

THE BENZIE COUNTY BOARD OF COMMISSIONERS
MAY 18, 2010

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, May 18, 2010, at 9:00 a.m. in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

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

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

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

Motion by Roper, seconded by Kelley, to approve the regular meeting minutes of May 4, 2010 as presented. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

9:04 a.m. PUBLIC INPUT – None

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Marlene Wood Zylstra, Recycling Coordinator, states that eight bins are completed and they look excellent; May 22 is HHW collection; she is looking to partner with the SEEDS Youth Program; would like to apply for a grant through MMRMA for security cameras and would like to apply for a tribal grant.

Craig Johnson, EMS Director, states that there have been a couple of fatalities this past week and all went well with the EMS portion; call volume for April was down, but up again in May; inquires of the EMS ballot wording and the 911 ballot wording; June 4 is the finish date on the new truck.

Motion by Walterhouse, seconded by Roper, to adopt the ALS resolution as amended, adding the word RENEWAL in the title. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

Motion by Walterhouse, seconded by Kelley, to adopt the 911 resolution as amended, changing the \$2.13 to up to \$3.00 within the ballot wording. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

Bill Sholten, Under Sheriff, states that the Sheriff will be off a week dealing with a family tragedy; annual summer agreements; we have gone since December of 2008 without a fatality and now we have had two within three days; personnel concerns over jail overtime budget and will try to see how to support that over the summer; we placed two police cars for sale on the state site and both sold for over \$3,000 and after expenses we will net about \$2,700; you have received a letter from the Sheriff regarding the FOC amount to transfer; we intend to follow the statute which says prisoner reimbursement fee first.

Motion by Walterhouse, seconded by Hollenbeck, to authorize the Chairman top sign all renewal police contracts, together with the Village of Beulah. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

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Motion by Kelley, seconded by Roper, to concur with the Sheriff and no pay regarding Act 60 of 1962 section 801.254 Day Parole of Prisoners (excerpt). Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

Jamie Croel, Animal Control Officer, refers to the report provided to the board; held an Animal Control Advisory meeting and they discussed how things went over the winter; all are OK; working on delinquent licenses.

Comm Walterhouse would like to contract with another company to do Sunday cleaning and feeding. Chairman Tanner says he has no problem with exploring the option.

Comm Roper agrees.

Comm Walterhouse – Jamie will do the legwork and bring back to the board.

FINANCE

Motion by Walterhouse, seconded by Hollenbeck, to approve the bills in the amount of \$2,591,721.77 as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

Cash fund balance report – General fund and Point Betsie are in a deficit.

Motion by Roper, seconded by Kelley, to authorize payment in the amount of \$57,722.07 to the Council on Aging as their final payment. Roll call. Motion carried. Ayes: Hollenbeck, Roper and Tanner Nays: Kelley and Walterhouse Exc: Damm and Pitcher

Counsel tables in courtroom 1 need repairs; Comm Roper to research and bring back.

Motion by Kelley, seconded by Roper, to accept \$4,423.00 from MMRMA for 50% of the cost of security cameras for the Government Center and authorize funds from fund 401 capital improvement as presented. Roll call. Motion carried. Ayes: Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Pitcher

9:59 a.m. Break

10:07 a.m. Reconvene

Comm Damm arrives

PERSONNEL

Letter from Gretchen Schaub regarding appointment to the Trail Advisory Council; bring back in June; Clerk to request a letter of resignation from Tad Peacock.

Chairman Tanner stated that the EDC used to have the Planner on the board; we also need a representative Planners Advisory at NMCOG; County Administrator position has 13 applicants.

Motion by Tanner, seconded by Walterhouse, to add Norman Campbell to the selection committee for the county administrator position. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Pitcher

10:15 a.m. Neil Assante, Community Corrections

Motion by Walterhouse, seconded by Kelley, to approve the agreement with the State of Michigan and County of Manistee for Comprehensive Corrections Plans as presented. Roll call. Motion

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

CORRESPONDENCE

- Letter from Lake Township regarding their proposed Zoning Ordinance – referred to Planning Commission.
- Michigan Northern Counties minutes of April 19, 2010 received.
- Thank you letter received from Ross Childs.

10:33 a.m. Comm Pitcher arrives.

- Jail Inspection Report received.
- Letter from the State of Michigan regarding approval amendment of the Child Care Fund.
- Letter received from Pat Cudney, MSU Extension with confirmation of discussions held on May 4, 2010.
- Email received from Attorney Richard Figura regarding change in secretaries.
- Letter received from Construction Association of Michigan – information only.
- Letter received from the State of Michigan regarding Code Officials Registration – Comm Walterhouse to discuss with Steve Haugen.
- Letter received from NaCO – information only.
- Letter received from Probate Court regarding ADP Payroll procedures.
- Letter of resignation from Michael Moorman from the Planning Commission effective May 14, 2010. Motion by Walterhouse, seconded by Pitcher, to accept the resignation of Mike Moorman from the Planning Commission and send a letter of thank you. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
- Oscoda County Resolution opposing secondary road patrol funds – to discuss further with Under Sheriff Sholten
- Oscoda County Resolution regarding substance abuse treatment allocation formula – information only.
- Letter received from Leelanau County Prosecuting Attorney regarding decision to decline authorization of criminal charges regarding Council on Aging issue – information only.

10:47 a.m. Tom Longanbach, Equalization Director, presents the 2010 Benzie County Equalization Report.

Motion by Walterhouse, seconded by Roper, to accept and file the 2010 Equalization Report as presented. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

10:58 a.m. Break

11:05 a.m. Reconvene

MERIT Network Presentation regarding Broadband – Eric Grandstaff

Mr. Grandstaff explains to the Board and the public the middle mile for internet; \$33 million federal grant to bring middle mile internet to you; working with local internet providers and Traverse Bay

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EDC and others that will have the final mile to your door; working to link cities and other entities together.

Rob Franzo states that MSU has also submitted an application to allow libraries, schools, townships, etc to hook together too.

11:59 a.m. Break for Lunch

1:00 p.m. Reconvene

1:00 p.m. Tino Briethaupt, Traverse Bay EDC and Steve Rawlings, DTE Energy

Tino explains that this project with several funding areas and it could allow natural gas hook ups from the DTE Benzonia Gate Station on Homestead Road to Thompsonville and Copemish – The Tom Cope Project – to help transfer people from propane to natural gas, working with Crystal Mountain; match is \$523,276; you as a county have applied before to Michigan EDC for Crystal Mountain of which a local unit of government has to be the applicant for Crystal Mountain; no risk to the county; asks the county to be the application to the Michigan EDC in the amount of \$523,276 on behalf of Crystal Mountain Resort. This is a three phase approach: Phase 1 and 2 are in Benzie County, Page 3 is Manistee County; deadline is June 1, 2010; 10% local match required but is put up by the private sector and ran through the county and MEDC say there is no problem with that.

Steve Rawlings – the sticky part here is this is a project that has not been attainable; Phase 1 to Crystal – yes, but the real opportunity is to do all of it; it is a lot of money to get natural gas to Crystal Mountain and have not been able to do that for years; almost impossible to ever be able to afford to get natural gas to Thompsonville and Copemish unless they pay a portion of it – it is so expensive; this is a once in a generation opportunity for this to happen.

Motion by Pitcher, seconded by Hollenbeck, to move forward with the CDBG application for the natural gas extension as presented, authorizing the chairman to sign. Roll call. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Pitcher, seconded by Walterhouse, to state that the Board of Commissioners encourage DTE Energy to work with MERIT Network to facilitate fiber installation at the same time as the gas pipeline extension project, with copies to DTE Energy, MERIT Network, Crystal Mountain Resort and the Village of Thompsonville. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Re: The Maples: Comm Hollenbeck (received letters from Theresa Hopper and Mary Latimer at home) and states that she has met with Thelma Rider-Novak and discussed the purpose of her request and what is the goal of all of this; she has been approached by Rose Coleman about a group of citizen to work on an advisory council with the building expansion but it would be such a relief to Kris to put an end to the back and forth – people’s feelings are being hurt; this group needs to be as transparent as possible and support the Maples – improvements of the building are important; perhaps a letter of encouragement to the Maples board regarding a citizens committee.

Marsha LaTour, President of the Maples board, states that Rose asked Ms. Rider to be a part of the Millage committee; feels Thelma is threatening prosecution – she is asking for people to resign – we

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need to move forward with the FOIA and we will address it at the meeting on Tuesday; just want to assure all of you that we are doing everything we can to move forward.

Jennifer Flynn, employee at the Maples, employees and family members are content; if employees are being taken care of, they will respond with great care to the residents; so much positive going on in that building; the employees have their own petitions circulating among themselves.

Marsha LaTour says that many employees are upset and the management had nothing to do with this; we have had nothing to do with this; Mrs. Rider has asked for a copy of it – but it is not ours, she will need to go to the union to get it.

CORRESPONDENCE CONTINUED

- Received a letter from Benzonia Township regarding the Eden Branch of the Cold Creek – there is a meeting on May 20 at 3:00 p.m. at the Benzonia Township Hall re grant from NRC.
- Letter from Ed Roy regarding CLPRA map and book – will file a motion to make it a part of the court file.
- Letter from AAA Greg Piaskowski regarding his definition regarding liaison position.

Motion by Walterhouse, seconded by Damm, to pass the CLPRA motion on to the court to finalize and make the map and book a part of the court file. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

COMMISSIONER REPORTS

Comm Hollenbeck reports that Gilmore Township has applied for a grant to building steps from Grace Road to Lake Michigan; Dave Neiger sent an estimate to Gilmore township for zoning – it was way too high and out of their reach; very pleased with today's meeting – we don't give ourselves enough credit; hope things will work out with the Maples.

Comm Walterhouse says we have received notice from one of the unions that they would like to meet again with the budget committees; budget meeting for the end of the month; letter from Mills Construction regarding building dept being closed Tuesday and Thursday afternoon – Steve Haugen says it is a staffing problem – not enough staff and the part time secretary cannot do inspections; perhaps we should bring the plumbing inspector back as an employee; people need to know when the office will be open.

Motion by Walterhouse, seconded by Kelley, to require the building department to be open to the general public from 8:30 a.m. to 5:00 p.m. Monday through Friday.

Motion by Kelley, seconded by Walterhouse, to amend to require that qualified staff be available to answer questions.

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

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

Steve Haugen to be placed on the June 1 meeting at 10:00 a.m.

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Comm Damm had nothing to add.

Comm Pitcher stated that John Schlueter has been appointed as the Planning Commission chair and Karen Roberts as Vice Chair; Matt McCauley will do a strategic planning session on June 2 at 7:00 p.m. and then a follow up on June 10 at the regular planning meeting; she worked again in the planning office a second day but didn't write a report and can assure you that nothing valuable has been thrown away; asks about an update on the administrator's position – 13 applications have been received.

Comm Kelley has nothing to add.

Comm Roper says the Benzie Bus is moving ahead, Kay Gray has left for another position and they are not sure if they will replace; HSCB is having a Crystal Lake ride around on June 26; asks about changing Rick from the position he is in to a department head – we need to get the work done on weekend when these offices are empty – the union says you pay him overtime and if we change him to a department head we can shift his hours – he is OK with it if he doesn't lose a job over this; the union won't let him do it at this time – they questioned him on his snowplowing this winter; asks if we can take a look at it.

Chairman Tanner reported on the law day – was fun and it worked out good; Thompsonville has started their streetscape project.

2:49 p.m. PUBLIC INPUT – None

Motion by Roper, seconded by Pitcher, to adjourn until June 1, 2010 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 – County Clerk

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1. Approved the agenda as presented.
2. Approved the regular meeting minutes of May 4, 2010 as presented.
3. Adopted the ALS resolution as amended, adding the word RENEWAL in the title.
4. Adopted the 911 resolution as amended, changing the \$2.13 to up to \$3.00 within the ballot wording.
5. Authorized the Chairman to sign all renewal police contracts, together with the Village of Beulah.
6. Concurred with the Sheriff and no pay regarding Act 60 of 1962 section 801.254 Day Parole of Prisoners (excerpt).
7. Approved the bills in the amount of \$2,591,721.77 as presented.
8. Authorized payment in the amount of \$57,722.07 to the Council on Aging as their final payment.

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9. Accepted \$4,423.00 from MMRMA for 50% of the cost of security cameras for the Government Center and authorize funds from fund 401 capital improvement as presented.
10. Approved to add Norman Campbell to the selection committee for the county administrator position.
11. Approved the agreement with the State of Michigan and County of Manistee for Comprehensive Corrections Plans as presented.
12. Accepted the resignation of Mike Moorman from the Planning Comm and send a letter of thank you.
13. Authorized to accept and file the 2010 Equalization Report as presented.
14. Authorized to move forward with the CDBG application for the natural gas extension as presented, authorizing the chairman to sign.
15. Authorized to state that the Board of Commissioners encourage DTE Energy to work with MERIT Network to facilitate fiber installation at the same time as the gas pipeline extension project, with copies to DTE Energy, MERIT Network, Crystal Mountain Resort and the Village of Thompsonville.
16. Authorized to pass the CLPRA motion on to the court to finalize and make the map and book a part of the court file.
17. Denied motion to require the building department to be open to the general public from 8:30 a.m. to 5:00 p.m. Monday through Friday and to require that qualified staff be available to answer questions.