by Pitcher, to approve a Resolution of Application for Charitable Gaming License for the Crystal Lake & Watershed Association to hold a raffle, for four weeks. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

At the MAC Conference in February, discussion was held regarding the possibility of Benzie County Building Dept performing inspections for Manistee County; Chuck provides information to the board to review and will discuss further at the July 8 Committee of the Whole meeting.

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Ad Hoc Committee dealing with Building Dept issues will meet on June 27, 2008 at 1:00 p.m.

Chairman Roper received a letter requesting information on the former Undersheriff Rory Heckman and the Hatch Act.

Motion by Kelley, seconded by Smeltzer, to authorize Chairman Roper to respond to the letter from Joseph Morio with input from Sheriff Blank, Rory Heckman and Chuck Clarke. Motion carried.

Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

PRESENTATION OF CORRESPONDENCE

- Management Plan CDBG: Motion by Walterhouse, seconded by Kelley, to enter into agreement for Management Plan for Local Unit of Government Using a Third Party Administrator to Implement a MSHDA Office of Community Development Grant. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None
- Grant Administration Agreement: Motion by Pitcher, seconded by Walterhouse, to approve the Grant Administration Agreement with Northwest Michigan Human Services Agency and Benzie County, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None
- Benzie-Leelanau District Health Dept minutes of May 22, 2008 received.

11:15 a.m. Chip Johnson, CMH Update

Comm Smeltzer introduces Mr. Johnson the current interim Executive Director.

Mr. Johnson states that he has been with CMH since 1989; things are going quite well; the board is working real well; he is loyal to the local community; his goal is to maintain local mental health control – not regional; CMH has received a 3 year CARF Accreditation.

Comm Smeltzer states that the Dept of Community Health is on their back to get a permanent director appointed; there were 13 applications and they are working down to the final two that will go before the board for appointment of one.

CORRESPONDENCE CONTINUED

- Letter to Scott Gest, BVTMC from the DNR directing them to stop any planning efforts on the Outlet property. Comm Pitcher asks to be advised ahead of time; schedule the Friends of the Betsie Valley Trail and the Management Council to be at the July meeting.

11:35 a.m. John O'Neill, Benzie Housing Council

Requests letter of support to the Grand Traverse Band for 2% funds; introduces Laura Wilson a summer intern at the Housing council.

Motion by Roper, seconded by Pitcher, to send a letter of support for the Benzie Housing Council to the Grand Traverse Band for a 2% grant for the Foreclosure Rebound program. Motion carried.

Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

11:45 a.m. Ed McIntosh, Bixler-Carter-Platte Wastewater Treatment Association

Mr. McIntosh updates the board on the process the association has been making on wastewater treatment around Platte Lake; looking at property on the west end of the Road Commission gravel pit

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on Deadstream Road (about 2 acres); hoping for a letter of support from the county without any funds; target area of 60 members looks like it can be reached; the local health department will not be involved because of the size.

Motion by Kelley, seconded by Pitcher, to authorize a letter of support to the Bixler-Carter-Platte Wastewater Treatment Association that this board endorses the concept of the project for water quality. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse
Nays: None

12:10 p.m. Break for Lunch

1:20 p.m. Reconvene

Rory Heckman presents information regarding the Hatch Act letter; he has received additional information from the Office of Special Counsel that since no federal funds were received this year, he is not in violation and can resume the Undersheriff duties.

CORRESPONDENCE CONTINUED

- Comm Walterhouse presents information to the board regarding the parking area information with the Friends of the Betsie Valley Trail and the boat launch on Mollineaux Road.
- Crystal Lake & Platte Lake Elevation Reports
- Benzie County Road Commission minutes of April 23, April 25 and May 14 received.
- Energy Fair Invitation for June 27-29, 2008 at the Onekama Fairgrounds.
- Letter from Michael Somers regarding Performance Evaluation Report for the Building Dept.
- Homeland Security Planning Board letter – information only.
- Letter received from the Parks & Recreation Commission regarding Railroad Point – Mr. Figura is on top of this issue for a response.
- Copy of a letter received from the Benzie Fishery Coalition to Sleeping Bear Dunes National Lakeshore regarding the draft General Management Plan – information only.
- 2008 Report to the Legislature regarding 9-1-1 service.
- Michigan Northern County Assoc minutes of May 19, 2008 received.
- Letter received from General Preservation Corp – information only.
- Frankfort City-County Airport Authority minutes of May 1 and June 5, 2008 received.
- Area Agency on Aging: Motion by Walterhouse, seconded by Pitcher, to adopt the Resolution for Area Agency on Aging FY 2009 Annual Implementation Plan as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None
- Benzie Transportation Authority minutes from June 10, 2008 received.
- Bay County Resolution regarding Prioritizing Health Insurance – information only.
- Building Dept Activity report for May 2008 received.
- Information received regarding Upgrade for 9-1-1 system provided by Lori Commins, Coordinator; Chuck feels there are other options and we shouldn't lock ourselves in for 5 year. Referred to Committee of the Whole meeting in July.

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COMMISSIONER REPORTS

Comm Pitcher reported that the Chamber has sent out an email to all membership regarding our opening on the Benzie Transportation Authority; Frankfort & Benzonia Chambers were discussing a combination of their offices – not going to happen at this time; Pointe Betsie Lighthouse is having their 150 anniversary this year with a Juried Art Show on July 11 and a Birthday Party on August 4; Chamber after hours will be Thursday, June 19 from 5-7:00 p.m. at Pointe Betsie; Bob King has resigned from the Airport Authority; Public Hearing was held for Food for Thought at Platte Twp and a special land use permit has been issued for the business as it is today – agricultural food processing – if it sells, the permit goes with the property; Zoning Ordinance revisions are moving along and a public hearing will be held on July 10 for part 2; Water resolution from last month cannot be re-written – will be submitted as it.

Comm Damm leaves at 2:30 p.m.

Comm Walterhouse reports that the Road Commission is dealing with a company names Miller & Co putting in test low level gas wells on properties – 300 between Leelanau & Benzie County at \$3.00 per acre for 3 years with a renewal of 3 years; will put a pipeline in at a cost of \$250,000.

Comm Pitcher leaves at 2:35 p.m.

Comm Smeltzer says he has been quite busy with CMH; there are a couple of lawsuits out there regarding CMH.

Comm Kelley says he will provide a written report; Colfax has passed recycling – Village of Thompsonville didn't.

Comm Stobie states that she will attend the Frankfort City Council meeting tonight.

Comm Roper thanks Comm Stobie for coming on the board; Almira Township is trying to get a piece of property in Lake Ann for the beach project – they will be holding fund raiser; Energy Fair; Grand Vision – great success at the Benzie session – a lot of people were there; Benefit dinner for Blair Duvall, MSP officer, tomorrow night; ORV HB 4323 has passed the recreational tourism committee at the House and will now go to the Senate; if Benzie County adopts the ordinance, other municipalities can choose to opt out.

2:55 p.m. PUBLIC INPUT – None

Motion by Kelley, seconded by Walterhouse, to adjourn until July 15, 2008, or the call of the chair. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

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1. Approved the agenda as amended.
2. Approved the minutes of May 20, 2008 as presented.
3. Approved the minutes of June 10, 2008 special meeting as presented.
4. Authorized letters of thank you regarding the Grand Vision project for Benzie County, authorizing the Chair and Vice Chair to sign.
5. Authorized the Benzie County Zoning Department to provide zoning administrator services to the Village of Beulah under an agreement prepared by the County Attorney and signed by the Board of Commissioners Chairman for a period of six months, effective July 1, 2008.
6. Approved Finance Consent Calendar items 1 and 3-9 as presented.
7. Approved item 2 as amended and as follows: To approve the County Administrator's proposal to move forward with splitting the Benzie County Friend of the Court financial accounting away from Manistee County and handle separate Cooperative Reimbursement Program grants. Roll call.
8. Approved the Claiming Report as presented.
9. Approved the Prepaid Bills as presented.
10. Approved the Personnel Consent Calendar item 1 as presented.
11. Approved the Animal Care Clerk job description as presented.
12. Approved the Animal Control Officer job description as presented.
13. Affirmed the Chairman's appointment of Marcia Stobie to Jeff Sandman's committees.
14. Approved a Resolution of Application for Charitable Gaming License for the Crystal Lake & Watershed Association to hold a raffle, for four weeks.
15. Authorize Chairman Roper to respond to the letter from Joseph Morio.
16. Entered into agreement for Management Plan for Local Unit of Government Using a Third Party Administrator to Implement a MSHDA Office of Community Development Grant.
17. Approved the Grant Administration Agreement with Northwest Michigan Human Services Agency and Benzie County, authorizing the chairman to sign.
18. Auth sending a letter of support for the Benzie Housing Council to the Grand Traverse Band 2% Grant.
19. Authorized a letter of support to the Bixler-Carter-Platte Wastewater Treatment Association that this board endorses the concept of the project for water quality.
20. Adopted the Resolution for Area Agency on Aging FY 2009 Annual Implementation Plan as presented.