

**THE BENZIE COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE  
December 8, 2009**

The Benzie County Board of Commissioners met in a Committee of the Whole meeting on Tuesday, December 8, 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 Pitcher, seconded by Kelley, to approve the agenda as amended by adding 8.C. 2008-09 Final Budget; 9.D. Remonumentation Contract. Motion carried.  
Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**Approval of the Minutes:** No minutes to approve from November 2009.

**9:05 a.m. PUBLIC INPUT**

Gayle Rice, Benzonia Twp, reads a letter from Jim Sheets, MTA President regarding Planning and Zoning issues with seven townships that fall under county zoning.

Deb Lindgren, Joyfield Twp, says we want a verbal commitment today regarding zoning to allow us to move on.

Brenda Nye, Crystal Lake Twp, we are making a commitment to work together with the county; we need to know what direction to go.

Mary Carroll, Director of the Chamber of Commerce, is pleased to hear that the townships are working together on this issue and bringing a good proposal to work together; the danger is if there is a lapse in coverage; ask you to extend the deadline.

Dick Robb, Gilmore Twp, overwhelmed with the decision by this BOC to put Planning & Zoning in jeopardy; you should rescind your decision to move forward on the termination of planning & zoning; you aren't living up to your responsibilities; not convinced that there are not sufficient financial funds to have planning & zoning; you could come up with funds to keep this going for another year.

Shauna Fite, Michigan Land Use Institute, a lapse in zoning would be detrimental to the county; create a committee with BOC, townships and the public; this is still too blurry to the people; are we going to have separate zoning bodies and planning bodies; we need to coordinate government we have; if you had an administrator they could coordinate this too; create an action item for next week and vote on this.

Ron Beyette, Gilmore Twp, we have large tracts of property for prime development; we need time to put something in place to prevent a lapse in zoning.

Chris Stapleton, Platte Twp, townships came together really well to work together, but need more time; the townships can work together.

Deb Lindgren, July 1, 2010 asking to fund zoning until then and July 1, 2011 for planning – then we would have to fund it.

Dick Robb, admirable that the townships came together but there is no final solution here, just asking for time; if you don't have the guts to do something, then the township will.

Shauna Fite, extending zoning and extending planning are two different things; can't have one without the other but don't need a full time staff.

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9:21 a.m. Public Input Closed

Chairman Tanner says he has been working with Jim Sheets to work to an agreement; Benzonia Twp and the County both use Dick Figura for counsel and he says the old law is still in effect; each townships can appoint a zoning board who would adopt the county zoning plan and use it as their own; it is very doable within the time frame of one or two months; July 1, 2011 is the date for sun setting and dismantling all zoning board and planning under the old act.

Comm Hollenbeck says it is necessary to see what it would cost us; understanding where people are frustrated to loose planning and zoning; willing to look at the budget again and come back next week with a proposal.

Comm Pitcher says it depends on how we structure it.

Chairman Tanner says it is fair to say we are cash strapped and difficult if not impossible to fund zoning. Planning Commission would continue.

Comm Walterhouse says three months of funding has been funded.

Comm Pitcher says continue zoning with a contractor to save money.

Comm Kelley says the budget will be worse next year.

Chairman Tanner asks Linda Wilson about the revenue sharing.

Linda says we can only draw what the state says we can; we owe that fund about \$800,000.

Comm Damm says giving up planning and zoning could be expensive; townships have just gotten together in a unified way with the idea of not having planning and zoning could be bad.

Comm Pitcher says the townships need more time; send it to the budget committee.

Comm Damm says is it unfair to blame it on the townships; we need to protect the townships and county; the townships will keep moving as well as the planning commission members too.

Comm Roper says this process has been going on for two or three years; all he wanted from the townships was a commitment – sounds like they will commit; we need to move forward with a commitment that the townships are willing to take over planning and zoning. The townships need to be involved and control of how the program works; we need budget numbers to make it work; the budget committee should work with Linda Wilson and the attorney (for the process).

Comm Damm wants to have the seven townships and the public that are interested, with the budget committee.

Comm Pitcher's concern is that a commissioner be involved that has an interest in planning and zoning.

**The budget committee will meet on Wednesday, December 9, 2009 at 9:00 a.m. to discuss options for this office.**

**Special meeting scheduled for Monday, December 14, 2009 at 11:00 a.m.; Planning & Zoning issue will be discussed at 1:00 p.m.**

Comm Pitcher feels Platte & Colfax should get credit for their prior contributions.

Comm Hollenbeck and Comm Damm will work with Chairman Tanner and Jim Sheets on this issue.

Motion by Roper, seconded by Pitcher, to move forward to commit ourselves to work with the townships to make the transition as easy and as quick as possible with no lapse in coverage for a three month period from January 1, 2010, effective today. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

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9:59 a.m. Break

10:10 a.m. Reconvene

## FINANCE

### General Finance Issues:

Set up Green Savings Account: Motion by Roper, seconded by Pitcher, to recommend to the Board of Commissioners to authorize Linda Wilson, County Treasurer, to set up a savings account for the Green Team when needed. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Green Team Appointments: Marlene Wood-Zylstra, Recycling Coordinator; Anne Damm; Mary Pitcher; Linda Wilson as the Building Authority Representative; Citizen at Large; One Other Entity.

Cash in Vacation Time: Removed from agenda.

### Budget Issues:

Amendments:

1. Motion by Pitcher, seconded by Damm, to recommend to the Board of Commissioners to amend the 2009/10 budget by increasing the revenues and expenditures as presented:

Fund: 247 Animal Control

Revenues:

247-430-687.00	Refunds/Rebates	1,973.00
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Expenditures:

247-430-749.00	Vehicle Repairs	1,973.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse

Nays: None

2. Motion by Damm, seconded by Roper, to recommend to the Board of Commissioners to amend the 2009/10 budget by increasing the revenues and expenditures as presented:

Fund: 101 General Fund

Revenues:

101-301-687.00	Refund & Rebates	9,684.00
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Expenditures:

101-301-723.00	Overtime	9,684.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse

Nays: None.

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3. Motion by Pitcher, seconded by Roper, to recommend to the Board of Commissioners to amend the 2009/10 budget by increasing the revenues and expenditures as presented:

Fund: 425 Equipment Replacement Fund

Revenues:

425-000-691.00	Budgeted use of fund balance	9,500.00
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Expenditures:

425-101-967.00	Project Expenses	9,500.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse

Nays: None

4. Motion by Roper, seconded by Tanner, to recommend to the Board of Commissioners to amend the 2009/10 budget by increasing the revenues and expenditures as presented:

Fund 401 Capital Improvement Fund

Revenues:

401-000-691.00	Budgeted us of Fund balance	34,100.00
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Expenses:

401-101-967.00	Project Expenses	34,100.00
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Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: Pitcher

1. Medical Examiner: Motion by Kelley, seconded by Roper, to recommend to the Board of Commissioners to transfer \$3,000 from General Fund Contingency to department 648 Medical Examiner for forensic autopsies as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Rehmann Agreement: Motion by Roper, seconded by Kelley, to recommend to the Board of Commissioners to approve the Engagement Letter as presented, authorizing the Chairman to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Manager's Discussion & Analysis: Motion by Kelley, seconded by Walterhouse, to recommend to the Board of Commissioners that the Chairman of the Board, together with the County Clerk and County Treasurer, work on the discussion and analysis as required. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

2008-09 Final Budget: Linda Wilson, County Treasurer, presents the final 2008-09 budget report; Child Care Fund budget needs help. Motion by Pitcher, seconded by Roper, to recommend to the Board of Commissioners to transfer \$22,000 from General Fund to fund 292 Child Care to eliminate the deficit. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

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### Spending Issues:

Centrex Renewal (phone): The Centrex contract has expired; Linda Wilson recommends renewing this contract and allow three years to study other options for a savings at this point of excess of \$19,000 per year. Motion by Walterhouse, seconded by Roper, to recommend to the Board of Commissioners to enter into a 3-year agreement with AT&T for the Centrex Phone system. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None  
Clerk to obtain quotes for one and two year contracts as well.

AAI Billing: Motion by Walterhouse, seconded by Roper, to recommend to the Board of Commissioners to authorize payment from fund 401 Capital Improvement to AAI Architects in the amount of \$2,530.25. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

HSCB Annual Dues: Motion by Walterhouse, seconded by Pitcher, to recommend to the Board of Commissioners to authorize \$500 from contingency for HSCB dues. Motion by Kelley, seconded by Roper, to amend to \$1,000. Vote on Amendment: Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: Pitcher  
Vote on Original Motion as Amended: Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Remonumentation Contract: Motion by Walterhouse, seconded by Pitcher, to recommend to the Board of Commissioners to approve the Remonumentation Contract with Crystal Surveying for the period January 1, 2009 to December 31, 2009, authorizing the chairman to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

11:12 a.m. Break

11:20 a.m. Reconvene

### Sheriff:

Snowmobile Grant: Motion by Pitcher, seconded by Roper, to recommend to the Board of Commissioners to approve the FY 2010 Snowmobile Law Enforcement Program Grant Agreement as presented in the amount of \$11,300.00, authorizing the chairman to sign. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

### Reports:

Treasurer's Report: Recovery Zone Bonds – call from John Barton with the State of Michigan they are requesting us to pass a resolution for any funds we will not be using, so they can use it for EDC; Linda Wilson will call Mr. Barton and Dave Neiger will check with the Council of Governments; she presents the Cash summary report for first quarter for fiscal year with two funds in the red.

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### **PERSONNEL**

#### **General Personal Issues**

Vehicle Use Policy: Added Sheriff Dept, ALS and EMS as exempt; should also add ACO; Clerk and Treasurer will work on the policy and bring back on Tuesday.

#### **Committee Assignments**

Green Team for NMCOG: Taken care of earlier.

**HR Study Committee Report** – No report.

**Labor Sub Committee Report** – No report.

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

Letter received from Tom Whale and MMRMA; awaiting response from Mr. Figura.

Comm Roper was unhappy with not being notified when he was out of town and there was disciplinary action with one department that he oversees; he wants to be made aware of issues that pertain to his liaison departments when he is away; Apologies made; hope it doesn't happen again.

Comm Damm says that the broadband company may be able to provide photo service to the county too; asks to have Tim Maylone come out and look and what we have.

The board asks for a broadband update.

**NEW BUSINESS:** Next meeting: December 14, 2009 at 1:00 p.m. to discuss Planning & Zoning; Jim Sheets to be notified too.

#### **12:10 p.m. PUBLIC INPUT – None**

Motion by Pitcher, seconded by Roper, to adjourn at 12:20 p.m. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

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Donald R. Tanner – Chairman

Dawn Olney – 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:

To authorize Linda Wilson, County Treasurer, to set up a savings account for the Green Team when needed.

1. Green Team Appointments: Marlene Wood-Zylstra, Recycling Coordinator; Anne Damm; Mary Pitcher; Linda Wilson as the Building Authority Representative; Citizen at Large; One Other Entity.
2. To amend the 2009/10 budget by increasing the revenues and expenditures as presented for Fund 247 Animal Control.
3. To amend the 2009/10 budget by increasing the revenues and expenditures as presented for Fund 101 General Fund.
4. To amend the 2009/10 budget by increasing the revenues and expenditures as presented for Fund 425 Equipment Replacement Fund.
5. To amend the 2009/10 budget by increasing the revenues and expenditures as presented for fund 401 Capital Improvement Fund.
6. To transfer \$3,000 from General Fund Contingency to department 648 Medical Examiner for forensic autopsies as presented.
7. To approve the Engagement Letter as presented, authorizing the Chairman to sign.
8. That the Chairman of the Board, together with the County Clerk and County Treasurer, work on the discussion and analysis as required.
9. To transfer \$22,000 from General Fund to fund 292 Child Care to eliminate the deficit.
10. Removed from Consent Calendar.
11. To authorize payment from fund 401 Capital Improvement to AAI Architects in the amount of \$2,530.25.
12. To authorize \$1000 from contingency for HSCB dues.
13. To approve the Remonumentation Contract with Crystal Surveying for the period January 1, 2009 to December 31, 2009, authorizing the chairman to sign.

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14. To approve the FY 2010 Snowmobile Law Enforcement Program Grant Agreement as presented in the amount of \$11,300.00, authorizing the chairman to sign.

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

None