

THE BENZIE COUNTY BOARD OF COMMISSIONERS
February 16, 2010

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, February 16, 2010, in the Commissioners Room, Government Center, Beulah, Michigan, 49617 at 6:00 p.m.

Present were: Commissioners Damm, Kelley, Pitcher, Roper, Tanner and Walterhouse
Commissioner Hollenbeck arrived at 6:04 p.m.

Absent: None

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

Agenda:

Motion by Pitcher, seconded by Damm, to approve the agenda as amended, adding 6:45 p.m. Mike Moorman regarding Planning & Zoning and ORV Ordinance following the 7:45 p.m. appointment. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Abs: Hollenbeck

Minutes:

Motion by Roper, seconded by Kelley, to approve the regular meeting minutes of February 2, 2010 as presented. Motion carried. Ayes: Damm, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Abs: Hollenbeck

6:04 p.m. Comm Hollenbeck arrives

Motion by Pitcher, seconded by Roper, to approve the special meeting minutes of February 3, 2010 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Kelley, seconded by Roper, to approve the special meeting minutes of February 9, 2010 as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

6:05 p.m. PUBLIC INPUT -- None

ELECTED OFFICIALS & DEPT HEAD COMMENTS -- None

COMMITTEE REPORTS

Finance:

Motion by Roper, seconded by Hollenbeck, to approve the bills in the amount of \$649,593.19 as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Linda Wilson, County Treasurer, presents the cash fund balance report – two funds are in a deficit at this time awaiting reimbursements from the State of Michigan; general fund is getting low too.

Motion by Roper, seconded by Damm, to amend the 2009/10 budget by increasing the revenues and expenditures as follows:

COMMISSIONERS

Page 2

February 16, 2010

Revenues:

425-653-674.00 Donations – GT Bank – Snow sled \$7,000

Expenditures:

425-653-967.05 Project Expenses – Snow sled \$7,000

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

Personnel:

Motion by Roper, seconded by Pitcher, to reappoint Linda Wilson, Troy Terwilliger, Rick Schmitt and Marc Rosseels to the EDC board for a six-year term. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Web site committee has two members that do not wish to be reappointed; Comm Pitcher, chairman of the web site committee, will discuss the matter with Comm Roper, chairman of the interview committee.

A letter will be sent to the chairman of each committee of any expiration dates; perhaps we can put a quarter page advertisement in the paper for appointments.

EC&S bill; Linda Wilson states we did make two payments of this; still owe \$8,811.49.

Motion by Roper, seconded by Tanner, to authorize transfer of \$8,812.00 from contingency to pay the EC&S bill in the amount of \$8,811.49. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

CORRESPONDENCE

- Benzie-Leelanau District Health Dept minutes of January 28, 2010 received.
- Benzie-Leelanau District Health Dept meeting schedule for 2010.
- Benzie-Leelanau District Health Dept resolution regarding Public Health Funding Crisis: Motion by Walterhouse, seconded by Kelley, to adopt the resolution for Public Health Funding Crisis as presented. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
- Dow Memorial Field Managers report for January 2010 received.
- Michigan Northern Counties Assoc minutes of January 18, 2010 received.
- Traverse City Record Eagle contract: Motion by Walterhouse, seconded by Pitcher, to not renew the contract with the Traverse City Record Eagle for 2010. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
- Memo from Mr. Figura together with two proposed alternative resolutions regarding zoning: Motion by Pitcher, seconded by Roper, to adopt the resolution Waiving Zoning Ordinance Review of Any Township Adopting County Ordinance. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
- Animal Control Report for January 16 – February 15, 2010 received.
- Letters received from TPOAM union regarding withdrawal of grievances.
- MMRMA quarterly statement ending December 31, 2009.

6:43 p.m. Break

6:53 p.m. Reconvene

COMMISSIONERS

Page 3

February 16, 2010

Mike Moorman, Colfax Township Supervisor, speaks regarding the townships under county zoning, Benzonia Twp meets with their zoning board; Colfax Twp meets next Monday with Weldon & Village of Thompsonville toward a joint venture; Crystal Lake Twp ran an ad for zoning board with one response; Joyfield Twp will go without zoning for a year. New Proposal: keep the current part time zoning administrator for one year beginning April 1, 2010 and hopefully the six or seven townships will pay for it along with the recording secretary too; we feel your pain too at the township levels; we need time to get this done; keep administrator and we will pay for it; you keep the permit money; no administrative costs coming out of it so it should be a cash flow plus for you; no need for a full time zoning administrator for a long time; this will be contingent on the townships coming up with the money; Benzie County will not front the money up front.

Motion by Pitcher, seconded by Kelley, to provide zoning administration services from April 1, 2010 to March 31, 2011 for those Townships currently under County zoning. The County to provide a part time zoning administrator, hired under contract, contingent on receipt of funds totaling \$20,000 from the Townships to be served.

Linda Wilson says this is not enough money; you need contracts with the townships that they will pay all the fees and put funds in a special revenue fund – when the funds are deplete, the job is complete.

Comm Kelley says to add to motion: Get a contract ready for next month's second meeting.

Chairman Tanner states that Mr. Figura laid out the timeline and some townships chose to act on it and other didn't.

Shauna Fite, MLUI, says you are not being asked to fund this at all and asks you to support Mike's proposal; this is a good proposal; this would be good for the county, townships and the residents; they are not asking for money here; this is a priority for the people; the community is concerned about this; the townships are doing what you asked them to do – they are trying to make it work.

Katherine Ross, Planning Commissioner, resident of Benzonia Twp and resident of Benzie County; last week Joe Meyers from Antrim county spoke to the Planning Commission; he was very informative; one planning commissioner asked what are problems that have come up from no zoning – 7 or 8 townships without zoning in Antrim; you have the opportunity here to give the townships more time to make this work; we are here to help.

Chairman Tanner says that we asked the townships to adequately fund it, \$20,000 is not enough – this has no legal costs in it. This has been going on for a number of years.

Comm Roper would consider a motion to look into this and bring back to this board with input from Linda on the budget; can't support this, but will agree to look at it. Need to see from all townships that they are willing to buy into it.

Comm Walterhouse calls for the question.

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

Motion by Roper, seconded by Kelley, to provide zoning administration services under contract from April 1, 2010 to March 31, 2011, for any townships under this contract, with all costs being incurred by those townships under contract. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher and Roper Nays: Tanner and Walterhouse

COMMISSIONERS

Page 4

February 16, 2010

7:35 p.m. Dave Micinski, Benzie County Central Schools

Katherine Ross, President Benzie County Central School Board

Mike Zelinski, Director of Operations, Benzie County Central Schools

Mr. Micinski presents a power point of the energy initiative program; appreciate partnering with the schools for officer coverage, Deputy Rosa; recycling initiatives too; wanted to accomplish four goals with the energy efficiency program and they feel all have been accomplished: long term preservation of BCCS; infrastructure concerns; entered performance contract with ESG to develop a \$1.3 million contract that would provide numerous energy efficiency and building improvements without the need to generate new capital, or burden the taxpayers. 15 year commitment with Honor State Bank and pay \$119,000 per year.

8:05 p.m. Steve Haugen, Building Official

Mr. Haugen presented the 2008 and 2009 annual building department report; as of today their revenue is up \$22,500 and expenses are down \$34,000 from last year.

Motion by Walterhouse, seconded by Roper, to accept the 2008 and 2009 Building Dept Annual Reports and place on file. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

8:19 p.m. Neil Assante, Director, Manistee/Benzie Community Corrections

Mr. Assante requests a resolution to approve the Community Corrections Grant Application to the State of Michigan.

Motion by Pitcher, seconded by Kelley, to approve a resolution to approve the Community Corrections Grant application for FY 2010 and 2011, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

8:27 p.m. Mark Roper, ORV Ordinance Amendments

Colfax Township has requested the Grass Lake Damm Road be closed leading into the campground; we need to vote to amend the ordinance to take that road out. There are now 39 of 43 counties to have an ordinance; looking at permit fees on the state level. Springdale Twp, Manistee county, sent out a survey and the majority of the residents would like to start the process of an ORV ordinance; they have asked him to go and meet with them as to how we started the process.

Motion by Roper, seconded by Kelley, to allow the amendment to the ORV Ordinance to exclude Grass Lake Damm Road, north of the river, in Colfax Township. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

COMMISSIONER REPORTS

Comm Hollenbeck stated that the HR meeting was good and well attended; thank you to Marlene for taking notes at the meeting; the goal of everyone is looking at and re-writing the job descriptions with the help of department heads and co-workers, to include annual evaluations according to the job descriptions; she attended a food drive at Glens Market, with one going on at Shop N Save, Family Dollar and Honor Family Market on the same day too. Attended the Maples today and as she was leaving, the architects were there giving an update.

COMMISSIONERS

Page 5

February 16, 2010

Comm Tanner met with Comm Roper @ the Maples and discussed the ambulance garage move; should be able to buy the lots the garage sits on them. POMH offered to sell them at their purchase price.

Comm Walterhouse – nothing additional.

Comm Damm – Broadband is moving along, but cannot say much at this point; will update the board at a later date.

Comm Roper says that Cole Inc will be the contractor for the BTA building; there were no Benzie County contractors that met the requirements but 12 – 14 Benzie County residents that work for the company; start date is April 1 with 120 day completion; at board of commissioners we deal with the frustration of finances and the lack of them – the township are dealing with it. Village of Lake Ann may need to go for a Millage to support them too.

Comm Kelley says we have budget concerns and we have to cut \$177,000; the budget committee will meet next week on the 23 and 24th to discuss it further.

Comm Pitcher says the Point Betsie Lighthouse renovations are moving along very timely – will have one change order; first meeting of the Green Team was today with an overview from Patti O'Donnell at the Council of Governments with the next meeting on Feb 25 @ 1 p.m.

Comm Tanner stated they had a CMH meeting on Feb 11 and discussed the issue of giving back funds to the county and they felt they could do that as long as we have reserve funds available if needed; Talked with Dan Scripps regarding the water bill and his is working on a revision and the concern over the number of audits required of CMH and amount of money that is spent on them.

Comm Walterhouse talked about BOC cutting \$5,300 from their budget; MAC conference is March 29 and 30; \$230 for the week or after March 1 it is \$50 more; would like to know who wants to go; Pitcher wants to go to Tuesday and is willing to pay her own way; Kelley won't be attending; Hollenbeck would like to go; Tanner is inclined to go; Walterhouse says you will have lodging on top of that; Tanner says it is important to have representation there -- perhaps two commissioners. A decision will be made after the budget committee meets.

9:05 p.m. PUBLIC INPUT

Eric VanDussen, Benzonia, says the new job description for the ACO secretary does not have handling animals and she has no problem doing it; Last Wednesday the COA had an executive meeting at night and didn't know what time nor did Bonnie Inman, Bob McQuilkin told him it was 6:00 p.m.; he showed up at 4:45 p.m. and the doors were locked and the meeting was in progress; waited outside, buzzed the buzzer; looked in windows; set his camera up and they shut the shades on him – their not meeting with the OMA needs to be dealt with; he feels he was lied to about the meeting; March 24, 4 p.m. the ground breaking for the transportation authority – bring your own shovel; was very perplexed at this county spending \$30,000 on the broadband – what did we get for that – don't feel we got anything for the \$30,000 – look at our budget now.

COMMISSIONERS

Page 6

February 16, 2010

Deb Sever, COA Director, responds to Eric – meeting last week was not a quorum was not an executive committee meeting; Greg Piaskowski was giving them information.

9:11 p.m. PUBLIC INPUT CLOSED

Motion by Kelley, seconded by Roper, to adjourn until March 2, 2010, at 9:00 a.m. or the call of the chair. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse
Nays: None

Donald R. Tanner -- Chairman

Dawn Olney – Benzie County Clerk

INDEX

1. Approved the agenda as amended.
2. Approved the regular meeting minutes of February 2, 2010 as presented.
3. Approved the special meeting minutes of February 3, 2010 as presented.
4. Approved the special meeting minutes of February 9, 2010 as presented.
5. Approved the bills in the amount of \$649,593.19 as presented.
6. Approved amending the 2009/10 budget by increasing the revenues and expenditures as present.
7. Reappointed Linda Wilson, Troy Terwilliger, Rick Schmitt and Marc Rosseels to the EDC board for a six-year term.
8. Authorized transfer of \$8,812.00 from contingency to pay the EC&S bill in the amount of \$8,811.49.
9. Adopted the resolution for Public Health Funding Crisis as presented.
10. Voted to not renew the contract with the Traverse City Record Eagle for 2010.
11. Adopted the resolution Waiving Zoning Ordinance Review of Any Township Adopting County Ordinance.
12. Denied motion to provide zoning administration services from April 1, 2010 to March 31, 2011 for those Townships currently under County zoning. The County to provide a part time zoning administrator, hired under contract, contingent on receipt of funds totaling \$20,000 from the Townships to be served.
13. Approved to provide zoning administration services under contract from April 1, 2010 to March 31, 2011, for any townships under this contract, with all costs being incurred by those townships under contract.
14. Accepted the 2008 and 2009 Building Dept Annual Reports and place on file.
15. Approved a resolution to approve the Community Corrections Grant application for FY 2010 and 2011, authorizing the chairman to sign.
16. Authorized to allow the amendment to the ORV Ordinance to exclude Grass Lake Damm Road, north of the river, in Colfax Township.