

**THE BENZIE COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE  
FEBRUARY 11, 2009**

The Benzie County Board of Commissioners met as a Committee of the Whole on Tuesday, February 11, 2009, in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse  
Absent: None

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

**Approval of the Agenda:** Motion by Roper, seconded by Damm, to approve the agenda as amended, removing 7.D.; add 9.A. Asst Prosecuting Attorney; add 12.B. Plumbing Inspector. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**Approval of the Minutes:** Motion by Roper, seconded by Hollenbeck, to approve the minutes of January 13, 2009 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**9:07 a.m. PUBLIC INPUT**

Craig Johnson, EMS Director, updates the board on the ambulance situation; will need to purchase a new one in a year or so; looking at grant possibilities – USDA; Assist the Firefighter Grant too – not just for firefighters.

9:20 a.m. PUBLIC INPUT CLOSED

**FINANCE**

**General Finance Issues:**

Sub Lease COA Building to Housing Council: Motion by Roper, seconded by Pitcher, to recommend to the Board of Commissioners to accept the concept of the Benzie Housing Council entering into a lease with the Council on Aging for office space.

Motion by Tanner, seconded by Roper, to recommend to the Board of Commissioners to amend to authorize the Council on Aging to sublet space for \$1.00 plus the cost of construction for renovations to be assumed by the Benzie Housing Council plus one-half the cost of utilities.

Vote on amendment: Roll call. Motion carried. Ayes: Damm, Hollenbeck, Pitcher, Roper, Tanner and Walterhouse Nays: Kelley

Vote on original motion as amended: Roll call. Motion carried. Ayes: Damm, Hollenbeck, Pitcher, Roper, Tanner and Walterhouse Nays: Kelley

Permit Fees: Motion by Roper, seconded by Pitcher, to recommend to the Board of Commissioners to set the permit fees for the COA/Benzie Housing Council project at 50%. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

DHS Lease Change: Motion by Roper, seconded by Pitcher, to recommend to the Board of Commissioners to move forward with Addendum #3 to Lease #2340 as presented, authorizing the chairman to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

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Agreement with Maximus for cost Allocation Report: Motion by Pitcher, seconded by Roper, to recommend to the Board of Commissioners to enter into a contract with Maximus for cost allocation as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

9:57 a.m. Break

10:04 a.m. Reconvene

**Budget Issues:**

Equipment Replacement Fund (425): Motion by Roper, seconded by Walterhouse, to recommend to the Board of Commissioners to amend the 2009 budget by increasing and revenues and expenditures as follows:

Revenue:

425-351-674.20	Inmate Telephone	\$16,676.00
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Expenditures:

425-351-957.00	Miscellaneous – Inmate Telephone	\$16,676.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Solid Waste/Recycling Fund (228): Motion by Pitcher, seconded by Kelley, to recommend to the Board of Commissioners to amend the 2009 budget for the Solid Waste/Recycling Fund (228) as follows:

Revenue:

228-000-540.01	State Grant	\$ 1,250.00
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Expenses:

228-000-900.00	Public Relations	\$ 1,250.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**Spending Issues:**

Assistant Prosecuting Attorney: It will be approximately \$17,000 to continue to the end of the fiscal year; 16 hours per week. Motion by Walterhouse, seconded by Kelley, to recommend to the Board of Commissioners to continue the part time assistant prosecuting attorney up to 16 hours per week and up to \$17,000 to be taken from contingency. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**Sheriff:**

Millage: Proposed resolution is presented from Mr. Stoker; Chuck Clarke to request additional language be added to the resolution and presented on Tuesday. Motion by Walterhouse, seconded by Pitcher, to recommend to the Board of Commissioners to adopt the Resolution for a Special Election for Jail Millage as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Tanner and Walterhouse Nays: Roper

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Sheriff Heckman also informs the board that the Sheriff's Office is in receipt of \$15,461 from the Grand Traverse Band for their 2% grant; will be used to complete the upgrade of the 911 system; Sheriff also states that there will be a benefit basketball game with Law Enforcement and Special Olympics on March 18 at Benzie Central High School.

### **Reports:**

Treasurer's Report: Shelley Thompson presents the cash fund balance report; five funds are in a deficit; requests as transfer on the 292 Child Care Fund. Motion by Walterhouse, seconded by Roper, to recommend to the Board of Commissioners to transfer \$40,000 from General Fund 101-966-999.04 to Child Care Fund 292-000-699.00. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Controller's Report: The auditors were here the last couple of weeks and he will give them an MD & A report; we will have an out briefing in the next couple of months and they will present the audit to the Board of Commissioners in April.

10:53 a.m. Break

11:00 a.m. Reconvene

### **PERSONNEL**

#### **General Personnel Issues:**

Soil Erosion Contract: FYI

Shared Secretary position in Building/Zoning – Plumbing Inspector: Steve Haugen is present and says he has taken care of the secretarial issue and there is no need to act on it at this time; they are taking care of the work. He will bring additional information next month regarding a contract vs full time plumbing employee.

Motion by Walterhouse, seconded by Kelley, to recommend to the Board of Commissioners to replace the part time shared secretary in the Planning & Zoning Dept. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

COAM Contract: Motion by Walterhouse, seconded by Kelley, to recommend to the Board of Commissioners to adopt the 3-year contract with COAM as presented, authorizing the chairman to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Other Issues: Chuck is working on the TPOAM (formerly AFSCME) contract.

### **Committee Assignments:**

Other Committees: An ad has been placed in the paper this week seeking applicants for various positions.

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**H.R. Study Committee Report:**

Comm Damm states that she and Lisa are working as a team now.

Comm Pitcher asks about the contract that was not signed? Comm Damm will get one.

**Other General Topics Requiring Discussion and Potential Board Action:**

Attorney for CLPRA suit: Requests were made to interview three different attorneys and only one was interested. Motion by Walterhouse, seconded by Roper, to recommend to the Board of Commissioners to enter into agreement with the firm Brandt, Alward & Roy (Ed Roy) to act as the head attorney on the Crystal Lake Property Rights Association lawsuit, with Mr. Bedells turning over all files, effective February 17, 2009. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Next Meeting: Tuesday, March 10, 2009 at 9:00 a.m.

Comm Roper states that he is sending out a letter for a meeting on February 26, 2009 at 7:00 p.m. regarding the ORV issue.

Comm Walterhouse stated that the Register of Deeds has once again requested her part time employee be full time.

Chuck Clarke states that he will present a six month recap in April and we should wait until then to consider this position.

11:55 a.m. PUBLIC INPUT – None

Motion by Roper, seconded by Walterhouse, to adjourn until March 10, 2009, or the call of the chair. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

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Donald R. Tanner – Chairman

Dawn Olney -- Benzie County Clerk

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

1. Removed from Consent Calendar.
2. To the Board of Commissioners to set the permit fees for the COA/Benzie Housing Council project at 50% of the cost for same.
3. To move forward with Addendum #3 to Lease #2340 with the State of Michigan as presented, authorizing the chairman to sign.
4. To enter into a contract with Maximus for cost allocation as presented, authorizing the chairman to sign.
5. To amend the 2009 budget by increasing and revenues and expenditures as presented, for equipment replacement fund.
6. To amend the 2009 budget for the Solid Waste/Recycling Fund (228) as presented.
7. To continue the part time assistant prosecuting attorney up to 16 hours per week and up to \$17,000 to be taken from contingency.
8. Removed from Consent Calendar.
9. To transfer \$40,000 from General Fund 101-966-999.04 to Child Care Fund 292-000-699.00.

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February 11, 2009

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

1. Removed from Consent Calendar.
2. To adopt the 3-year contract with COAM as presented, authorizing the chairman to sign.
3. To enter into agreement with the firm Brandt, Alward & Roy (Ed Roy) to act as the head attorney on the Crystal Lake Property Rights Association lawsuit, with Mr. Bedells turning over all files, effective February 17, 2009.