

THE BENZIE COUNTY BOARD OF COMMISSIONERS
August 3, 2010

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, August 3, 2010, at 9:00 a.m. 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.

Motion by Damm, seconded by Roper, to approve the agenda as amended, adding Greg Grant under personnel. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
Motion carried.

Motion by Walterhouse, seconded by Damm, to approve the regular meeting minutes of July 20, 2010 as presented. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
Motion carried.

Motion by Pitcher, seconded by Roper, to approve the closed session minutes of July 20, 2010 as presented. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None
Motion carried

9:04 a.m. PUBLIC INPUT

Eric VanDussen – reminding the commissioners of Sears hearing in Probate Court tomorrow at 9:00 am/9:30 am.

9:04 a.m. PUBLIC INPUT CLOSED

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Rory Heckman, Sheriff – checking to see if any discussion will take place today regarding reconsidering of the County Administrator position. Sheriff Department is scheduled for \$320,000 in budgetary cuts, and a total of four positions. County wide there are seven positions to be cut. He is being lead to believe that if the board reconsiders hiring a county administrator, he will incur an additional \$90,000 in cuts. We are impacting public safety with the \$320,000 cuts. If we do any more we will have some very serious impact on public safety, and is putting everyone on notice.

Tom Longanbach, Equalization Director – would like to start the process to hire someone to replace the employee who left.

Craig Johnson, EMS Coordinator – the new ambulance is in Michigan. It is having the radio and bush guard put on in Greenville. Don't forget to go out and vote today.

Linda Wilson, Benzie County Treasurer – had tax auction Saturday. Out of four parcels we only sold one; would like to have one more auction.

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FINANCE

Motion by Walterhouse, seconded by Pitcher, to approve payment of bills in the total amount of \$753,386.42 as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Roper, seconded by Damm, to transfer \$400,000.00 from the General Fund (101-966-999.10) to Jail Fund (213-351-699.00) as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried

Motion by Pitcher, seconded by Hollenbeck, to transfer \$40,000.00 from General Fund (101-966-999.04) to the Child Care Fund (292-000-699.00) as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried

Motion by Walterhouse, seconded by Roper, to transfer \$20,000.00 from the General Fund (101-966-999.01) to the Animal Control Fund (247-430-699.00) as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried

Linda Wilson, Benzie County Treasurer – currently all budgets are in balance. The Sheriff Department took the biggest hit. We have a tight budget.

PERSONNEL

Motion by Walterhouse, seconded by Roper, to approve the committee appointment ad to put in the newspaper as presented. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Chairman Tanner states that he spoke with Mr. O'Shea regarding the merger of the Manistee County building department with Benzie County. Manistee County has assigned a committee to work with our committee. He will contact Mr. O'Shea to set up a meeting. Have not heard anything from Leelanau County regarding merging with their building department.

CORRESPONDENCE

- MBCMH resolution – Motion by Pitcher, seconded by Kelley, to pass Manistee Benzie Community Mental Health resolution, with equitable funding, as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried
- Oceana County Substance Abuse treatment and prevention allocation Formula resolution – received
- Libraries Report July 23, 2010 received.
- Lenawee County Asian Carp Resolution received.
- My Choice Energy received.
- Benzie Transportation Authority minutes July 27, 2010 received.
- Crystal Lake Elevation received
- Little Platte Lake Elevation received

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- Benzie-Leelanau District Health Department minutes July 22, 2010 received.

9:51 a.m. Break

10:02 a.m. Reconvene

10:03 Open bids related to moving the flag pole, refinishing table tops in court rooms, fixing the sidewalk, and installing automatic door openers for the main entrance of the government center. Chairman Tanner stated that we need to task someone to contact MMRMA and see if a grant is available regarding the automatic doors. Motion by Walterhouse, seconded by Hollenbeck, to send bids back to Building and Grounds for review and come back with a recommendation to the board. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried

Motion by Pitcher, seconded by Roper, to enter into a closed session to consult with counsel regarding the pending litigation in File# 09-8709-CZ to discuss possible settlement, to include Linda Wilson, Benzie County Treasurer and Mr. Grant. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

10:22 a.m. Enter closed session.

10:46 p.m. Re-Enter Open Session – no action required

CORRESPONDENCE – continued

- E-mail for Charles Cleaver received
- E-mail from Josh Mills received
- West Michigan Tourist Association received.
- Letter from Crystal Lake & Watershed Association received.
- Benzie County Road Commission minutes June 10, 2010 received.
- Benzie County Road Commission minutes June 24, 2010 received.
- Benzie County Road Commission minutes July 8, 2010 received.
- COA 2009-2010 Budget and Financial statement received
- E-mail for Gregory Grant received
- Animal Report for June received
- United Way day of Caring Resolution. Motion by Roper, seconded by Pitcher to adopt the Resolution of support for “Day of Caring” and community celebration of Volunteers as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

10:58 a.m. Break

11:03 a.m. Reconvene

11:03 a.m. Tom Longanbach, Equalization Director

Presented information regarding the State Tax Commissions action on Education and Certification

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11:14 a.m. Chairman Tanner regarding the Paul Byro matter, due to pending threat of Federal Lawsuit any further correspondence in this matter will go through the County's attorney.

11:15 a.m. Ingemar Johannson, Honor Area Revitalization Project

Explains what the Honor Area Revitalization Project is and what their goals are. Requesting from the Board of Commissioner a letter of support/endorsement for the project. A draft of the letter of support will be given to the commissioner for their review and consideration at the next board meeting.

11:22 a.m. Letter from John Daugherty, Benzie County Prosecutor, regarding the reduction of salary of the chief assistant prosecuting attorney. Refer this matter to the budget committee. Linda Wilson will re-search this issue regarding the chief assistant prosecuting attorney and chief deputies, for the budget committee. Chairman Tanner will forward this letter to Mr. Figura, and ask for an opinion. Linda Wilson and Chairmen Tanner will work together on this.

11:30 a.m. Thelma Rider-Novak, Issue with the Maples.

A packet of information has been supplied for the Board to review. Need to see changes on the DHS board. It is important who we appoint and the process that is used to do this. The County did a very good job in process of looking for a County Administrator. There are a lot of heated feelings regarding the Maple's issues. The goal is to have the best place we can have.

Comm Hollenbeck does not feel it is a conflict of interest when choosing the DHS board, but will relinquish herself from that process.

Motion by Hollenbeck, seconded by Pitcher to replace Comm Hollenbeck with Comm Damm, for interview of DHS Board appointment. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

11:45 a.m. Dick Williams, Honeywell

No one appeared.

COMMISSIONER REPORTS

Comm Pitcher has nothing to additional.

Comm Kelley has nothing additional.

Comm Roper states that we need to consider looking at a County Administrator position again, maybe mid year. We will be losing some expertise and we need to get someone learning the process; Requests need to go out to the township supervisor again regarding a tax allocation board. Comm. Kelley stated that we need to have someone come in and inform the Board of Commissioner of what a tax allocation board is and their duties, and need to invite the townships.

Comm Damm has nothing additional.

Comm Walterhouse, stated that Ed Carter is the Chairman of the TPOAM union, Sue Wells is the Vice-Chair; Two board members from the Betsie Valley Trail has ask for a review of the policy set in 2002; Proposed county budget will be to the Commissioner by August 12 or 13. Linda Wilson will e-mail the commissioner when it is ready to be picked up.

Comm Hollenbeck nervous about her decision to remove herself from the interview committee for the DHS appointment.

Chairman Tanner stated that he attended the Clarke Mediation.

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12:15 p.m. PUBLIC INPUT

Rose Coleman, stated that the information provided from other counties, in the packet that Thelma Rider-Novak presented, did not use the same formula in their calculations. Would like to present to the Board her side of the information.

Jennifer Flynn, read a copy of the letter Thelma Rider-Novak wrote to Rose Coleman.

Thelma Rider-Novak denies her statement regarding Administrator's neglect was directed to Rose Coleman. Upon request she will provide any papers that were supplied to her under FOIA

Craig Peshek, wants the Board to be careful that you do not have one very vocal and caring person making cause for commissioners.

Joe Coleman, did not hear anyone saying Thelma was dishonest with her questions. Feels she missed a lot of basic question. Rose Coleman is doing a good job at the Maples.

Eric VanDussen questioned why the basement door is locked. Has anyone done a study on how safe this building is with the basement doors locked. Are the building department hours going to change with no part time secretary. The ACO is stating they do not need the current part-time secretary. Once that person is eliminated will the ACO officer somehow get the person she wants back.

Rena Rose has been a volunteer at the Maples and has worked with Rose and Jennifer for years. She believes they are doing a good job.

Jennifer Flynn commented that even on days off, Rose Coleman is always available to them. Regarding the Victim Advocate position in the Prosecutor office, it is a mandated position by the State.

Rose Coleman explains how the quality measure rating is figured.

12:33 p.m. Public Input Closed

Motion by Roper, seconded by Kelley, to adjourn until August 17, 2010, or the call of the chair. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Donald R. Tanner -- Chairman

Tammy Bowers – Benzie County Chief Deputy Clerk

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7. transfer \$20,000.00 from the General Fund (101-966-999.01) to the Animal Control Fund (247-430-699.00)
8. Approve the committee appointment ad to put in the newspaper
9. Pass Manistee Benzie Community Mental Health resolution, with equitable funding Approved to not hire a county administrator.
10. Send bids back to Building and Grounds for review and come back with a recommendation to the board
11. Enter into a closed session
12. Adopt the Resolution of support for “Day of Caring” and community celebration of Volunteers
13. Replace Comm Hollenbeck with Comm Damm, for interview of DHS Board appointment.