

THE BENZIE COUNTY BOARD OF COMMISSIONERS
January 18, 2011

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, January 18, 2011, at 9:00 a.m. in the Commissioners Room, Government Center, Beulah, Michigan, 49617.

Present were: Commissioners Damm, Halliday, Kelley, Roper, Stobie Tanner and Walterhouse
Absent: None

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

Agenda: Motion by Walterhouse, seconded by Kelley, to approve the agenda as amended, removing Cynthia Corey; adding ORV Public Hearing under New Business; ask Mr. Figura to discuss Planning Commission membership while he is here. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Minutes: Motion by Walterhouse, seconded by Stobie, to approve the minutes of January 4, 2011 as corrected on page 1. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried

9:03 a.m. PUBLIC INPUT – None

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Craig Johnson, EMS Director, discussed garage issue with The Maples construction to begin; option of purchase lot from POMH; would like to do an appraisal on the vacant lot and POMH has agreed to pay for half of the cost: has contacted three appraisers with two responding at a cost of \$300 to \$450. Motion by Roper, seconded by Walterhouse, to go ahead and allow the appraisal of the property at 235 Park Street, Frankfort, Michigan with funds to come out of the EMS budget and split the cost with POMH at \$150 each. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Craig states that they are waiting for parts for the lights and radios for the EMS vehicle.

Discussions regarding dispatch meeting December 16, 2010: Comm Walterhouse states that they would like to increase the fee from \$2.13 to \$2.50 to help defray the cost of a new 911 system; takes about six months to get all telephone companies to start charging the new surcharge.

Dispatch Director could help to handle and keep track of all of this.

Under Sheriff Sholten says we need sufficient funding to have a regional dispatch work; we could move quickly once funding is in place; big issue is political – where will it be placed, who will run it; etc.

Craig thinks we will see virtual dispatch before we go to regionalization of dispatch; as you replace equipment, you may have to go to virtual.

911 surcharge funds can only be used for 911 functions; the dispatchers will no longer be able to perform record keeping duties along with other duties unless a formula was worked out to satisfy that with in-kind services.

We need to replace the actual 911 electronic equipment; we also need to hire a dispatch director; the money has been budgeted.

Chairman Tanner says we need better numbers on the surcharge and a better plan.

Motion by Walterhouse, seconded by Kelley, to hire a communications director with the funds to come from 911 dispatch budget. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

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Sheriff Heckman states that Troy Packard has been selected to attend a series of trainings in Arizona to recognize him as a drug recognition expert in May – at no expense to the County; they have held three snowmobile safety classes so far – last week had 25 people; has been receiving positive responses from some municipalities for snowmobile donations.

Motion by Roper, seconded by Halliday, to allow Troy Packard to attend an out of state training with no expense to the county. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Gene Mayo, Emergency Management Director, you asked how long it would take to integrate a regional dispatch center – virtual would be 4 to 5 months; it is mostly driven by money; we would have been lost if we went with Grand Traverse and Leelanau Counties, our demographics are totally different; the 2011 grant cycle is set to roll out in February; all but one grant have been acted on; fire and EMS have been left out of the loop over the last year.

Chairman Tanner reported that this position is required – it is a non-funded mandate.

Craig Johnson also reported that the water issue at the Frankfort station has been settled – they will be installing a water filter and conditioner and will move forward with that in the next couple weeks.

Jaime Croel, Animal Control Officer, asked the board to accept the Animal Welfare Fund Grant from the Dept of Agriculture; presented the Animal Control report for December 2010; have submitted annual numbers to the Dept of Agriculture; large maple tree in the dog area that is dead and needs to be removed.

Motion by Walterhouse, seconded by Damm, to accept the money from the State of Michigan and place in a special line for neutering of animals (cats and/or dogs). Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Kelley, seconded by Roper, to allow the Animal Welfare League to remove the maple tree in the dog area at the Animal Shelter. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

10:20 a.m. Break

10:30 a.m. Reconvene

John Smendzuik, County Surveyor, talked regarding Memorandum #16 Remonumentation and resolution from Ottawa County; this is an attempt to correct things that they see are going wrong; he does see some things that are wrong; some things need to be corrected, but not all.

Motion by Roper, seconded by Walterhouse, to approve resolution 2011-004 regarding Memorandum 16 to be rescinded by the Department of Energy, Labor and Economic Growth on remonumentation. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Tom Longanbach, Equalization Director, provides information to the board regarding update of the BS&A programs in the building to .net; could be a total cost of approximately \$72,830 for all departments.

Will be sent to the Technology Committee and revisited in July.

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11:00 a.m. Susan Miller, Executive Director, Benzie Bus

She presents information from her board that they will be asking for two millage proposals on the May 3, 2011 ballot – 0.50 restoration/renew and an option of an additional 0.10 for operations; a couple of challenges will be to educate the voters on the millage issues; the 0.10 will generate about \$110,000.

FINANCE

Motion by Walterhouse, seconded by Stobie, to approve the bills in the amount of \$443,959.07 as presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse
Nays: None Motion carried.

Linda Wilson, County Treasurer, presents the cash summary report with two funds in a deficit, Betsie Valley Trail and Point Betsie Lighthouse which are reimbursable grants.

Area Agency on Aging:

Motion by Kelley, seconded by Roper, to adjust the budget for the Commission on Aging by decreasing Tax Refunds & Rebates and increasing Dues & Registrations by \$49.00. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Halliday, to pay the 2011 Local Support dues for the Area Agency on Aging of NW Michigan in the amount of \$3,549 from the Commission on Aging Fund, Dues & Registration (276-0000-955.10). Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

HSCB is requesting \$1,000 contribution; this is not budgeted for this year; Comm Roper asks to approve up to \$1,000 as a partner in this.

Motion by Walterhouse, seconded by Kelley, to approve \$250.00 for the HSCB to be taken from Commissioner dues and registration line.

Motion by Roper, seconded by Damm, to amend to \$500.00.

Motion by Walterhouse, seconded by Stobie, to table to February 15, 2011. Motion carried. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Annex Renovation Project:

Motion by Roper, seconded by Walterhouse, to authorize \$3,000 from the Building Authority budget to carpet the old board of commissioner's room. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie and Walterhouse Nays: Tanner Motion carried.

Motion by Walterhouse, seconded by Roper, to purchase an additional 20 chairs from the capital improvement fund for the commissioners room. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to purchase two tables at a cost of \$545.00 each for the two conference rooms in the annex. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Tanner and Walterhouse Nays: Stobie Motion carried.

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Budget Committee Recommendations:

HRA reimbursements will continue to be worked on as to whether they will be put in the separate budgets or not.

Motion by Roper, seconded by Walterhouse, to amend the Equipment Replacement Fund to recognize the OHSP Grant for Electronic Crash Capture Software by increasing the revenues and expenditures by \$14,661 as presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Stobie, to approve that the Equalization Department remain closed on Tuesdays and Thursdays until February 18, 2011. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Kelley, seconded by Walterhouse, to have Tom Longanbach return to a salaried rate equal to 37.5 hours per week; with the difference in his salary put into his equipment line to purchase a plotter to make maps, effective next pay period. Roll call. Aye: Damm, Halliday, Kelley, Tanner and Walterhouse Nays: Roper and Stobie Motion carried.

12:00 p.m. Break

12:03 p.m. Reconvene

Richard Figura discusses the document retention policy; this was put together four years ago; the next step would be to have Mr. Figura review the policy and make reference to the state schedules and prepare a resolution to adopt – February 15, 2011; Planning Commission.

Motion by Roper, seconded by Walterhouse, to authorize Richard Figura to update the retention policy and bring back to the Board of Commissioners on February 15, 2011, along with an electronic policy. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Chairman Tanner states that we may need to reduce the planning commission down to seven members; Mr. Figura will give us an analysis of the current ordinance and how we can move.

12:30 p.m. Motion by Roper, seconded by Halliday, to enter closed session for discussions regarding pending litigation in Cole vs Benzie County et al, to include Counsel Richard Figura, which is scheduled for trial in March 2011. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

1:12 p.m. Re-enter open session.

Motion by Roper, seconded by Damm, to accept the recommendation of Counsel to move forward on Cole vs Benzie County et al. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Appendix C – Per Diem & Mileage Report:

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Discussions held on various committees: remove Airport Authority; remove Library Board; Veterans Trust Fund – No Per Diem; No Mileage; Add ACO Advisory, HLS Advisory, Dispatch Advisory.

Linda Wilson states regarding The Maples millage, that John Axe, Bond Counsel, states due to the increase in the interest rates, the millage amount will not cover the bond payment. He is bringing the information up next month.

PERSONNEL

Comm Roper will review the applications and make recommendations.

ORV Ordinance

Comm Roper would like to schedule a public hearing for any changes on the Ordinance for February 1, 2011 @ 10:00 a.m.

CORRESPONDENCE

- Letter received from Northern Michigan Code Officials Assoc stating that Steve Haugen has been elected an officer.
- Letter received from Michigan State Police regarding site-monitoring visit that was held.
- Letter received from Cynthia Schnarr regarding The Gathering Place – information.
- Van Buren County resolution regarding remonumentation – information.
- Benzie Transportation Authority minutes of December 21, 2010 received.
- Council on Aging minutes of December 15, 2010 received.
- Frankfort City-County Airport Authority minutes of January 6, 2011 received.
- FCCAA Technical Advisory Committee report of December 30, 2010 received.
- FCCAA Manager's report for December 2010 received.
- Information received from Lew Wolters, Benefits Agency with C & M Insurance Agency, LLC – information only.
- NMSAS minutes of November 1, 2010 received.
- Circuit Court Technology Policy – information.
- Michigan Northern Counties Assoc minutes of December 6, 2010 received.

1:45 p.m. Comm Stobie excused.

Policy on Meeting Rooms:

Motion by Roper, seconded by Walterhouse, to adopt the Meeting Room Policy as presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Stobie

Commissioner Appointments:

Motion by Walterhouse, seconded by Damm, to adopt the Commissioner Committee Appointments as amended, adding Comm Stobie to web site committee. Ayes: Damm, Halliday, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Stobie Motion carried.

2:03 p.m. Comm Damm excused.

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COMMISSIONER REPORTS

Comm Walterhouse asks about the building department issues from last month – we will wait for the information from them.

Comm Roper reported that the Road Commission is not going for a millage this year.

Comm Kelley presented a written report.

Comm Halliday discussed the article from the Record Patriot.

Motion by Walterhouse, seconded by Roper, to adjourn until February 1, 2011, or the call of the chair. Ayes: Halliday, Kelley, Roper, Tanner and Walterhouse Nays: None Exc: Damm and Stobie Motion carried.

Donald R. Tanner -- Chairman

Dawn Olney – Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the minutes of January 4, 2011 as corrected on page 1.
3. Approved to go ahead and allow the appraisal of the property at 235 Park Street, Frankfort, Michigan with funds to come out of the EMS budget and split the cost with POMH at \$150 each.
4. Authorized to hire a communications director with the funds to come from 911 dispatch budget.
5. Authorized to allow Troy Packard to attend an out of state training with no expense to the county.
6. Accepted the money from the State of Michigan and place in a special line for neutering of animals (cats and/or dogs).
7. Authorized to allow the Animal Welfare League to remove the maple tree in the dog area.
8. Approved resolution 2011-004 regarding Memorandum 16 to be rescinded by the Department of Energy, Labor and Economic Growth on remonumentation.
9. Approved the bills in the amount of \$443,959.07 as presented.
10. Adjusted the budget for the Commission on Aging by decreasing Tax Refunds & Rebates and increasing Dues & Registrations by \$49.00.
11. Authorized to pay the 2011 Local Support dues for the Area Agency on Aging of NW Michigan in the amount of \$3,549 from the Commission on Aging Fund, Dues & Registration (276-0000-955.10).
12. Tabled to February 15, 2011 the request of HSC.
13. Authorized \$3,000 from the Building Authority budget to carpet the old board of commissioner's room.
14. Approved to purchase an additional 20 chairs from the capital improvement fund for the commissioners room.
15. Authorized to purchase two tables at a cost of \$545.00 each for the two conference rooms in the annex.
16. Amended the Equipment Replacement Fund to recognize the OHSP Grant for Electronic Crash Capture Software by increasing the revenues and expenditures by \$14,661 as presented.

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17. Approved that the Equalization Department remain closed on Tuesdays and Thursdays until February 18, 2011.

18. Approved to allow Tom Longanbach return to a salaried rate equal to 37.5 hours per week; with the difference in his salary put into his equipment line to purchase a plotter to make maps, effective next pay period.
19. Authorized Richard Figura to update the retention policy and bring back to the Board of Commissioners on February 15, 2011, along with an electronic policy.
20. Entered closed session for discussions regarding pending litigation.
21. Accepted the recommendation of Counsel to move forward on Cole vs Benzie County et al.
22. Adopted the Meeting Room Policy as presented.
23. Adopted the Commissioner Committee Appointments as amended.