

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**March 17, 2009**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, March 17, 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.

Motion by Walterhouse, seconded by Pitcher, to approve the agenda as presented. Motion carried.  
Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Walterhouse, seconded by Roper, to approve the regular meeting minutes of February 17, 2009 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Pitcher, seconded by Roper, to approve the special meeting minutes of February 24, 2009 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

9:03 a.m. PUBLIC INPUT:

Jim Rineer, Builder, is here regarding the status of the Building Department.

Eric VanDussen comments regarding entering into closed session last Tuesday, March 10, 2009.

9:10 a.m. PUBLIC INPUT CLOSED

**ELECTED OFFICIALS & DEPT HEAD COMMENTS**

Craig Johnson, ALS Coordinator, stated that everything is going good. There are a few mechanical issues, but nothing major. Meeting regarding the dispatch system was held with a good turn out. Group is working on gathering information at this point. Craig is planning to attend the Village of Thompsonville and Gilmore Township meetings.

**COMMITTEE REPORTS**

**Finance:**

Comm Tanner presents Finance Consent Calendar items 1 through 13.

Item 3 removed

Motion by Walterhouse, seconded by Pitcher, to approve Finance Consent Calendar items 1- 2, and 4-13 as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper and Walterhouse Nays: Tanner

Chuck Clarke and Steve Haugen presented information regarding the Building Department Revenue and Expense Assessment, along with permit comparisons and status. There are 39 old permits that still need to be closed out.

9:50 a.m. PUBLIC INPUT – (Building Department Issue Only)

Rod Moore, Moore Mechanical, stated that business is up from last year at this same time. It is

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important to have the Building Department remain open for inspections, and not be turned over to the State of Michigan. Questioned what happened to the \$200,000.00 to \$300,000.00 that was in the Building Department budget last year.

Dennis Haugen, EDC, stated that the Building Department is an asset to the county. When dealing with the State of Michigan there is delays and cost, which is unacceptable. Having a local Building Department, and the service, is good.

Jim Rineer, Builder, wants to know what the Board of Commissioners is proposing at this time for the Building Department. Does not like working with the State of Michigan, there are delays with them. Would like the county to back off on the permit fees and fund the Building Department through tax money.

Eric VanDussen, questioned Benzie County fees compared to surrounding counties and the State of Michigan. Is there a policy for waiving fees of a government entity?

Mike Haugen, questioned if there is missing money out of the Building Department, where did it go? Steve Ingleston, questioned what happened to the money.

Charlie Sessoms, Asst. Building Inspector, comments on the backlog of permits and how it came to their attention.

10:07 a.m. PUBLIC INPUT CLOSED

County Administrator and Building Director will update the Board of Commissioner monthly regarding the status of the Building Department. Information will be provided at the April meeting regarding the cost of a contract employee versus County employee.

Motion by Pitcher, seconded by Walterhouse, to approve the Building Department's current and contract employees remain status quo until May 2009, and re-evaluate at that point. Roll Call.

Motion carried. Ayes: Kelley, Pitcher, Walterhouse and Damm. Nays: Roper, Hollenbeck and Tanner.

Motion by Pitcher, seconded by Hollenbeck, to approve the purchase of one vehicle at market value, from the Building Department, from the general fund balance. Roll Call. Motion carried.

Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, and Walterhouse Nays: Tanner.

10:43 a.m. Break

10:55 a.m. Reconvene

### **Claiming Report:**

Motion by Walterhouse, seconded by Roper, to approve the monthly claiming report as presented.

Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

### **Prepaid:**

Motion by Roper, seconded by Pitcher, to approve the prepaid bills as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

### **Personnel:**

Comm Tanner presents Personnel Consent Calendar items 1 – 3.

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Motion by Roper, seconded by Walterhouse, to approve Personnel Consent Calendar items 1 – 3 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Comm Tanner addressed Kathy Ralston, Planning Commission Chair, requests that were presented at the Committee of the Whole meeting on March 10, 2009. Motion by Walterhouse, seconded by Hollenbeck, to put out RFP's for a consultant to review the zoning ordinance, with the Planning Commission to bring back a recommendation to the Board of Commissioners. Motion carried. Ayes: Damm, Hollenbeck, Pitcher, Roper, Tanner and Walterhouse. Nays: Kelley

Motion by Walterhouse, seconded by Hollenbeck, to advertise for a Part-time (20 hours a week), Zoning Administrator. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

Motion by Roper, seconded by Walterhouse, to research further before advertising for a Part-time Zoning Administrator. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

Motion by Roper, seconded by Walterhouse, to re-appoint Mary Dort to the Transportation Authority Board. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

Comm Roper spoke with members of the Transportation Authority whose terms were expiring. They were informed to submit their request for re-appointment to the County Clerk via mail, fax or e-mail by March 17, 2009. Comm Roper suggests that we wait on anymore appointments until the County Clerk returns on Monday March 23, 2009, to see if anyone applied by e-mail. The Transportation authority would like to use any applicant that is not appointed to the Board, to serve on sub-committee.

Motion by Roper, seconded by Pitcher, to appoint Rick Schmitt to the EDC Board, term expiration to be determined at a later date. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

Motion by Roper, seconded by Walterhouse, to appoint Michael Worden to the EDC Board, term expiration to be determined at a later date. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

**Wireless Access Policy:** Motion by Pitcher, seconded by Roper, to adopt the Wireless Access Policy as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

**Board Rules:** Motion by Walterhouse, seconded by Pitcher, to approve Board Rules as amended. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

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**Human Resource Study:** Comm Damm stated that with the help of the County Clerk, a letter is going to be sent out to all County employees, updating them on the Human Resources Initiative and requesting feedback. She would also like input from fellow commissioners. Chair Tanner stated that he feels we need to continue with the study. Comm Kelley stated that we need to get the job descriptions done by the people who are performing the job. Pay raises should be based on job evaluations. Comm Hollenbeck suggested that it may be time for a 3<sup>rd</sup> party to look at this. Chair Tanner requested that monthly progress reports be done.

12:15 p.m. Break

12:25 p.m. Reconvene

## COUNTY ADMINISTRATOR'S REPORT

Chuck Clarke presented information regarding two new lawsuits naming Benzie County as a Defendant. Motion by Roper, seconded by Kelley, to retain Dave Stoker to represent Benzie County in the Bechill vs. Benzie County lawsuit. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

Motion by Roper, seconded by Pitcher, to retain Richard Figura to represent Benzie County in the Cole v Benzie County lawsuit. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse. Nays: None

## CORRESPONDENCE:

- Benzie Transportation Authority Building/Site Committee meeting minutes of Feb. 16, 2009 received.
- Benzie Transportation Authority Special Board meeting minutes of February 16, 2009, received. Comm Roper stated that they are applying for stimulus money to purchase eight new buses and property.
- Parks and Recreation Commission agenda for February 23, 2009, meeting minutes of January 26, 2009, and Calendar of meeting dates for 2009 received.
- Resolution from Antrim County – information only
- Resolution of support for county remonumentation program – information only.
- Northwest Michigan Regional Community Corrections Advisory Board meeting minutes of December 04, 2008 received.
- EDC Board of Directors meeting minutes of February 26, 2009 received.
- Benzie County Road Commission meeting minutes of January 08, 2009 received
- Benzie County Road Commission meeting minutes of February 11, 2009 received.
- Benzie County Planning Commission Zoning Ordinance Rewrite Committee meeting minutes of February 19, 2009 received.
- NMSAS meeting minutes of January 5, 2009 received
- Press Release regarding 2009 Benzie Summit received
- Michigan Land Use Institute e-mail – information only.
- Notice of Public Hearing for Homestead and Inland Township – information only.
- Ogemaw County resolution – information only
- Frankfort City-County Airport Authority meeting minutes of March 5, 2009 received.

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- Village of Beulah letter regarding ORV Ordinance in Benzie County received.
- Building activity report for the month of January – information only
- Building activity report for the month of February – information only
- Letter from Mary Dort requesting reappointment to Benzie Transportation Authority Board.
- Letter from CMU – information only
- Memorandum regarding Sixth Regional Summit – information only
- Letter from Edgar Roy regarding entering into closed session – information only
- Letter from Kim Ireton – information only

**NEW BUSINESS** – None

### **COMMISSIONER REPORT:**

Comm Pitcher: Friends of Point Betsie, John Hally has replaced Amy Ferris; Save American Treasures grant on \$225,000 for lighthouse; Solid waste is working on window cling; looking for copy of Tom Whales complaint that is reference in the Traverse City Record Eagle.

Comm Kelley: written report

Comm Roper: Draft bill to have Road Commission Board members an elected position by district; Slide Show at Frankfort – Elberta Chamber of Commerce regarding Benzie Bus; Road Commission funds are tight; ORV meeting on March 24, 2009.

Comm Damm: Attended Summit regarding Broadband.

Comm Walterhouse: nothing

Comm Hollenbeck: written report

### 1:26 p.m. PUBLIC INPUT

Amy Bissell, Register of Deeds, Lincoln Day Dinner is May 01, 2009, she has tickets for sale; Will be requesting part-time position in the Register of Deeds office become a full-time position at April meeting.

Linda Wilson, Treasurer, sixty parcels going into foreclosure with eleven days to go. Next step will be the auction process. Foreclosures are up 34% from last year

Lisa Tucker, Administrator's assistant, complaint referred to in the Traverse City Record Eagle contains lies about her husband and boss; talked about Tom Whale's medical leave.

Eric VanDussen, would like to work with whoever will be purchasing the digital recorder that was authorized; Listened to the recording he has of the March 10, 2009 meeting, and Steven Haugen stated there was an excess of 2000 old inspections that needed to be closed out; Why is the Sutter Road to Natural Beauty Road designation just happening now? Who is pushing for it?

### 1:36 p.m. PUBLIC INPUT CLOSED

Motion by Pitcher, seconded by Roper, to adjourn until April 21, 2009, or the call of the chair.

Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse

Nays: None

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### INDEX

1. Approve the agenda as presented.
2. Approve the regular meeting minutes of February 17, 2009 as presented.
3. Approve the special meeting minutes of February 24, 2009 as presented.
4. Approve Finance Consent Calendar items 1- 2, and 4-13 as presented.
5. Approve the Building Department's current and contract employees remain status quo until May 2009, and re-evaluate at that point.
6. Approve the purchase of one vehicle at market value, from the Building Department, from the general fund balance.
7. Approve the monthly claiming report as presented.
8. Approve the prepaid bills as presented
9. Approve Personnel Consent Calendar items 1 – 3 as presented.
10. Approve to put out RFP's for a consultant to review the zoning ordinance, with Planning Commission to bring back a recommendation to the Board of Commissioners
11. Advertise for a Part-time (20 hours a week), Zoning Administrator.
12. Research further, before advertising for a Part-time Zoning Administrator.
13. Re-appoint Mary Dort to the Transportation Authority Board.
14. Appoint Rick Schmitt to the EDC Board, term expiration to be determined at a later date.
15. Appoint Michael Worden to the EDC Board, term expiration to be determined at a later date.
16. Adopt the Wireless Access Policy as presented.
17. Approve Board Rules as amended.
18. Approve Dave Stoker to represent Benzie County in the Bechill vs. Benzie County lawsuit.
19. Approve Richard Figura to represent Benzie County in the Cole v Benzie County lawsuit.