

THE BENZIE COUNTY BOARD OF COMMISSIONERS
July 15, 2008

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, July 15, 2008, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Roper, Sandman, Smeltzer and Walterhouse
Commissioner Pitcher arrived at 9:03 a.m.

Absent: None

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

Motion by Walterhouse, seconded by Smeltzer, to approve the agenda as amended, removing Craig Seger at 11:15 a.m. Motion carried. Ayes: Damm, Kelley, Roper, Smeltzer, Stobie and Walterhouse
Nays: None Abs: Pitcher

Motion by Walterhouse, seconded by Smeltzer, to approve the minutes of June 17, 2008 as presented. Motion carried. Ayes: Damm, Kelley, Roper, Smeltzer, Stobie and Walterhouse Nays: None
Abs: Pitcher

9:02 a.m. PUBLIC INPUT – None

9:03 a.m. Comm Pitcher arrives

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Linda Wilson, County Treasurer, updates the board on the procedures to date regarding the bids received for clean up of the junk yard; bids were all over the place from \$36,000 to \$180,000; she has met with an engineer and will write up specs so that all bidders will be bidding on the same items; she asked that the county take ownership of the parcel; the DEQ has tested 2 of 3 wells and they are OK; she would like to apply for a tire removal grant from the DEQ in August for clean up of the tires.

Craig Seger, Zoning Administrator, says the process is the most important issue here; the property owners typically do not have the wherewithal to take care of the problem when it gets out of hand; an Engineer will come up with the work plan and assess the property as it is today.

Comm Roper feels the process has not been done correctly and we need to be very careful in rushing through this, we need to do it the proper way; would like to see a committee appointed to handle it and oversee but we need to know the cost first; Committee of: Linda Wilson, Dawn Olney, Chuck Clarke, Craig Seger, Comm Kelley, Comm Walterhouse and Attorney Figura.

A special meeting is scheduled for Wednesday, July 30, 2008 at 9:00 a.m. to discuss this issue.

Tom Longanbach, Equalization Director, provides the board with the balance of the sales studies for the townships not mentioned last month: Gilmore, Inland, Joyfield, Lake, Platte, Weldon and Frankfort City.

COMMITTEE REPORTS

Committee of the Whole:

Finance:

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Comm Roper presents Finance Consent Calendar items 1-11.

Motion by Pitcher, seconded by Smeltzer, to approve Finance Consent Calendar items 1-11 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Claiming Reports:

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

Prepaid Bills:

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

Auditors:

Motion by Kelley, seconded by Walterhouse, that a three year contract (for Fiscal Years 2008 through 2010) be entered into with Rehman Robson to perform Auditing Services for Benzie County at the amounts stipulated in their proposal. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Jail Millage Initiative:

Motion by Walterhouse, seconded by Stobie, to authorize a May 2009 election date for jail operations renewal. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

9:55 a.m. Break

10:05 a.m. Reconvene

Personnel:

Comm Roper presents Personnel Consent Calendar item 1.

Motion by Pitcher, seconded by Smeltzer, to approve Personnel Consent Calendar item 1 as presented, to reappoint Dale Flaherty and James Hanley to the Solid Waste Advisory Committee to three year terms to expire August 21, 2011 and August 1, 2011 respectively. Roll call. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Job Description – Deputy Drain Commissioner:

Motion by Walterhouse, seconded by Pitcher, to adopt the job description of the Deputy Drain Commissioner contingent on the Drain Commissioner approval. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer and Walterhouse Nays: Roper and Stobie

Animal Control:

Chuck indicates that they are following protocol; Jamie is not deputized at this point to issue tickets and they are patrolling the area in question each day; if the animal is off the property, they will take

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possession; Jamie & Chuck will work on a written response to Ms. Houghtaling regarding the procedures being followed and what is being done.

EMS – Nothing additional.

Planning & Zoning – Nothing additional.

COUNTY ADMINISTRATOR'S REPORT

Chuck updates the board regarding Robert Blanks' lawsuit; the suit has been forwarded to MMRMA for consideration of representation; Chuck has also talked with Dave Stoker; a show cause hearing has been scheduled for August 12, 2008 at 3:30 p.m. in the Circuit Court.

Betsie Valley Trail parking lot issue; they are working on a plan for proposal to the DNR; Chuck will contact Mark Mandenberg to discuss the issue.

CORRESPONDENCE

- Parks & Recreation minutes of May 19, 2008 received.
- Northwest Michigan Council of Governments agenda.
- Michigan Land Use Institute letter – information only.
- Michigan Film Forum information – information only.
- Benzie County Road Commission minutes of May 28 and June 11, 2008 received.
- Lake County resolution regarding HB 6112 received – information only.
- ORV information from Rep Joel Sheltrown received – gone to the Governor's desk for signature.
- Crystal Lake and Little Platte Lake elevation reports received.
- Northwest Michigan Council of Governments Non-motorized Transportation Plan Strategy received – information only.

11:00 a.m. Norm Campbell – EDC Update

Norm gave the board and updated report of the happenings of the EDC; they now have a web site www.benziecountyedc.com and an EDC counselor, Bryce Dreeszen at the chamber office on Thursdays from 9 a.m. to 1 p.m.

Chuck introduces the new Assistant Part Time Animal Control Officer Ed Carter who will be working 16 – 24 hours per week.

11:08 a.m. Break

11:15 a.m. Reconvene

CORRESPONDENCE CONTINUED

- Frankfort City-County Airport Authority minutes of June 5, 2008 received.
- EDC minutes of June 26, 2008 received.
- Northern Michigan Substance Abuse Services, Inc. minutes of May 5, 2008 received.

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- Building Dept report for June 2008 received.
- Benzie Chapter of MTA agenda for July 16, 2008 and minutes of April 16, 2008 received.
- Amendment to NMHSA agreement: Motion by Walterhouse, seconded by Damm, to authorize the Amendment to the 2008-2009 CDBG Administrative Agreement between Benzie county and Northwest Michigan Human Services Agency, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None
- Frankfort city-County Airport authority minutes of July 3, 2008 received.
- Michigan Northern Counties Assoc minutes of June 16, 2008 received. Local Government workshop on Performance Measurement & Management for Government – Mark, Chuck, Anne and Steve Fouch will attend.

COMMISSIONER REPORTS

Comm Pitcher reminded everyone of the 150th birthday of the Point Betsie Lighthouse on August 4, at 7:00 p.m.

Comm Roper states that he has been contacted by a constituent regarding the area around Point Betsie Lighthouse; he feels it should be posted where people can walk in that area.

Comm Pitcher will look into it.

11:30 a.m. John Brakora, Attorney

Mr. Brakora introduces himself; he is a candidate for 85th District Court Judgeship; feels he is qualified to serve as Judge and will serve the people that elect him.

Comm Kelley provides a written report and informs the board that Bendon Heritage Festival is scheduled for the last weekend in July.

Comm Stobie states that she attended the Frankfort City Council meeting with a full agenda and they have done a good job.

Comm Damm is working on a broadband issue with Kathy Ross and a group called Merit; she will bring additional information when it is available; the library is working at possible district library for .29 mill in November which could generate about \$70,000 for each library.

Comm Walterhouse states that the building department ad hoc committee met on June 27 and inquires if that committee is now complete and should be turned over to the budget committee – Chairman Roper states that the committee will remain in place for now.

Comm Smeltzer states that there is a new worm that the farmers are concerned with that is feeding on the corn crops; he asks what the history is of the ACO and Sheriff with deputizing the ACO. Chairman Roper explains the history.

Chairman Roper reported that Lake Ann Heritage Days were held on July 5 had the largest turnout they have ever had; they are working on a fund raiser for the beach on Lake Ann and will have an auction on August 2; asks about expenses to Beaver Island and Traverse City meeting.

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Motion by Walterhouse, seconded by Kelley, to authorize expenses for the chairman to attend the Beaver Island conference with the county to pay the expenses for per diem and mileage. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Smeltzer, seconded by Walterhouse, to authorize expenses to Chairman Roper to attend the Traverse City Dinner for the Covey Event on October 22, 2008. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

12:02 p.m. PUBLIC INPUT

Don Schmitt, Ash Road, asks if the county controls Ash Road, if so, why do foreign agents harass the people there.

12:04 p.m. Motion by Kelley, seconded by Smeltzer, to adjourn until August 19, 2008, or the call of the chair. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Mark E. Roper -- Chairman

Dawn Olney – Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the minutes of June 17, 2008 as presented.
3. A special meeting is scheduled for Wednesday, July 30, 2008 at 9:00 a.m.
4. Approved Finance Consent Calendar items 1-11 as presented.
5. Approved the Claiming Report as presented.
6. Approved the Prepaid Bills as presented.
7. Auth a three year contract (for Fiscal Years 2008 through 2010) be entered into with Rehman Robson to perform Auditing Services for Benzie County at the amounts stipulated in their proposal.
8. Authorized a May 2009 election date for jail operations renewal millage. .
9. Reappointed Dale Flaherty and James Hanley to the SWAC for 3 year terms.
10. Adopted the job description of the Deputy Drain Commissioner contingent on the Drain Commissioner approval.
11. Authorized the Amendment to the 2008-2009 CDBG Admin Agreement between Benzie County and NMHSA.
12. Authorized expenses for the chairman to attend the Beaver Island conference with the county to pay the expenses for per diem and mileage.
13. Authorize expenses to Chairman Roper to attend the Traverse City Dinner for the Covey Event on October 22, 2008.