

THE BENZIE COUNTY BOARD OF COMMISSIONERS
August 19, 2008

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, August 19, 2008, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Pitcher, Roper, Stobie and Walterhouse
Commissioner Smeltzer arrived at 9:10 a.m.

Absent: None

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

Motion by Walterhouse, seconded by Pitcher, to approve the agenda as amended, adding HB 4323 & 5999 and permit fee under New Business. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Stobie and Walterhouse Nays: None Abs: Smeltzer

Motion by Pitcher, seconded by Damm, to approve the regular meeting minutes of July 15, 2008 as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Stobie and Walterhouse Nays: None Abs: Smeltzer

9:05 a.m. PUBLIC INPUT

Bob Rosa, Benzie County Road Commissioner, requests reappointment – his term expires December 31, 2008; he has been on the road commission board since 1992. Asks for your support.

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Dawn Olney, County Clerk, provides the board with a copy of the HAVA grant which she has signed for AutoMARK accessories.

Comm Smeltzer arrives at 9:10 a.m.

Craig Seger, Zoning Administrator, provides the board with permit comparisons for 10 years for the months January – June; Discusses Cold Creek & Crystal Lake Watershed Protection Improvements being worked on; The Grand Vision meeting August 26, 7:00 – 8:30 p.m. at Mills Community House.

Dave Neiger, County Planner, informs the board of the projects he has been working on: connection of the Betsie Valley Trail and TART trail in Grand Traverse County; Community Planning Committee is moving along, and have asked all 19 units of government to appoint someone to represent them; Have had meetings regarding the Parks & Rec Plan with the committee; the meeting regarding the Grand Vision on August 26 will have unique data for Benzie County.

COMMITTEE REPORTS

Committee of the Whole

Finance

Chairman Roper presents Finance Consent Calendar items 1-6.

Motion by Smeltzer, seconded by Stobie, to approve Finance Consent Calendar items 1-6 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

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Claiming Reports:

Motion by Pitcher, 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 Pitcher, 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 Walterhouse, seconded by Pitcher, to approve the letter of thank you to Anderson Tackman & Company and have all commissioners, treasurer, clerk & county administrator sign same. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Personnel

Chairman Roper presents Personnel Consent Calendar items 1-7.

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

Motion by Walterhouse, seconded by Pitcher, to reappoint Robert Rosa to the Benzie County Road Commission for a six year period beginning January 1, 2009. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Walterhouse, seconded by Smeltzer, to authorize Mary Pitcher to be the interim voting member to the Airport Authority until a replacement is in place. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Animal Control – Nothing Additional

EMS – Nothing Additional

Planning & Zoning – Nothing Additional

9:55 a.m. Break

10:02 a.m. Reconvene

COUNTY ADMINISTRATOR'S REPORT

Chuck and Bill Sholten talk about the Homeland Security Grants available for regional dispatch programs; they request the board to authorize a letter to explore the feasibility of such an option; at this time there has been talk with Grand Traverse and Leelanau Counties regarding this possibility.

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Motion by Walterhouse, seconded by Smeltzer, to authorize a letter of intent for Region 7 Homeland Security to explore the feasibility of a regional dispatch center. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

CORRESPONDENCE

- Letter from Linda Wilson, County Treasurer, regarding library penal fine distribution
- Thank you letter from John Brakora, candidate for 85th district court.
- Letter from Senator Stabenow – information only.
- Frankfort City-County Airport Authority minutes of July 3, July 17 and August 7, 2008 received.
- Parks & Recreation 2008 Calendar.
- Parks & Recreation minutes of May 19 and June 23, 2008 received.
- Road Commission minutes of June 25 and July 9, 2008 received.
- Letter received from MSHDA regarding authorization to incur CDBG grant costs.
- Letter received re federal funding for Transportation Project – referred to the Transportation Authority and Road Commission.
- Benzie-Leelanau District Health Dept minutes of July 24, 2008 received.
- Letter from Larry Emig, Osceola County Chair, seeking support for reappointment to a 3-year term on the MAC board of directors – information.
- Solid Waste Advisory minutes of June 25 and July 16, 2008 received.
- Letter from DHS regarding amended 2007-08 annual plan and budget for Child Care.
- Letter from Dept of Agriculture regarding Greg Gilroy received.
- Building Dept Enforcement report for July 2008 received.
- Frankfort City-County Airport Authority User Survey received.
- MMRMA retention fund report through June 30, 2008.

NEW BUSINESS

Chairman Roper presents information regarding the ORV ordinance, being HB 4323 and 5999; he suggests we move forward with a 45 day comment period with the Road Commission, National Park Service, Dept of Natural Resources and Sheriff Office; the townships can opt out before the county adopts it; if it is a county ordinance, prosecution would be through the county; if a township ordinance, the township would see to the prosecutions; if the county does not act within one year, then the townships could adopt their own and enforce their own.

Motion by Kelley, seconded by Roper, to send the proposed ordinance to the Dept of Natural Resources, Benzie County Road Commission, National Park Services and the Benzie County Road Commission for a 45 day comment period. Roll call. Motion carried. Ayes: Kelley, Roper, Smeltzer, Stobie and Walterhouse Nays: Damm and Pitcher

Motion by Kelley, seconded by Walterhouse, to forgive the building department permit fees for the Township of Inland to erect a pavilion at Bronson Lake and Lake Ann Roads. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

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11:00 a.m. Neil Assante – Community Corrections

Neil presents the annual 2009 plan and application; he states that that Dave Wells is no longer in charge of the program, but it is handled through Northwest Michigan Council of Governments.

Motion by Pitcher, seconded by Walterhouse, to adopt the Resolution 2008-014 as presented, for Community Corrections. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

11:06 a.m. Break

11:15 a.m. Reconvene

11:15 a.m. Ed McIntosh, Benzie Fishery Coalition

Mr. McIntosh informs the board of the Fishery Coalition issues regarding the General Management Plan; they feel every park should be studied; they were late in getting the GMP done and made a lot of assumptions to close county roads and dig them up to plant vegetation; there were instant reactions to the plan; six years later we see the plan come forward again – but don't see were they took our input to heart. What wilderness means today is different than in 2002, which is up to the NPS. The difference is that the creation is law. Dusty Schultz says she has control over all inland waters inside the park – wrong, the people of the state do. How can the NPS ban glass on the Platte River? They can't. Federal Government people were issuing tickets to people with glass containers on county and national property – they themselves were trespassing. A public hearing was held at the Platte River School and took just 18 minutes; this will have an economic depressing effect on Benzie County. Asks this County board to recommend Alternative B; your own Parks and Rec Commission recommends Alternative B.

11:35 a.m. Jeannette Feeheley, Citizens for Access to the Lakeshore; and CAL board members Joanne Appelhof, Jack Feeheley and Phyllis Crowell VanHammen: Feeheley thanked the Commissioners for allowing CAL to update them on CAL's views now that the three year old General Management Process is in its semi-final stage, and provided extensive documentation on how our Congressmen and Senators had gotten the Park Service to incorporate in its new 2008 Alternative almost all major requests that have been made by the public. Feeheley said that the work of our Congressmen and Senators have resulted in proposed changes to the current untenable wilderness situation, changes that will, if approved by Congress, statutorily remove the county roads and historical structures forever from wilderness boundaries and protect the access that local citizens have worked so hard to bring about. She urged the Commissioners to not take any action that would send a message of ingratitude to our Congressmen and Senators after all their labors with the Park Service.

12:05 p.m. Tom Ulrich, National Park Service

Mr. Ulrich states that he has no presentation to give but would answer questions if anyone has some; we cannot put in what everyone wants in the plan; several questions were asked and answered; Mr. Ulrich will provide the board with information regarding the NPS right to issue citations.

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Commissioner Pitcher distributed two resolutions, one from the Benzie County Chamber of Commerce and one from the Convention and Visitor's Bureau. The resolutions expressed support for the Park Service's current general management plan and the planning process. Pitcher also presented a copy of the August 22, 2007 letter that the Board of Commissioners sent to the park service. She stated that the park service had incorporated all of the previous Board of Commissioner requests into their preferred alternative. Pitcher also requested that Mr. McIntosh remove the sentence that misrepresents her view from his correspondence.

Motion by Smeltzer, seconded by Pitcher to express the view of the Board County Board of Commissioners that we support the replacement of the current de facto 1981 wilderness boundaries with new wilderness boundaries that exclude county roads and major historical sites from any wilderness designation, as proposed by the National Park Service in their April 2008 Preferred Alternative of the General Management Plan/Wilderness Study/Environmental Impact Statement. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: Roper

12:45 p.m. Break for Lunch

1:15 p.m. Reconvene

1:15 p.m. Dave Neiger, County Planner, introduces Karen Roberts who presents a power point of her Socio Economic Update.

Motion by Stobie, seconded by Damm, to adopt the resolution of Support for the Amendment of 2020 Comprehensive Plan Amendment 2008-01. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

2:00 p.m. Craig Seger, Zoning Administrator

Craig presents an Amendment to the Zoning Ordinance dealing with towers and antennas.

Motion by Walterhouse, seconded by Pitcher, to adopt the Zoning Ordinance Amendment 2008-002 as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

CORRESPONDENCE CONTINUED

Letter received from Dept of Labor regarding registration as Building Official – information.
Benzie Transportation Authority minutes of August 12, 2008 received.

COMMISSIONER REPORTS

Comm Pitcher inquires regarding a card for Sharon Hillquist – she will purchase one and circulate for signatures; asks the fee committee to consider an increase in the aerial photo charge; ZORC took a “windshield tour” of the county to see how the properties are now. She asks Marcie Stobie if she would consider applying for the Airport Authority vacancy.

Comm Kelley presented a written report and states that CMH has offered the Executive Director position to Chip Johnson.

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Comm Stobie reported on the debris washing up on the shorelines; Airport Authority now has insurance; she toured the airport and would recommend that to whomever her successor is.

Comm Damm reported that Lake Township has turned down the idea of a District Library with Beulah; Dave Neiger suggested a brainstorming with all townships regarding this issue and Steve Fouch will facilitate this for them; all schools will have access to on-line services; working on the broadband issue.

Comm Smeltzer states that the budget committee will meet tomorrow at 8:00 a.m.

2:34 p.m. PUBLIC INPUT -- None

Motion by Walterhouse, seconded by Smeltzer, to adjourn until September 16, 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 regular meeting minutes of July 15, 2008 as presented.
3. Approved Finance Consent Calendar items 1-6 as presented.
4. Approved the claiming report as presented.
5. Approved the prepaid bills as presented.
6. Approved the letter of thank you to Anderson Tackman & Company and have all commissioners, treasurer, clerk & county administrator sign same.
7. Approved Personnel Consent Calendar items 1-7 as presented.
8. Reappointed Robert Rosa to the Benzie Co Road Comm for a six year period beginning 01/01/2009.
9. Authorized Mary Pitcher to be the interim voting member to the Airport Authority until a replacement is in place.
10. Authorized a letter of intent for Region 7 Homeland Security to explore the feasibility of a regional dispatch center.
11. Auth to send the proposed ordinance to the Dept of Natural Resources, Benzie County Road Commission, National Park Services and the Benzie County Road Commission for a 45 day comment period.
12. Approved to forgive the building department permit fees for the Township of Inland to erect a pavilion at Bronson Lake and Lake Ann Roads.
13. Adopted the Resolution 2008-014 as presented, for Community Corrections.

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14. Approved to express the view of the Board County Board of Commissioners that we support the replacement of the current de facto 1981 wilderness boundaries with new wilderness boundaries that exclude county roads and major historical sites from any wilderness designation, as proposed by the National Park Service in their April 2008 Preferred Alternative of the General Management Plan/Wilderness Study/Environmental Impact Statement.
15. Adopted the resolution of Support for the Amendment of 2020 Comprehensive Plan Amendment 2008-01.
16. Adopted the Zoning Ordinance Amendment 2008-002 as presented.