

THE BENZIE COUNTY BOARD OF COMMISSIONERS
APRIL 20, 2010

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, April 20, 2010, at 6:00 p.m. in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse
Excused: Comm Damm

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

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

Minutes: Motion by Pitcher, seconded by Hollenbeck, to approve the regular meeting minutes of April 6, 2010 as presented. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

6:02 p.m. PUBLIC INPUT

Tim Maylone, General Manager for Cherry Capital Connections, we contracted with Benzie County for Round 1 Broadband application – we were rejected; the contract obligated CCC to apply for round 2 with others in the amount of \$13.5 million grant to bring broadband infrastructure to this area; working to allow everyone in Benzie County to have cost effective access to wireless broadband if this application is approved; with connect the two schools, Government Center and up to Glen Lake schools; hope that the price of MERIT will go down; also working with Blaine Township. Comm Pitcher asks if you are approved for round 2, will we be able to be reimbursed for the \$30,000 we contributed – I did include that in the application.

Eric VanDussen commends the COA for doing an about face and going against their prior attorney; the Board of Commissioners and the Council on Aging should contemplate filing a grievance against Catherine Wolfe through the attorney grievance commission – she accused you of blackmail and that is a very strong allegation; in the letter from Area Agency on Aging Director Greg Piaskowski regarding him and Mr. Kelley and he bashes both of us – he claims Eric is a troublemaker and is finding fault with him; he also alleges that Eric was playing gotta cha in this who situation – I was just trying get them to comply with FOIA and OMA – if I wanted, I would have sued them right away; Judge Kida is refusing to have her employees go under the new payroll system; SCAO is coming before you next Month; chief deputies pay being cut – has the legality of that been resolved.

6:10 p.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Marlene Wood-Zylstra, Recycling Coordinator, has been presented the Environmentalist of the Year Award for Northwest Michigan; SWAC quarterly meeting has been held and they are asking for your approval on the Drug and Lab contract for hazardous collections in 2010.

Motion by Pitcher, seconded by Kelley, to enter into a contract with Drug & Lab for two household hazardous waste collections in 2010, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

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The Green Team has met and selected three building to have an energy audit: Government Center, Jail and Animal Control; Benzie County has committed to a two year study.

Craig Johnson, EMS Director, says new ambulance will be delivered in May; other than that things are going well.

Linda Wilson, County Treasurer, says we have sold the delinquent tax bonds of \$1 million last week to Hastings City Bank for 1.75%.

Tom Longanbach, Equalization Director, asks what you are going to do with the planning department equipment – he needs a printer.

Motion by Walterhouse, seconded by Pitcher, to authorize the printer from the planning department to go to the Equalization Department. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

FINANCE

Motion by Walterhouse, seconded by Hollenbeck, to approve the bills from April 8, 2010 to April 21, 2010 in the amount of \$322,531.80 as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Linda Wilson, County Treasurer, presents the cash fund summary report with two funds in a deficit – 269 Law Library and 285 Point Betsie Lighthouse; she recommends transfer of \$15,000 from the general fund to law library; she feels the need to call in an auditor to clear out the payroll clearinghouse; there have been a number of errors made in year past and it needs to be cleared up; the audit report is in your mailbox and will be presented next month.

Motion by Roper, seconded by Pitcher, to transfer \$15,000 from General Fund 101 to Law Library Fund 269 as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Walterhouse, seconded by Kelley, to authorize the County Treasurer to call in an auditor to clear out the payroll clearinghouse not to exceed \$5,000 with funds to be taken from technology. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Pitcher, seconded by Walterhouse, to approve the FY 2011 Cooperative Reimbursement Contract Application for the Prosecuting Attorney for the period October 1, 2010 to September 30, 2011 as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

PERSONNEL

Motion by Pitcher, seconded by Kelley, to appoint Wes Blizzard to the education position on the Planning Commission created by the resignation of Katherine Ross with a term to expire September

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15, 2012. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse
Nays: None Exc: Damm

Motion by Roper, seconded by Kelley, to appoint Joann P. Worden to the Benzie Transportation Authority to replace Mary Dort with a term to expire April 30, 2012. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Roper, seconded by Pitcher, to reappoint Bill Parris to the Betsie Valley Trail Management Council as the Friends of the Betsie Valley Trail representative for a 3 year term to expire April 20, 2013. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Roper, seconded by Pitcher, to reappoint Michael Foust to the Betsie Valley Trail Management Council as the Village of Thompsonville representative for a 3 year term to expire April 20, 2013. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Kelley, seconded by Pitcher, to accept the resignation of Alison Michalak from the Parks and Recreation Committee. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

Motion by Kelley, seconded by Roper, to reappoint Sam Miller to the EMS committee for 3 years, with a term to expire on April 20, 2013. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

9-1-1 Director Job Description:

Motion by Walterhouse, seconded by Roper, to adopt the job description for the 9-1-1 Director as presented and recommended by the committee. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

6:45 p.m. Building Authority – Annex Completion Project

Jay Pettitt, Bob Sommerville, Linda Wilson

Linda Wilson states: \$145,900; includes a sound system with aids for the hearing impaired; would take these chairs; room could be used for others; wall in other section – otherwise will be left as is.

Comm Walterhouse states we could have a 15 year or 20 year loan.

Linda proposes the delinquent tax revolving fund and to charge bank interest rates of what she would be receiving on the savings accounts; could also use recovery bonds.

Comm Roper would like to hold a public hearing regarding this issue.

7:10 p.m. Public Input regarding Annex

Sue Wells, employee, suggests redoing this room, put you in the front, add 3 rows of seats and you could get 21 seats; personally feel the annex is a waste of space you haven't used it for 12 years; this room could be used.

Linda Wilson states that this room is limited to certain number of people due to the fire code.

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Eric VanDussen what is the cost 15 or 20 years; if you are paying yourself back and interest to yourself, just go with 20 years; this won't go away; good idea to do this; no way to upgrade to hearing impaired in this room; microphones at every commissioner table – will this go into a mixer; should do upgrade for video too.

Linda Saffron says if you have the room here and there were people lined up for this meeting; you should use it for other meetings too.

Rose Coleman says it is never going to be a good year; would support this project.

Sue Miller says that bids are coming in lower now that a couple years ago.

7:15 p.m. Public Input Closed

Motion by Roper, seconded by Kelley, to allow the Building Authority to go out for bids on finishing the annex as presented and bring those bids back to this board. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

7:20 p.m. Break

7:25 p.m. Resume

7:25 p.m. Tom Longanbach, Equalization Director

Tom presents the L-4024 report.

Motion by Walterhouse, seconded by Pitcher, to approve the L-4024 as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

7:30 p.m. Public Hearing – Recovery Zone

Linda Wilson explains the procedure that would need to be completed for entities that wish to apply for funds.

Chairman Tanner opens public input.

Eric VanDussen asks about the amount allotted to Benzie County and what each of the economic development recovery bonds and facility bonds would mean; he asks if there are any proposed projects anyone wants to use these funds for? Also, if it is not used, who gets it? Feds Economic Bonds are for public; facility bonds are used for commercial and industrial.

7:43 p.m. Public Input Closed

Motion by Pitcher, seconded by Hollenbeck, to authorize the creation of a Recovery Zone for Benzie County. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

7:50 p.m. Public Hearing Closed

7:50 p.m. Bonnie Inman & Bob McQuilkin, Council on Aging

Chairman Tanner says he is pleased to see in the change of the climate between the two organizations.

Mr. McQuilkin reviews the letter provided.

Linda Wilson talks about her concern with the insurance on the administration building; the county is not named as an additional insured and should be – on both buildings; may need a rider to add the county.

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Chairman Tanner says thank you for what you have done; I appreciate the efforts; there were questions asked that we were confident you couldn't answer but your having to answer them lets you know what should be in place.

Linda Wilson is concerned about them having an investment policy; Millage money cannot be invested in stocks. Do you have an investment policy? No

Tom says that the meeting you had last Monday was the best since he has been on the board – we are on the right track.

8:20 p.m. Mike Rice, Child Care Fund

It is with deep regret that he appear before your with this request for an additional \$80,000 in the foster care and institutional care components of the budget, due to placement of youths in out of home placement; this will be eligible for 50% state reimbursement; this is not necessarily due to the state of the economy. Out of home care is expensive to provide.

Motion by Walterhouse, seconded by Kelley, to amend and increase the Child Care Fund budget in the amount of \$80,000 as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm

8:30 p.m. Rose Coleman, The Maples

Ms. Coleman provides an update rather than a Millage wording request; since last month they have shaved several million dollars off of the project; the timeline has been pushed back six months; Mr. Pettitt has the plumbing, electrical and mechanical plans to review; they will be setting up a meeting with the Building Authority; regarding the Millage, it is not their intent to misuse the Millage funds and are looking at the possibility of a November ballot issue – they prefer that the voters decide and she will come before you more often to give you updates on where they are at.

8:37 p.m. Comm Hollenbeck excused

8:37 p.m. Break

8:45 p.m. Reconvene

Probate Court: Chairman Tanner explains the issue the Probate Judge is having with the new payroll system and her desire to have her department opt out; he explained to her that there is a level of accountability for employees and it is important; beyond that we don't know how we will pay you if she decides not to use it; a discussion will be held on May 4, 2010 at 10:00 a.m. during the regular board meeting regarding this issue.

CORRESPONDENCE

- Letter from Carol Merrill, President of TPOAM union, to the labor subcommittee – so noted.
- Michigan Northern Counties Assoc minutes of February 15, 2010 received.
- Letter from SunTel Services re telecommunications needs – information only.
- Council on Aging meeting minutes of April 12, 2010 received.
- Benzie-Leelanau District Health Dept minutes of April 8, 2010 received.
- Letter received from the Dept of Treasury regarding Benzie County deficit plans received.
- Memo re vandalism at Point Betsie Lighthouse – information.

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- Letter from Linda Saffron regarding the Gathering Place – information.
- Benzie Housing Committee: Motion by Walterhouse, seconded by Kelley, to adopt 2010 – 2012 Benzie County CDBG Program Summary and Certifying Officer documents for the Benzie Housing Committee, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Hollenbeck

COMMISSIONER REPORTS

Comm Pitcher reported that a letter has been sent regarding TC TALUS and our not providing the requested \$3,000; there will be a meeting on the energy grant that townships and other entities can tap into on Wednesday, April 21 from 5 – 7 p.m.; Comm Damm, Walterhouse and herself have met to discuss the Planning office and it is recommend to continue ACO and Building Dept Secretary positions as is thru September 30, 2010 with Mary Pitcher and Chris Flynn to work one full day on alternate Tuesdays to clean out the planning office.

Motion by Roper, seconded by Walterhouse, to appoint Mary Pitcher to the Energy Efficiency Conservation Block Grant committee. Motion carried. Ayes: Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Hollenbeck

Comm Walterhouse indicates to pay Comm Pitcher full day per diem and Chris Flynn wage of approximately \$120.00 per day and pro rate benefits.

Chairman Tanner suggests that we not start until we hear from Mr. Figura; educational material can be offered to Dave.

Motion by Walterhouse, seconded by Kelley, to allow Chris Flynn to work in the planning and zoning office for 1 day every two weeks 8 hours per day up to 10 days with Comm Pitcher to organize the Planning and Zoning office. Motion carried. Ayes: Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Hollenbeck

Comm Kelley presents a written report; Inland Twp has a new office building will hold an open house on May 15 at 2 p.m. – 4 p.m.

Comm Roper indicated that May 1 will be Almira Township clean-up day; June 26 the Human Services Collaborative will hold the ride around the lake; ORV clean up has been held and 4 yards of garbage bag waste was collected; 22 kids attended the ORV class last Saturday.

Comm Walterhouse April 7 budget committee met; April 8 met with the four unions to present our request to the union members for furlough days, health insurance and freeze wages – no responses received; Paperwork from Ed Roy finishing the boat launch issue – new attorney for the Council on Aging works in the same firm as Mr. Roy – could there be a conflict. Chairman Tanner said the firm discussed it and felt there was no conflict. He states that discussions have been held regarding the possibility of selling the county-owned vehicle; cell phones; building authority per diem is available if needed; Platte Twp is looking at ORV ordinance; Airport Bylaws – have a memo but nothing final.

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Motion by Pitcher, seconded by Roper, to authorize the sale of two 2004 Chevy Impalas as requested by the Sheriff. Motion carried. Ayes: Kelley, Pitcher, Roper, Tanner and Waltherhouse Nays: None Exc: Damm and Hollenbeck

Chairman Tanner reports that at the COG meeting in Traverse City, the PRAC members were there with them and there is training in Cadillac on May 6 5:30 to 7:30 p.m. at the library; do not have a representative on the PRAC any longer – should be a planning commission appointment, Mary will take it to the Planning Commission for a request for a recommendation.

9:37 p.m. Comm Pitcher excused

Tanner continued: The Council of Governments are working on a joint web site for 192 local units of government to link up and discuss issues; will design the site so it has a limited ability for contact to keep deliberations out of it.

9:40 p.m. Public Input

Deb Sever, Director of the Council on Aging, says thank you to the Board of Commissioners – everyone seems to want to work together; Thank you to Eric for noticing and voicing that same opinion; report from the Senior Center Coordinator – Cindy is doing a great job; did get the same letter from Linda Saffron; 147 people today at the Gathering Place.

Sue Wells, employee, says she is sitting here getting punchy as it gets later – main focus of speaking is that she is very puzzled by the financial issues – what is the Delinquent Tax Revolving Fund or where do the grants come from but she is hearing a lot of spending issues tonight; we were told of a \$177,000 deficit, only heard of cutting the hours at the government center, some cell phones were cut, telephones were cut, you are approving a county administrator, 911 director, \$80,000 child care fund, \$30,000 broadband; not understanding where all of this money is coming from if we are to be cutting funds; I am dismayed to hear that we have a problem with our MERS retirement – where are our checks and balances – who is suppose to be taking care of this it really upsets me.

Eric VanDussen asks if the confidential memo from Mr. Figura on the Airport Authority can be waived; he will video the Sears hearing in Probate Court – will be on public access television; regardless of whether or not money was do the Commission on Aging or Council on Aging, will states to be used for senior services, not to sit in some bank account – it was to be used; Council on Aging should sign a consent judgment to turn money over to the County to invest; The Maples – why after being told that there was an issue of the Building Authority not being involved, now they have revised their plans dropping a few million dollars off their plan, without the building authority being involved again.

Linda Wilson asks for the EDC files from the zoning department to her office.

Dawn Olney states that the ORV map is on the web site.

9:50 p.m. Public Input closed

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Motion by Walterhouse, seconded by Roper, to allow the County Treasurer to take the EDC files from the Planning Dept to her office. Motion carried. Ayes: Kelley, Roper, Tanner and Walterhouse
Nays: None Exc: Damm, Hollenbeck and Pitcher

Motion by Kelley, seconded by Roper, to adjourn at 9:53 p.m. Motion carried. Ayes: Kelley, Roper, Tanner and Walterhouse
Nays: None Exc: Damm, Hollenbeck and Pitcher

Donald R. Tanner – Chairman

Dawn Olney – County Clerk

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1. Approved the agenda as presented.
2. Approved the regular meeting minutes of April 6, 2010 as presented.
3. Authorized to enter into a contract with Drug & Lab to have two household hazardous waste collections for 2010, authorizing the chairman to sign.
4. Authorized the printer from the planning department to go to the Equalization Department.
5. Approved the bills from April 8, 2010 to April 21, 2010 in the amount of \$322,531.80 as presented.
6. Authorized transfer of \$15,000 from General Fund 101 to Law Library Fund 269.
7. Authorized the County Treasurer to call in an auditor to clear out the payroll clearinghouse not to exceed \$5,000 to be taken from technology.
8. Approved the FY 2011 Cooperative Reimbursement Contract Application for the Prosecuting Attorney for the period October 1, 2010 to September 30, 2011 as presented.
9. Appointed Wes Blizzard to replace Katherine Ross as the Education position on the Planning Commission for a term to expire September 15, 2012.
10. Appointed Joann P. Worden to the Benzie Transportation Authority to replace Mary Dort with a term to expire April 30, 2012.
11. Reappointed Bill Parris as the Friends of the Betsie Valley Trail representative to the Betsie Valley Trail Management Council for a 3 year term to expire April 20, 2013.
12. Reappointed Michael Foust as the Village of Thompsonville representative to the Betsie Valley Trail Management Council for a 3 year term to expire April 20, 2013.
13. Accepted the resignation of Alison Michalak from the Parks and Recreation Board.
14. Reappointed Sam Miller to the EMS committee for 3 years, with a term to expire on April 20, 2013.
15. Adopted the job description for the 9-1-1 Director as presented and recommended by the committee.
16. Authorized to allow the Building Authority to go out for bids on finishing the annex as presented and bring those bids back to this board.
17. Approved the L-4024 as presented, authorizing the chairman to sign.
18. Public hearing held on Recovery Zone.
19. Authorized the creation of a Recovery Zone for Benzie County.
20. Approved to amend and increase the Child Care Fund budget in the amount of \$80,000 as presented.

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21. Adopted the 2010 – 2012 Benzie County CDBG Program Summary and Certifying Officer documents for the Benzie Housing Committee, authorizing the chairman to sign.
22. Appointed Mary Pitcher to the Energy Efficiency Conservation Block Grant committee.
23. Authorized Chris Flynn to work in the planning and zoning office for 1 day every two weeks 8 hours per day up to 10 days with Comm Pitcher to organize the Planning and Zoning office.
24. Authorized the sale of two 2004 Chevy Impalas as requested by the Sheriff.
25. Authorized to allow the County Treasurer to take the EDC files from the Planning Dept to her office.