

THE BENZIE COUNTY BOARD OF COMMISSIONERS
December 21, 2010

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, December 21, 2010, at 6:00 p.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 Walterhouse, seconded by Roper, to approve the agenda as amended, adding Eric Grandstaff with MERIT Network at 7:45 p.m.. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Kelley, to approve the regular meeting minutes of December 7, 2010 as presented. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

6:03 p.m. PUBLIC INPUT

Linda Wilson explains to the board that they must talk into the microphones for the recording to work; for public input there is a cordless microphone to use.

Steve and Judy Cridle, 12081 N. Manistee County Line Road, Springdale Twp, voice concerns regarding new construction and building inspections not being done properly; a \$20,800 project is turning into \$45,000 to fix; you may want to check with your inspectors to see what their problem is; Mr. and Mrs. Cridle have notified the township too and Marilyn Green has talked with Steven Haugen about two weeks ago; they felt the needed to bring the information to this board since the Springdale township inspections are contracted through Benzie County; Charlie said he would not cater to these builders. (They will provide documents to the Clerk for disbursement to the Board.)

6:10 p.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Craig Johnson, EMS Director, states that the Echo Unit has been delivered and will not need to be outfitted; the Advisory Board is recommending acceptance of the bid for the light bar; this will allow us to be under budget; the bills for the water cooler at Frankfort Station 3 has been denied – he feels they are entitled to provide decent drinking water at Station 3.

Comm Roper feels we need to fix the problem by perhaps a water softener.

Comm Walterhouse gives Craig \$7.00 cash to pay the bill.

Motion by Walterhouse, seconded by Hollenbeck, to accept the low bid of Tele-Rad in the amount of \$4,678.41 for a 52 inch light board are presented for the new EMS truck. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None

Motion by Roper, seconded by Pitcher, to allow Craig Johnson to pay the bill in the amount of \$7.00 for rental of a water cooler at the Frankfort Station. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper and Tanner Nays: Walterhouse Motion carried.

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Motion by Roper, seconded by Hollenbeck, to explore the possibility of a water softener for Station 3 and bring three bids back to this board. Motion carried. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

John Daugherty, Prosecuting Attorney, discussed Andersen vs Crouch where the county has been ordered to pay \$906.65 to Plaintiff; we need some direction as to whether we pay or appeal; his office would represent us.

Motion by Kelley, seconded by Hollenbeck, to appeal this matter and ask for a stay until it is completed and allocate the funds to allow the Prosecutor to handle the case. Roll call. Ayes: Hollenbeck, Kelley, Tanner and Walterhouse Nays: Damm, Pitcher and Roper Motion carried.

Mr. Daugherty introduces Michelle Steffen, Assistant Prosecutor, she likes to do appeals, so she will handle the matter; wouldn't be able to do what we do without her.

Great Lakes Therapy Housecalls vs The Maples – they are doing discovery at this time and held three depositions last week.

6:37 p.m. Adjourn to hold Commission on Aging Annual Meeting

COMMISSION ON AGING ANNUAL MEETING

John Daugherty reports on the Sears Estate matter; in Mr. Sears Will he gave one-half of the residual estate to the Benzie County Commission on Aging, approximately \$280,000, but it went to the Benzie County Council on Aging, Inc – so we have filed a petition to correct the matter and make a determination on heirs; so far discovery has been thwarted by personal representatives and their attorney; January 4, 2011 @ 10:00 a.m. is a scheduled court hearing to remove the personal representatives and to remove their attorney, Mr. Bishop, for the same reasons; depositions were scheduled and the parties failed to appear; Motion to compel their testimony as far as depositions. Chairman Tanner asks how we will handle the letter from the prior administrator; how will we address those actions.

John Daugherty, the letter predates Mr. Sears' death.

Any other issues to cover as Commission on Aging: Millage money --

Motion by Roper, seconded by Kelley, as the Commission on Aging, we enforce the Council on Aging contract and distribute millage monies according to the contract. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

6:50 p.m. Commission on Aging Annual Meeting Closed

6:50 p.m. Re-Open Regular Board of Commissioner Meeting

FINANCE

Motion by Roper, seconded by Pitcher, to approve payment of the bills in the total amount of \$284,817.69 as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

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Linda Wilson presents the cash summary report showing four funds in a cash deficit; recommends transferring \$50,000 from the general fund to the child care fund; the budget committee has met and makes three recommendations for amendments to the budget.

Motion by Pitcher, seconded by Roper, to transfer \$50,000 from the General Fund (101-966-999.04) to the Child Care Fund (292-000-699.00). Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to amend the Veterans Trust Fund (294) budget by increasing the State grant revenue and the Veterans Financial Aid expenditures by \$999. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Roper, seconded by Walterhouse, to amend the Capital Improvement Fund (401) budget by increasing the revenue line, Budgeted use of fund Balance, and the Project expenses – BOC by \$7,962.00. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Hollenbeck, to not increase the MSU's budget for this year and make no guarantee for funding for next year or future funding. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

7:00 p.m. Deb Sever, Executive Director, Council on Aging

Ms. Sever provides the board with an overview of the services provided over the last year; they work within their budget despite everything that is going on; the seniors are not suffering at all; she provides a list of the 2011 board members and positions.

7:34 p.m. Chip Johnston, Manistee-Benzie Community Mental Health

They will be changing their name to Centra Wellness Network and will file a DBA with both Manistee and Benzie Counties as well as the State of Michigan.

Motion by Tanner, seconded by Kelley, that Benzie County acknowledge that the Community Mental Health Board of Manistee and Benzie Counties is hereafter known as Centra Wellness Network. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

7:43 p.m. Break

7:50 p.m. Reconvene

7:50 p.m. Marlene Wood-Zylstra, Recycling Coordinator

She presents a snow removal contract with AJ's Excavating for the Frankfort site and a 2% Grant application to the Grand Traverse Band; Marlene states that they have three holiday recycling dates set and hope that people use it.

Motion by Pitcher, seconded by Damm, to enter into a snow removal contract with AJ's Excavating at \$35.00 per trip as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

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Motion by Pitcher, seconded by Walterhouse, to authorize a grant application to the Grand Traverse Band in the amount of \$1,875.00 for cameras. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

7:57 p.m. Eric Grandstaff, MERIT Network

Mr. Grandstaff is here to answer any questions this board may have in moving forward with adoption of a resolution; he is asking for cooperation and GIS service from the county; the money isn't due until the fibers are laid probably in September 2011; had a kick off at the Manistee ISD this morning.

Motion by Walterhouse, seconded by Kelley, to adopt the resolution for Merit Network Access Point (NAP) as presented. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

PERSONNEL

EDC: Motion by Pitcher, seconded by Walterhouse, to accept the resignation of Norman Campbell from the EDC with regrets. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Kelley, seconded by Walterhouse, to appoint Blake Brooks to fill the vacancy created by the resignation of Norman Campbell from the EDC for the remainder of the term, until January 31, 2011. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Parks & Recreation: Motion by Pitcher, seconded by Walterhouse, to appoint Sean Duperron to a three year term on the Parks and Recreation Commission. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Letter from Sheriff Heckman regarding he and Under Sheriff Sholten resigning from serving on the local LEPC; we need to address how the Emergency Coordinator is running the program; Chairman Tanner states that we need to have a committee meet and air this out; he will have a conversation with the Sheriff and Under Sheriff along with the people listed as having receiving the letter.

Memo from Tammy Bowers, Chief Deputy County Clerk, requesting clarifications:

Motion by Walterhouse, seconded by Roper, to correct the typo on the salary for Craig Johnson as presented. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Pitcher, to put Tom Longanbach back to 40 hours effective December 27, 2010. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

Jackie Randall vacation time: Motion by Kelley, seconded by Damm, to authorize 10 days vacation pay to Jackie Randall based on the personnel policy and past practice. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.

CORRESPONDENCE

- Benzie-Leelanau Health Dept minutes of December 2, 2010 received.

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- Letter from State of Michigan Department of Human Services regarding FY 2011 budget.
- Email regarding the Green Team received; meeting scheduled for December 22, 2010 at 10:00 a.m.
- Quote from Glen Lake Electric regarding additional circuit to the generator – information.
- NaCO information regarding prescription drug card program – information.
- Letter received from the Dept of Energy, Labor & Economic Growth regarding Construction Codes – clerk to talk with Steve Haugen regarding this.
- Request for letter regarding Betsie Valley Trail: Motion by Picher, seconded by Walterhouse, to authorize a letter to the MDNRE for \$10,000 for the Betsie Valley Trail. Roll call. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse Nays: None Motion carried.
- Letter received from NMCOG regarding Placemaking Summit – information.

Meeting Room Use Policy: This policy has been created by Linda Wilson and would cover all rooms: old Commissioners Room, New Commissioners Room, small meeting room within this room and the downstairs conference room.

Motion by Kelley, seconded by Roper, that all meeting/conference rooms remain locked and see the County Clerk's office to schedule, until a policy is adopted. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper and Walterhouse Nays: Tanner Motion carried.

COMMISSIONER REPORTS

Comm Damm: Nothing additional.

Comm Hollenbeck: Nothing additional.

Comm Pitcher: Nothing additional

Comm Kelley: Nothing additional.

Comm Roper reports that HSCB hopes to have a new coordinator by the end of the month; Benzie Bus met today and did agree to go out for a renewal election in May 2011 at .5 mills for 5 years; and also another .1 mill for 5 years to expand the services; they have completed the fuel study and it is best to keep with the current arrangement with the Road Commission – people say that the road commission meets their needs more than a gas station would.

Comm Walterhouse reports that the census report is out and Michigan is the only state that lost population; Parks & Rec received money from the Trust fund and they were told they needed to raise \$440,000 match and have already raised \$100,000 (Railroad Point).

Comm Tanner: 165 applications, \$139.1 million in requests; we did not make the original cut; efforts of Glen Chown and Ann Bourne to attend the meeting should be thanked.

9:36 p.m. PUBLIC INPUT

Rose Coleman, The Maples, hot meal on Christmas, staff is doing all aspects of it; about 35 meals will be delivered.

Terry Money states that he has heard from the public regarding this room that you were wasting money; congratulations -- this is a gorgeous room here.

9:37 p.m. Public Input Closed.

Chairman Tanner says Thank You to Kris and Mary for serving as Commissioners with us; it is a tough job you know that – don't go away.

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Comm Pitcher says it has been a pleasure working with all of you.

Comm Hollenbeck says she has learned so much; it feels like a family here.

Motion by Roper, seconded by Kelly, to adjourn until January 4, 2011 – Organizational Meeting -- or the call of the chair. Ayes: Damm, Hollenbeck, Kelley, Pitcher, Roper, Tanner and Walterhouse
Nays: None Motion carried.

Donald R. Tanner – Chairman

Dawn Olney – County Clerk

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1. Approved the agenda as amended.
2. Approved the regular meeting minutes of December 7, 2010 as presented.
3. Accepted the low bid of Tele-Rad in the amount of \$4,678.41 for a 52 inch light board as presented, for the new EMS truck.
4. Authorized to allow Craig Johnson to pay the bill in the amount of \$7.00 for rental of a water cooler at the Frankfort Station.
5. Authorized to explore the possibility of a water softener for Station 3 and bring three bids back to this board.
6. Authorized to appeal this matter and ask for a stay until it is completed and allocate the funds to allow the Prosecutor to handle the case.
7. Authorized that as the Commission on Aging, we enforce the Council on Aging contract and distribute millage monies according to the contract.
8. Approved payment of the bills in the total amount of \$284,817.69 as presented.
9. Approved to transfer \$50,000 from the General Fund (101-966-999.04) to the Child Care Fund (292-000-699.00).
10. Amended the Veterans Trust Fund (294) budget by increasing the State grant revenue and the Veterans Financial Aid expenditures by \$999.
11. Amended the Capital Improvement Fund (401) budget by increasing the revenue line, Budgeted use of fund Balance, and the Project expenses – BOC by \$7,962.00.
12. Approved to not increase the MSU's budget for this year and make no guarantee for funding for next year or future funding.
13. Approved that Benzie County acknowledge that the Community Mental Health Board of Manistee and Benzie Counties is hereafter known as Centra Wellness Network.
14. Authorized to enter into a snow removal contract with AJ's Excavating at \$35.00 per trip as presented.
15. Authorized a grant application to the Grand Traverse Band in the amount of \$1,875.00 for cameras.
16. Adopted the resolution for Merit Network Access Point (NAP) as presented.
17. Accepted the resignation of Norman Campbell from the EDC with regrets.
18. Appointed Blake Brooks to fill the vacancy created by the resignation of Norman Campbell from the EDC for the remainder of the term, until January 31, 2011.
19. Appointed Sean Duperron to a three year term on the Parks and Recreation Commission.

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20. Approved to correct the typo on the salary for Craig Johnson as presented.
21. Approved to put Tom Longanbach back to 40 hours effective December 27, 2010.
22. Authorized 10 days vacation pay to Jackie Randall based on the personnel policy and past practice.
23. Authorized a letter to the MDNRE for \$10,000 for the Betsie Valley Trail as presented.
24. Approved that all meeting/conference rooms remain locked and see the County Clerk's office to schedule, until a policy is adopted.