THE BENZIE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
October 14, 2008

The Benzie County Board of Commissioners met as a Committee of the Whole on Tuesday, October 14, 2008, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse
Absent: None

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

Approval of the Agenda: Motion by Walterhouse, seconded by Pitcher, to approve the agenda as amended, adding 8.B. Trail Budget; 9.B. Area Agency on Aging contribution due for 2004-2006; Remove 12.B. Airport Authority Appointment; Add Planning Contract as first item on General Personnel Issues. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Approval of the Minutes: Motion by Pitcher, seconded by Smeltzer, to approve the minutes of September 9, 2008 as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

9:07 a.m. PUBLIC INPUT
Thelma Novak, comments on the Airport Authority interview process.
Eric VanDussen talks about the lawsuit filed by Mike Moran; asks where money set aside for the renovations went; contracts with the inspectors.
9:12 a.m. Public Input Closed

FINANCE
General Finance Issues:

Grant for Trail: Motion by Walterhouse, seconded by Smeltzer, to recommend to the Board of Commissioners to authorize the trail grant agreement with the State of Michigan in the amount of $10,000, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie Nays: Roper and Walterhouse

Contracts with Road Commission:

Motion by Walterhouse, seconded by Smeltzer, to recommend to the Board of Commissioners to approve the contract with Benzie County Road Commission for Betsie Valley Trail Maintenance as presented, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Motion by Walterhouse, seconded by Smeltzer, to recommend to the Board of Commissioners to approve the contract with the Benzie County Road Commission for snow removal on the jail access road, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Contract with Hi-Tec: Motion by Walterhouse, seconded by Pitcher, to recommend to the Board of Commissioners to enter into a one year contract with Hi-Tec Building Services, Inc. for

cleaning at the Benzie County Government Center, authorizing the chairman to sign; together with a review of the contract and services in one year. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Budget Issues:

Final 2008 Amendments on Funds 201, 254, and 569:

Motion by Walterhouse, seconded by Pitcher, to recommend to the Board of Commissioners to amend the 2008 budget for fund 201 Road Commission, by increasing the revenues and expenditures as follows:

Revenues:

201-000-691.00	Budgeted Use of Fund Balance	$500,000

Expenditures:

201-000-800.00	Contracted Services	$500,000

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

Motion by Smeltzer, seconded by Walterhouse, to recommend to the Board of Commissioners to amend the 2008 budget for fund 354 Ambulance Debt/Millage by increasing the revenues and expenditures as follows:

Revenues:

354-000-665.00	Interest on Deposits	$ 990.23

Expenditures:

354-000-964.00	Refunds/Rebates	$ 990.23

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

Budget adjustment request for fund 569, Housing – information only.

Trail Budget: Motion by Pitcher, seconded by Smeltzer, to recommend to the Board of Commissioners to set the 2009 budget for the Betsie Valley Trail (fund 230) as follows:

Revenues:

230-000-539.00	State Grant	$10,000

Expenses:

230-000-800.00	Contracted Services	$ 5,000
230-000-957.30	Landscape/Trail Maintenance	$ 5,000

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

Spending Issues:

Year End Spending Requests: Chuck states that they are looking at a few items and will finish up 2008 with those: Three possible copiers; Register of Deeds Server; Elevators issues; telephone system.

Area Agency on Aging: Comm Kelley has been presented with a bill for 2004, 2005 and 2006 for Benzie County share totaling $9,657.00. Motion by Kelley, seconded by Walterhouse, to recommend to the Board of Commissioners to authorize the payment of $9,657.00 to Area Agency on Aging for services from 2004, 2005 and 2006, to be paid as soon as possible after January 1, 2009. Roll call. Motion carried. Ayes: Damm, Kelley, Smeltzer, Stobie and Walterhouse Nays: Pitcher, and Roper

Sheriff:

Purchase of cars: Motion by Walterhouse, seconded by Kelley, to recommend to the Board of Commissioners to authorize a three-year lease with Central State Bank for two police vehicles for a total of $42,456.00, as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

U/S Heckman states that he will report next month with information on Canteen service preparing meals at our jail for transfer to Manistee County; we are receiving a 15% discount for allowing them to use our kitchen.

Reports:

Treasurer's Report – Linda Wilson:

Status of Foreclosed Property: Linda states that the Judge has signed the Consent Judgment and the transfer has been made of the Fewins' property and the county will retain 22 acres; she will be filing a declaration that the use will be Rural-Residential – not junk yard; auction of the 22 acres will be held on Thursday, October 23, 2008 here at the Government Center.

Cash Fund Report: All funds are in balance for 2008 at this time; one fund is out of balance for 2009 at this point; only changes that will surface for 2008 will be interest added.

Bond Report: She provides a bond report showing total bonded debt of $1.425 million and inter-fund borrowing of $1,432,498.72.

Land Bank: Motion by Pitcher, seconded by Smeltzer, to recommend to the Board of Commissioners to authorize Linda Wilson, County Treasurer, to apply for a grant to Genesee Institute to educate Benzie County on the land bank, up to $15,000, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Controller's Report: States that he needs another month to get the year end expenses together.

10:15 a.m. Break
10:25 a.m. Reconvene

PERSONNEL
General Personnel Issues:

Planning Commission: Kathy Ralston, Chairman of the Planning Commission, presents information regarding possible change in the FY 2009 budget for the Planning Dept & Zoning Depts. She reads a Statement of Principles to the Board of Commissioners.

Comm Damm presented budget recommendations for the board to consider for Planning & Zoning.

Comm Roper feels that ZORC should go to Planning and Mr. Seger should only finish the ordinances he is currently working on.

Comm Kelley does not agree that Mr. Seger should be writing the ordinances he is to enforce.

Comm Damm agrees that the Zoning Administrator should not write the ordinances.

Comm Roper feels we should reconvene the budget committee and look at Planning/Zoning/Building Depts. as a whole; he feels we should move forward and facilitate a meeting with the Board of Comm, Planning Commission and townships under county planning, together with Mr. Figura and Kurt Schindler; we need everyone in the same room to talk about it; if townships are involved in county planning, they need a vote; perhaps disband the planning commission and appoint townships that are a part of county planning.

~~Comm Damm agrees, but feels all townships should be invited, not just those under county planning; and not disband the current planning commission until the next one is formed. She feels we should maintain the current zoning administrator and planner.~~

Comm Damm agrees to the meeting, but feels all townships should be invited, not just those under county planning; and not to disband the current planning commission until and unless a consensus of all participating parties to the meeting agree.

Motion by Kelley, seconded by Walterhouse, to recommend to the Board of Commissioners to continue Dave Neiger as County Planner through the end of this year, December 31, 2008, with funds to come from contracted services. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Dave Neiger says to be careful how you get the townships involved, they way the law reads, it doesn't allow the elected to be on the commission.

Motion by Pitcher, seconded by Smeltzer, to recommend to the Board of Commissioners that ZORC be immediately reconstituted with the following limited duties: Articles II, III, and XVI, the proposed Draft Platte Lake Overlay District, Platte township proposal, and Wind Energy Overlay District with the current Zoning Administrator to complete this work with the ZORC. Motion carried. Ayes: Damm, Pitcher, Roper, Smeltzer and Stobie Nays: Kelley and Walterhouse

Recording Secretary for Planning Commission: Chuck to take care of posting the position after further discussion with Chris Flynn.

11:35 a.m. Break
11:45 a.m. Reconvene

Building Inspector Contracts: Motion by Stobie, seconded by Walterhouse, to recommend to the Board of Commissioners to approve employment contracts with Charles E. Sessoms Jr., Aldo

Davis and Philip M. Jaquish as presented, authorizing the chairman to sign. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Job Descriptions: Administrative Assistant to the County Controller and Secretary/Payroll Specialist. Motion by Walterhouse, seconded by Smeltzer, to recommend to the Board of Commissioners to adopt the job descriptions as presented.
The union president is present and states that the union has not had any part of these updates and the contract says they can. She requests copies of the descriptions.
Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

Committee Assignments:
Other Committees: Comm Pitcher reports on the County Administrator's evaluation and provides draft evaluation form to all commissioners for their review and comments

H.R. Study Committee Report: Comm Damm states that she will send the new job descriptions down and follow up at a later date.

Labor Sub-Committee Report:
Status of Union Contracts:
POLC: In its final version
POAM: Will be wrapped up this week
COAM: Waiting to hear from MERS on an estimate.
TPOAM: Will be starting shortly.

Comm Go Around:
Comm Kelley says he is pleased to see the way the Planning Commission is taking shape.
No other commissioners had further comments.

Other General Topics Requiring Discussion and Potential Board Action: None

Next Meeting: Monday, November 10, 2008 at 9:00 a.m.

12:15 p.m. PUBLIC INPUT
Eric VanDussen talks about the Wyckoff report; recording of meetings; Planning Commission; Administrator's evaluation.
Kathy Ralston, Homestead Twp, feels the problems with representation and contribution of zoning by the townships came on when the current zoning administrator was hired.
12:20 p.m. PUBLIC INPUT CLOSED

Motion by Damm, seconded by Stobie, to adjourn until Monday, November 10, 2008, or the call of the chair. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Smeltzer, Stobie and Walterhouse Nays: None

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Mark E. Roper – Chairman Dawn Olney -- Benzie County Clerk

Motion by Pitcher, seconded by Smeltzer, that upon recommendation of the Committee of the Whole for **Finance** Consent Calendar approval:

1. To authorize the trail grant agreement with the State of Michigan in the amount of $10,000, authorizing the chairman to sign.

2. To approve the contract with Benzie County Road Commission for Betsie Valley Trail Maintenance as presented, authorizing the chairman to sign.

3. To approve the contract with the Benzie County Road Commission for snow removal on the jail access road, authorizing the chairman to sign.

4. To enter into a one year contract with Hi-Tec Building Services, Inc. for cleaning at the Benzie County Government Center, authorizing the chairman to sign; together with a review of the contract and services in one year.

5. To amend the 2008 budget by increasing the revenues and expenditures as presented for the Road Commission fund 201 in the amount of $500,000.

6. To amend the 2008 budget by increasing the revenues and expenditures as presented for Ambulance Debt/Millage fund 354 in the amount of $990.23.

7. To set the 2009 budget for the Betsie Valley Trail (fund 230) as presented in the amount of $10,000.

8. Removed from Consent Calendar.

9. To authorize a three-year lease with Central State Bank for two police vehicles for a total of $42,456.00, as presented.

10. To authorize Linda Wilson, County Treasurer, to apply for a grant to Genesee Institute to educate Benzie County on the land bank, up to $15,000, authorizing the chairman to sign.

Motion by Pitcher, seconded by Stobie, that upon recommendation of the Committee of the Whole for **Personnel** Consent Calendar approval:

1. To continue Dave Neiger as County Planner through the end of this year, December 31, 2008, with funds to come from contracted services.

2. That ZORC be immediately reconstituted with the following limited duties: Articles II, III, and XVI, the proposed Draft Platte Lake Overlay District, Platte township proposal, and Wind Energy Overlay District with the current Zoning Administrator to complete this work with the ZORC.

3. To approve employment contracts with Charles E. Sessoms Jr., Aldo Davis and Philip M. Jaquish as presented, authorizing the chairman to sign.

4. Removed from Consent Calendar.