

THE BENZIE COUNTY BOARD OF COMMISSIONERS
November 18, 2008

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

Present were: Commissioners Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse

Absent: Excused: Commissioner Roper

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

Motion by Walterhouse, seconded by Stobie, to amend the agenda by adding statement by Comm Damm at Personnel time. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

Motion by Walterhouse, seconded by Smeltzer, to approve the regular meeting minutes of October 21, 2008, as amended by correcting the Public Input statement by Cathy Demitroff as follows: she cautioned the board to really listen to the townships this time around as the townships did not feel they listened to them when the meetings were held previously. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

9:05 a.m. PUBLIC INPUT

Eric VanDussen discussed the complaint filed against the zoning department; and a complaint for domestic violence.

9:07 a.m. Public Input Closed

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS – None

COMMITTEE REPORTS

Committee of the Whole

Finance:

Commissioner Pitcher presents Finance Consent Calendar items 1- 11.

Comm Pitcher removes items 7, 8 and 11.

Motion by Smeltzer, seconded by Stobie, to approve Finance Consent Calendar items 1-6, 9 and 10.

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

Motion by Walterhouse, seconded by Smeltzer, to approve the FY 2009 Snowmobile Grant application in the amount of \$8,000 with a local match of \$1,200 to be taken from contingency to the snowmobile budget, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

Motion by Smeltzer, seconded by Stobie, to transfer \$15,000 from the General Fund to the Law Library Fund 269. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

Steve Haugen, Building Official, requests the board reconsider the waiving of fees to the special projects due to the lack of inspectors.

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Motion by Walterhouse, seconded by Kelley, to have organizations pay the building permit fees equal to 50% to help cover the cost of the inspection fees for each unit. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

Comm Pitcher states that the phone issue will be handled next month when more financial information is available.

Claiming Reports:

Monthly: Motion by Smeltzer, seconded by Walterhouse, to approve the monthly claiming report as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

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

Personnel

Commissioner Pitcher presents Personnel Consent Calendar items 1-5.

Comm Damm removes items 2, 3, and 4.

Motion by Walterhouse, seconded by Smeltzer, to approve Personnel Consent Calendar items 1 and 5 a presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

Comm Damm makes the following statement and motion concerning the timing our Administrator/Controller's evaluation.

(1) We Commissioners were not given a current job description or resume. There has been no effort or time to develop a consensus opinion on the Administrator/Controller's job description. To evaluate an employee without a current job description approved by the Commissioners would be impossible to carry out properly.

(2) The evaluation, to be accurate, would most likely need to include time for Commissioners to interview employees independently., This would be needed to have an accurate picture of communication and motivation skills, critical to administration.

(3) There is no critical need to evaluate the Administrator/Controller at this time. We have hired MSU graduate students to complete an HR study which includes job descriptions and HR policies. We should not, at this time, in a growing County, continue to use non-professional evaluation forms, created by a Committee of three Commissioners, no matter how well intended.

(4) We have a new group of Commissioners coming on board in January. They will be directing and working with the Administrator/Controller. They may form a different relationship, and different requirements for the A/C, who, after all, will be their employee. To perform an evaluation now would be pre-mature,

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Therefore:

Motion by Damm, seconded by Walterhouse, to delay Chuck Clarke's evaluation until after the New Year. Roll call. Motion denied. Ayes: Damm and Walterhouse Nays: Kelley, Pitcher, Smeltzer and Stobie Exc: Roper

Motion by Smeltzer, seconded by Kelley, to bring back and adopt items 2, 3 and 4 of the Personnel Consent Calendar as follows: 2) To adopt the evaluation format as corrected and distributed next week with a job description and resume (if requested); 3) To remove item 6 from the procedures and have the full board present at the discussion; and 4) That the county board will conduct the evaluation with the employee Administrator and self evaluation will be discussed at this time. The County Administrator may request a closed session with the County Board as allowed under the Open Meetings Act. Motion carried. Ayes: Kelley, Pitcher, Smeltzer and Stobie Nays: Damm and Walterhouse Exc: Roper

Comm Pitcher states: The administrator evaluation committee of Stobie, Smeltzer and Pitcher met five times to draft the procedure and evaluation form. The committee asked for input from all Commissioners to assist with the process and to make this a productive and fair evaluation. Tom Kelley is the only Commissioner that gave input to the committee. There is a current and approved job description. The evaluation form allows Commissioners to rank the Administrator on each item in the job description. Pitcher distributed the forms, the evaluation procedure and the job description. Pitcher reminds commissioners to sign forms and return to the County Clerk, Dawn Olney by Monday, December 1, 2008.

Chuck Clarke states that he has talked with Steve Haugen regarding the inspection fees and he will let the process stand on their own and when it becomes too much, he will come back to this board.

Animal Control Ordinance Update:

Jamie Croel, Animal Control Officer, is present and updates the board on the training she and the clerk have taken; donations of food from Walmart; working with the Government Class at Benzie Central; Animal Welfare League has put up a cape on the fence to keep dogs from jumping out; the AWL now pays 100% of spay & neuter fees.

Updates in the Ordinance deal with direction over the department and adding of cats to the ordinance; changes will become effective 30 days after adoption.

Motion by Kelley, seconded by Smeltzer, to adopt the amended Animal Control Ordinance as presented. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

EMS:

Craig Johnson, EMS Director, states that all is well with his department; trucks are running well; have 120 more billable runs from October 2007 – October 2008; no mutual aid was used last year which is good and that means they were able to handle all of the calls.

Bill Sholten, Emergency Management Director, states that they have been talking of combining Emergency Management and EMT position to make one full time position.

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Steve Puchoven, Chairman of the EMS Advisory Committee, states that the committee has discussed this issue and are behind it 100%.

Motion by Walterhouse, seconded by Kelley, to entertain the selection of an Emergency Management Coordinator with an EMT license preferred for the possibility of a dual role position, and report back at the December 2008 meeting. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

10:20 a.m. Break

10:30 a.m. Reconvene

COUNTY ADMINISTRATOR'S REPORT

Chuck updates the board on the 911 legislation; DHS is seeking reduction of their rent to the county; looking at the visitation access room to use for the drug court probation officers and move the Veterans to another office.

Motion by Walterhouse, seconded by Smeltzer, to support the recommendation for combined office space for Probation/Parole. Motion carried. Ayes: Damm, Pitcher, Smeltzer, Stobie and Walterhouse Nays: Kelley Exc: Roper

LSL Contract:

Comm Pitcher recommends changing the Section I. Scope of Services

Motion by Smeltzer, seconded by Walterhouse, to modify the scope of services as follows: The consultant shall perform review of the zoning ordinance amendments and special land use applications as requested by the county. The Consultant shall carry out all activities in a satisfactory and proper manner. Services performed not to exceed \$10,000 unless approved by the Board of Commissioners; to bring back in December 2008 with the modification made. Motion carried. Ayes: Damm, Pitcher, Smeltzer, Stobie and Walterhouse Nays: Kelley Exc: Roper

CORRESPONDENCE

- Resolution from Ottawa County re HJR III regarding taxable value of real estate – information only.
- Letter from MMRMA regarding change of their logo.
- Letter from Homestead & Inland Townships regarding formation of a joint planning commission.
- Request from Benzie Bus to place a sign at the Government Center – referred to Maintenance.
- Letter from Planners Review & Advisory Committee of NMCOG – referred to the Planning Commission.
- Notice of Workshop on Traffic Safety.

11:00 a.m. Sue Miller, Executive Director of the Benzie Bus is present for the annual report.

Ingemar Johanssen, Chairman of the Authority is also present and states that the bus system is a very important part of Benzie County; we are the only one in the State of Michigan to pass a millage on the first try. This system is a model for the rest of the state.

Sue reviews ridership in the county; July saw a rate increase due to the cost of fuel; they go to Traverse City two times per day; 68,386 rides last year; they are in the same location and lease space

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from Mr. Moore; bike racks were obtained with grant money and are used regularly; she has a great staff; they started out with 12 buses and now have 17; now utilize the Express program with central locations in Honor, Benzonia, Beulah and Frankfort.

11:15 a.m. Deb Sever, Council on Aging; Greg Piaskowski, Area Agency on Aging
Greg states that last month he inquired about the arrears that Benzie County owes to AAA and he is back to answer any questions; if you decide to pay the arrearage out of millage money, there needs to be a contract entered into (he presents a copy to the County Administrator).
Comm Pitcher asks Deb Sever if her budget can afford this. Deb states that she doesn't understand why it was not paid when due like prior years; it needs to be paid.

Motion by Kelley, seconded by Stobie, to enter into a contract with Area Agency on Aging to pay off the outstanding debt for 2004, 2005 and 2006 from Commission on Aging funds, over a three year period. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse
Nays: None Exc: Roper

CORRESPONDENCE CONTINUED

- ORV information from the Road Commission received – information.
- MMRMA Board of Directors information.
- Letter received from Dept of Labor re Building Dept Performance Evaluation – information.
- Frankfort City-County Airport Authority minutes of November 6, 2008 received. ~~Chuck Clarke states that in those minutes under Public Input Thelma Ryder Novak makes a statement regarding Mr. Walterhouse that is false;~~ Comm Stobie states that she has taken some heat regarding the appointment of Mr. Morris – there are things she wasn't made aware of; Comm Pitcher says she will bring back in January the issue of alternates being voting or non-voting members.
- Letter received from the County Clerk asking for revision of charges for election programming. Motion by Walterhouse, seconded by Stobie, to authorize the charge of \$250.00 each for programming of the Optech and AutoMARK voting systems, effective January 1, 2009. Roll call. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper
- Benzie County Road Commission minutes of October 15, 2008 received.
- Citizens for Access to the Lakeshore newsletter received, together with a copy of a letter to Senators Levin and Stabenow and Congressmen Hoekstra and Camp.
- Benzie Transportation Authority Board Retreat minutes of November 11, 2008 received.
- Benzie Transportation Authority regular meeting minutes of November 11, 2008 received.

11:57 a.m. Break

12:00 p.m. Reconvene

NEW BUSINESS:

Christmas Party & Swearing In Ceremony: Friday, December 19, 2008

11:30 a.m. Swearing In Ceremony Judge Kida Presiding

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12:00 p.m. Pot Luck Luncheon DHS Conference Room

COMMISSIONER REPORTS

Comm Kelley presents a written report and states that Ray Kadlec will be leaving the area and any committees he serves on.

Comm Stobie states that Gilmore Township has inquired regarding a boat launch on Crystal Lake – they really want it to happen.

Comm Damm states that she has expanded the broadband committee and it is moving forward; she is working on the HR study with the MSU students and will have more information for you; should have new job descriptions soon.

Comm Walterhouse asks about the telephone contract – will be brought up next month; concerned over the citizen with a police report on an employee – this should be placed in his personnel file. Motion by Walterhouse, seconded by Kelley, to put the police report #110-000-6391-08(15) (8 pages) in the zoning administrator's personnel file. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer, Stobie and Walterhouse Nays: None Exc: Roper

He hands out a copy of a map showing which townships fall under county planning – 7 total; he states that he has been asked why he pushed for the reappointment of Bob Rosa to the Road Commission; asks to put the appointment on hold, advertise and interview, including the current member.

Comm Pitcher says she does not believe you can do that.

Chuck Clarke says it can only be done if he withdraws his appointment.

Comm Smeltzer has nothing to add.

Comm Pitcher states that the new evaluation form for the County Administrator is ready and have your replies back in by December 1; the Grand Vision ballot is done and there were 12,084 returned; on February 4, 2009 they will release the first preliminary results; the Brownfield Grant has been submitted and we applied for \$400,000.

12:37 p.m. PUBLIC INPUT

Kathy Ralston states that they are working on a joint meeting with the Planning Commission; this Friday she will meet with Comm Roper, Kurt Schindler and Dick Figura regarding this issue; we are working on a tight timeline; funding from the townships will be a touchy subject; February 21, 2009 has been scheduled for the Summit meeting at the PRA Hall in Honor.

Larry Morris states that the secretary for the Airport Authority has sent out an email for the joint MDOT and FCCAA meeting on October 23; with forward it to Dawn for her distribution (35 pages).

12:45 p.m. Public Input Closed

Commissioner Pitcher thanked Dawn Olney for quickly posting election results on the County web site.

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Motion by Stobie, seconded by Damm, to adjourn until December 16, 2008, or the call of the chair. Motion carried. Ayes: Damm, Kelley, Pitcher, Smeltzer. Stobie and Walterhouse Nays: None Exc: Roper

Mark E. Roper -- Chairman

Dawn Olney – Benzie County Clerk

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1. Amended the agenda by adding statement by Comm Damm at Personnel time.
2. Approved the regular meeting of October 21, 2008, as amended.
3. Approved Finance Consent Calendar items 1-6, 9 and 10.
4. Approved the FY 2009 Snowmobile Grant application.
5. Authorized transfer of \$15,000 from the General Fund to the Law Library Fund 269.
6. Authorize to have organizations pay the building permit fees equal to 50% to help cover the cost of the inspection fees for each unit.
7. Approved the monthly claiming report as presented.
8. Approved the prepaid bills report as presented.
9. Approved Personnel Consent Calendar items 1 and 5 as presented.
10. Denied motion to delay Chuck Clarke's evaluation until after the New Year.
11. Adopted items 2, 3 and 4 of the Personnel Consent Calendar.
12. Adopted the amended Animal Control Ordinance as presented.
13. Agreed to entertain the selection of an Emergency Management Coordinator with an EMT license preferred for the possibility of a dual role position, and report back at the December 2008 meeting.
14. Supported the recommendation for combined office space for Probation/Parole.
15. Authorized to modify the scope of services on the LSL Contract.
16. Approved entering into a contract with Area Agency on Aging to pay off the outstanding debt for 2004, 2005 and 2006 from Commission on Aging funds, over a three year period.
17. Authorize the charge of \$250.00 each for programming of the Optech and AutoMARK voting systems, effective January 1, 2009.
18. Christmas Party & Swearing In Ceremony: Friday, December 19, 2008
19. Approved putting the police report #110-000-6391-08(15) (8 pages) in the zoning administrator's personnel file.