

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**January 5, 2010**

The Benzie County Board of Commissioners met in an organizational meeting on Tuesday, January 5, 2010, in the Commissioners Room, Government Center, Beulah, Michigan, 49617. The meeting was called to order by County Clerk Dawn Olney.

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

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

**ELECTION OF CHAIRMAN**

Comm Walterhouse nominated Comm Tanner as Chair, supported by Hollenbeck.

Motion by Walterhouse, seconded by Pitcher, to close nomination and cast a unanimous ballot for Donald Tanner as chair. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Comm Tanner assumes the chair.

**Agenda:**

Motion by Pitcher, seconded by Roper, to approve the agenda as amended, adding Part Time Planning & Zoning Administrator recommendation at 10:00. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**9:05 a.m. Public Input**

Norman Eason, Animal Welfare League, reads a written statement to the board regarding Animal Control Office.

Eric VanDussen, asks who authorized calling the labor attorney regarding the bumping issue; is there a written opinion from the attorney regarding that.

9:10 a.m. Public Input Closed

**ELECTION OF VICE CHAIR:**

Comm Kelley nominates Comm Walterhouse seconded by Hollenbeck.

Motion by Kelley, seconded by Hollenbeck, to close nominations and cast a unanimous ballot for Frank Walterhouse as vice chair. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

**ADOPTION OF MEETING DATES AND TIMES:**

Motion by Walterhouse, seconded by Roper, to adopt the 1<sup>st</sup> Tuesday and 3<sup>rd</sup> Tuesday each month as regular meeting dates.

Comm Roper recommends that the 3<sup>rd</sup> Tuesday be an evening meeting every month with a 6:00 p.m. start time.

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

Motion by Roper, seconded by Pitcher, to set the 3<sup>rd</sup> Tuesday each month as an evening meeting to start at 6:00 p.m. and end time of approximately 10:00 p.m. The 1<sup>st</sup> Tuesday of each month the day

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meetings will remain with a start time of 9:00 a.m. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper and Tanner Nays: Walterhouse

### **BOARD RULES:**

All commissioners are to review this rules and will discuss and adopt at the January 19, 2010 evening meeting.

### **COMMITTEES**

Chairman Tanner requests that all Commissioners put their requests for committee appointments in his mailbox; they appointments will be finalized at the January 19, 2010 meeting.

Motion by Roper, seconded by Walterhouse, to adopt resolution 2010-001 Depositories as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Roper, seconded by Pitcher, to adopt resolution 2010-002 Electronic Transfer ACH (Automatic Clearing House) as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

### **Appendix C:**

Motion by Walterhouse, seconded by Roper, to adopt Appendix C, Per Diem and Mileage Report with mileage set at \$0.48 per mile, as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

9:31 a.m. Break

9:47 a.m. Reconvene

### **Any Other business to come Before the Board:**

Discussions held regarding the Animal Welfare letter from Ms. Eason.

The Advisory board feels that the officer was put in the union to allow the bumping; the advisory board says Mr. Carter never signed anything authorizing union dues be taken out – he is not a member of the union; it is the duty of the union to have members sign up when they are eligible; this board is not aware of any communications from the advisory board that they did not want the person in the union; Animal Welfare League has an investment in Mr. Carter; union president is who has bumped Mr. Carter; Comm Walterhouse explained what bumping was done.

Eric VanDussen says it is completely illogical for the janitor to made a higher was than those that have been here longer; on August 21, 2009 the Animal Welfare Advisory board to make it a non-union position – if Comm Damm is on that committee, what procedures are in place to receive recommendations from that committee?

Comm Tanner says if there was good dialogue, the commissioners would have had the Advisory Board hold off on that out of state training due to this possible bumping.

Comm Damm asks how the union feels about this; is there another way; we need some help.

Linda Wilson, County Treasurer, states that you need to bring in the labor attorney and have him explain this.

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Motion by Walterhouse, seconded by Hollenbeck, to bring in Dave Stoker or Bonnie Toskey to work out the details of the union contract and bring a recommendation to the board.

Comm Damm thinks all board members need to be at the meeting; we need to understand.

Motion by Walterhouse, seconded by Hollenbeck, to amend to authorize the Chairman of the Board of Commissioners and Chairman of the Labor Sub-Committee to discuss the issue with the attorney and report back to this board.

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

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

Planning & Zoning Administrator:

Comm Walterhouse says there were two applicants and one was interviewed; Mr. Neiger was not since the board knows him and his qualifications.

Comm Roper states that he is the chairman of the interview committee and was not present and was not made aware that an interview was scheduled.

Comm Walterhouse says we need to withdraw this.

Comm Hollenbeck says she was very impressed with Sarah and she has the whole prospective of the seven townships that fall under planning and zoning. She would be able to bring those seven together in the future; she is the glue that we need; townships don't trust government and are breaking off.

Comm Pitcher states that as a member on the Planning Commission, she would have appreciated a call and the opportunity to sit in and listen; we are not ready to make a decision today.

Motion by Tanner, seconded by Walterhouse to refer the matter to the appropriate committee for review and interview applicants. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

10:37 a.m. PUBLIC INPUT

Sarah Ross states that she is aware of the planning and zoning issues in Benzie County; has discussed this with Jim Sheets and he was excited about her possibly applying for this position; bridging this gap with whoever is imperative; she is a civil engineer and been licensed for 15 years; in any given area, you have to provide zoning; the county has done a great service by having them together; it is very important to maintain this position.

Eric VanDussen asks how is it that the two representatives of the planning commission were not notified of the interview nor was the interview committee chair; you have budgeted \$4,500 for this position and if you pay someone \$40/hour, it would be gone in 1 ½ months; there was no wage in the advertisement and feels it should have been; of \$40/hour in the ad, then you would have had several applicants; Bumping – when will it stop? Totally asinine. Why are they all in the same union? You just voted today to get an attorney opinion; where is the opinion that they already talked about; who authorized that person to get an opinion? Who has the authority to talk with an attorney.

10:47 a.m. Public Input Closed

Interview Committee – Comm Roper:

Comm Roper, Comm Kelley, Comm Hollenbeck, Jim Sheets (or rep), Kathy Ralston

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Friday, January 8, 2010 @ 9:00 a.m.

County clerk will contact and schedule interviews for all applicants.

Forward questions to Comm Roper by Thursday, either email or in his mailbox.

Comm Walterhouse says we need to schedule committees with the Clerk's office and keep track of those on it and those that show up.

Motion by Kelley, seconded by Pitcher, to adjourn until January 19, 2010, 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

### INDEX

1. Elected Donald Tanner as chairman for 2010.
2. Approved the agenda as amended.
3. Elected Frank Walterhouse as vice chair for 2010.
4. Adopted meeting dates as the 1<sup>st</sup> Tuesday and 3<sup>rd</sup> Tuesday each month as regular meeting dates.
5. Adopted meeting times of 9:00 a.m. for the 1<sup>st</sup> Tuesday of the month and 6:00 p.m. as the 3<sup>rd</sup> Tuesday of the month.
6. Adopted resolution 2010-001 Depositories as presented.
7. Adopted resolution 2010-002 Electronic Transfer ACH (Automatic Clearing House) as presented.
8. Adopted Appendix C, Per Diem and Mileage Report with mileage set at \$0.48 per mile, as presented.
9. Authorized the Chairman of the Board of Commissioners and Chairman of the Labor Subcommittee to discuss the issue with the attorney and report back to this board.
10. Interviews set for Friday, January 8, 2010 @ 9:00 a.m. for the Planning/Zoning Administrator and the Planning Commission Recording Secretary.