

**THE BENZIE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
April 14, 2009**

The Benzie County Board of Commissioners met in a Committee of the Whole meeting on Tuesday, April 14, 2009, at 6:00 p.m. in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Hollenbeck, Kelley, Roper and Walterhouse
Absent: Exc: Pitcher and Tanner

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

Approval of the Agenda: Motion by Kelley, seconded by Hollenbeck, to approve the agenda as amended to delete 7.C. and replace with 911; add 7.D. Benzie Housing Council; and add 10.B. Jail Millage. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None
Exc: Pitcher and Tanner

Approval of the Minutes: Motion by Kelley, seconded by Roper, to approve the minutes of March 10, 2009 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse
Nays: None Exc: Pitcher and Tanner

6:03 p.m. PUBLIC INPUT

Thelma Ryder-Novak inquires regarding the appointment of Mr. Morris to the Airport Authority in October 2008.

6:07 p.m. Public Input Closed

FINANCE

General Finance Issues:

Stimulus Committee Report: Committee minutes are provided.

Cops CHRP Grant: Comm Roper discusses the Cops CHRP Grant application; 3 officers are being requested in the application; the grant pays for three years and the county must pick up the fourth year; only wages and benefits are covered; the county must pay for any equipment, uniforms, etc.; they hope to eventually have 24/7 road patrol coverage; the county can turn the grant down at a later date, once awarded.

Motion by Kelley, seconded by Roper, to apply for the Cops CHRP Grant for three officers, authorizing Sheriff Heckman, Undersheriff Sholten and Vice Chair Walterhouse to sign. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Fee Committee Report: Minutes are provided; issues are tabled; information only.

Retirement – Rineer: Removed from Agenda.

911: At this time there is a \$2.13 surcharge per device and a letter needs to be sent to the State if we wish to continue that; Chuck recommends continuing with the surcharge and asks to

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authorize him to send a letter. Motion by Roper, seconded by Kelley, to recommend to the Board of Commissioners to authorize Charles Clarke send a letter to the State of Michigan that Benzie County wishes to continue with the \$2.13 9-1-1 surcharge. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Benzie Housing Council: Comm Roper discusses the renovations that need to be made on the Council on Aging Administrative Building in Honor for the Housing Council to move in to a portion of the building in the back; approximately \$7,500 in renovations; would suggest to do the handicap accessibility to the outside of the building and a divider wall on the inside; they have received some estimates from local contractors of approximately \$3,500. Motion by Hollenbeck, seconded by Roper, to recommend to the Board of Commissioners to take \$3,000 from General Fund fund balance for improvements of handicap accessibility and interior wall to separate the two entities in the Council on Aging building; Mark Roper to keep and eye on the project. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Budget Issues

Six month Budget Brief: Chuck Clarke provides the board with a written review of the General Fund revenues and expenses; Jail Fund; EMS; Solid Waste/ Recycling and 9-1-1 Dispatch funds.

6:55 p.m. Break

7:02 p.m. Reconvene

Amendments to the 101 and 213 Funds:

Motion by Kelley, seconded by Damm, to recommend to the Board of Commissioners to amend the 2009 budget for the General Fund (101) as follows:

Revenue:

Line Number	Description	Increase/(Decrease)	New Amount
101 136 539.00	Grant – Drug Court	\$20,000	\$20,000
101 142 539.00	Grant – Drug Court	\$30,000	\$30,000
	Total	\$ 50,000	\$ 50,000

Expenses:

101 136 800.00	Contract – Drug Court	\$ 20,000	\$ 20,000
101 142 800.00	Contract – Drug Court	\$ 30,000	\$ 30,000
	Total	\$ 50,000	\$ 50,000

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

Motion by Kelley, seconded by Roper, to recommend to the Board of Commissioners to adjust the 2009 budget for the General Fund (101) as follows:

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Expenses:

Line Number	Description	Increase/(Decrease)	New Amount
101 721 703.00	Planner – Salary	\$ 37,368	\$ 48,330
101 722 703.00	ZA – Salary	(\$ 37,003)	\$ 21,422
101 723 703.02	SESSC – Wages	\$ 8,000	\$ 8,000
101 721 800.00	Contracted Services	\$ 2,000	\$ 12,000
101 722 800.00	Contracted Services	(\$ 10,000)	\$ 0
101 721 721.00	Per Diem – PC	\$ 2,000	\$ 5,000
101 721 727.00	Office Supplies	\$ 300	\$ 300
101 721 818.00	Filing Fees	\$ 200	\$ 548
101 721 860.03	Travel – PC	\$ 300	\$ 550
101 721 955.00	Conventions & Meetings	\$ 400	\$ 610
101 722 860.00	Travel – Zoning	(\$ 1,500)	\$ 2,000
101 722 970.00	Equipment – Zoning	(\$ 965)	\$ 35
101 722 961.00	Training & Schools ZBA	(\$ 600)	\$ 525
101 722 922.00	Printing & Publishing ZBA	(\$ 500)	\$ 500
	Total	\$ 0	

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

Motion by Roper, seconded by Damm, to recommend to the Board of Commissioners to adjust the 2009 budget for the General Fund (101) as follows:

Expenses:

Line Number	Description	Increase/(Decrease)	New Amount
101 301 706.01	Deputy Sheriff (Rosa)	\$ 30,220	\$ 30,220
101 334 707.04	Zero Tolerance/Bailiff	(\$30,220)	\$ 13,173
101 334 707.04	Zero Tolerance/Bailiff(Zych)	\$ 28,327	\$ 41,500
101 862 725.01	FICA	\$ 1,755	\$109,807
101 862 719.00	Medicare	\$ 412	\$ 25,757
101 852 717.00	Health Ins	\$ 7,795	\$ 461,256
101 852 718.00	ST/LT	\$ 111	\$ 9,149
101 861 724.00	Retirement	\$ 2,913	\$ 219,482
101 966 999.10	Transfer to Jail	(\$41,313)	\$ 398,687
	Total	\$ 0	

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

Motion by Roper, seconded by Damm, to recommend to the Board of Commissioners to amend the 2009 budget for the Jail Fund (213) as follows:

Revenue:

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Line Number	Description	Increase/(Decrease)	New Amount
213 351 699.00	Transfer in – General Fund	(\$ 41,313)	\$ 398,687
	Total	(\$ 41,313)	

Expenses:

Line Number	Description	Increase/(Decrease)	New Amount
213 351 707.10	Corrections (Zych)	(\$ 28,327)	\$ 9,925
213 862 725.01	FICA	(\$ 1,755)	\$ 42,936
213 862 719.00	Medicare	(\$ 412)	\$ 10,070
213 852 717.00	Health Ins	(\$ 7,795)	\$ 167,205
213 852 718.00	ST/LT	(\$ 111)	\$ 4,033
213 861 724.00	Retirement	(\$ 2,913)	\$ 77,790
	Total	(\$ 41,313)	

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

Spending Issues: None

Sheriff:

Marine Grant: Motion by Roper, seconded by Hollenbeck, to recommend to the Board of Commissioners to approve the Marine grant application in the amount of \$19,169.00 and allow the Vice Chair to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Jail Millage: Sheriff Heckman states that they have received support from the League of Women Voters, Democratic Party, Republican Party and will receive from the Chamber tomorrow – that leaves this board. Motion by Kelley, seconded by Damm, to recommend to the Board of Commissioners to support the Jail Millage on May 5, 2009. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Reports:

Treasurer's Report: Linda Wilson provides the board with the cash fund balance report for the period 10/1/2008 to 4/14/2009; four funds are in the red; she talks about the CDARS program beginning with Central State Bank; Invitation to a presentation of the Land Bank Authority for Monday May 4, 2009 at 1:30 p.m.; Sold Delinquent Tax Revolving Fund bond to Hastings City Bank for 1.45%; ended up with seven tax foreclosures.

Controller's Report:

Auditor Report: The auditors have concluded their work and will be here next month to give their report. 699 Property Committee will visit the site tomorrow; RFPS have gone out.

PERSONNEL

General Personal Issues

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Part Time Zoning Administrator: After discussions with Dave Stoker, it has been determined that the county would have to hire Mr. Seger back, or hire a firm to do zoning; Chuck asks for direction on what to do; we need additional information. Chuck is tasked with looking into the cost for a firm to do the zoning.

Other Issues: A draft personnel policy has been sent to all department heads and elected officials for comment, returning within 2-3 weeks.

Kristin Hollenbeck states that it was decided in January to have evening meetings; the Clerk, Treasurer and Register of Deeds are here and ask that they be compensated like the commissioners at \$35.00 per diem rate for those evening meetings. Motion by Hollenbeck, seconded by Damm, to recommend to the Board of Commissioners to pay the County Clerk, County Treasurer and Register of Deeds \$35.00 per meeting for the eight evening meetings that are scheduled.

Comm Kelley says a lot of people commit time for evening meetings.
Chuck Clarke says that the elected should have gotten raises along with the others.

Roll call. Motion denied. Ayes: Hollenbeck and Walterhouse Nays: Damm, Kelley and Roper
Exc: Pitcher and Tanner

Committee Assignments

Benzie Transportation Authority: Motion by Roper, seconded by Hollenbeck, to recommend to the Board of Commissioners that Kristin Kiteley and Joshua Mills be reappointed to the Benzie Transportation Authority for a three-year term. Motion carried. Ayes: Damm, Hollenbeck, Roper and Walterhouse Nays: Kelley Exc: Pitcher and Tanner

CMH: Motion by Roper, seconded by Damm, to recommend to the Board of Commissioners to interview the two candidates for the Community Mental Health vacancy. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Planning: Motion by Roper, seconded by Damm, to recommend to the Board of Commissioners to interview George Granlund for the Planning Commission. Motion carried. Ayes: Damm, Hollenbeck, Roper and Walterhouse Nays: Kelley Exc: Pitcher and Tanner

ZBA: Motion by Roper, seconded by Kelley, to recommend to the Board of Commissioners to interview Randy Rice for a vacancy on the Zoning Board of Appeals. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

Workforce Development Board: No action taken – Mr. Jeannot remains on the board.

8:15 p.m. Break

8:20 p.m. Reconvene

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Comm Walterhouse states that we asked the Register of Deeds to do a study with her request to return the position to full time.

Chuck Clarke says you shouldn't do anything until next fiscal year; wait for the jail millage issue to be done.

Linda Wilson states that if she gets behind, Equalization get behind, and then people call complaining that their name shouldn't be on the property.

Chuck says a more concrete number is \$9,000 in salary.

Motion by Kelley, seconded by Hollenbeck, to recommend to the Board of Commissioners to authorize the Secretary II to be full time in the Register of Deeds Office. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

HR Study Committee Report: Comm Hollenbeck states that the committee has not met and they will be requesting feedback from the department heads.

Labor Sub Committee Report: Have held the first meeting with TPOAM and will have another on Thursday of this week.

Other General Topics Requiring Discussion and Potential Board Action:

Comm Roper states that he has handed out the DRAFT copy of the ORV Ordinance and requests everyone to review for discussion on April 21 and determination if we move forward with a public hearing or not; it will be placed on the web site for the public to view.

Comm Hollenbeck asks that the board read the information she passed out regarding the Airport Authority; also Elberta Beach Clean Up.

Comm Damm says the NE counties have formed a broadband group with a proposal to put in fiber optic background.

Vice Chair Walterhouse informs the board of a FOIA appeal filed by Mr. Whale against Mr. Clarke and the Human Resources employee; we need to go to an attorney for guidance.

Motion by Kelley, seconded by Roper, to recommend to the Board of Commissioners to go to an attorney to review and respond, authorize Dawn Olney, County Clerk, to seek response from Dave Stoker regarding this issue. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc: Pitcher and Tanner

NEW BUSINESS: Next meeting: Tuesday May 12, 2009 9:00 a.m.

8:40 p.m. PUBLIC INPUT

Sherry Taylor says that when Bob Larson retired, a firm was hired for cleaning services, this is similar to the zoning administrator issue.

8:42 p.m. Public Input Closed

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Motion by Roper, seconded by Hollenbeck, to adjourn until April 21, 2009, or the call of the chair.
Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper and Walterhouse Nays: None Exc:
Pitcher and Tanner

Frank F. Walterhouse – Vice Chairman

Dawn Olney – Benzie County Clerk

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

1. To authorize Charles Clarke send a letter to the State of Michigan that Benzie County wishes to continue with the \$2.13 9-1-1 surcharge.

2. Removed from Consent Calendar.

3. To amend the 2009 budget for the General Fund (101) as follows:

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	Total	(\$ 41,313)	

7. To approve the Marine grant application in the amount of \$19,169.00 and allow the Vice Chair to sign.
8. To support the Jail Millage on May 5, 2009.

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

1. To reappoint Kristin Kiteley and Joshua Mills to the Benzie Transportation Authority for a three-year term.
2. Removed from Consent Calendar.
3. To interview George Granlund for a vacancy on the Planning Commission.
4. To interview Randy Rice for a vacancy on the Zoning Board of Appeals.
5. To authorize the Secretary II to be full time in the Register of Deeds Office.
6. To go to an attorney to review and respond, authorize Dawn Olney, County Clerk, to seek response from Dave Stoker regarding the FOIA Appeal.