

THE BENZIE COUNTY BOARD OF COMMISSIONERS
May 3, 2011

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, May 3, 2011 at 9:00 a.m. The meeting was held in the Commissioners Room, Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Donald Tanner.

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

Invocation was given by Commissioner Kelley and the pledge of allegiance was given.

Motion by Roper, seconded by Kelley, to approve the agenda as amended, adding Paula Eberhart Letter to Personnel. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Kelley, to approve the regular meeting minutes of April 19, 2011 as corrected. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

9:04 a.m. Public Input – None

ELECTED OFFICIALS & DEPT HEAD COMMENTS

Amy Bissell, Register of Deeds, states that they are now processing passport applications and did their first one yesterday.

Marlene Wood-Zylstra, Recycling Coordinator, states that they had a successful clean out your files day in conjunction with Earth Day; Inland Township was the first clean up day of the year; June 11 will be Household Hazardous Waste clean up in Frankfort; Thompsonville relocation of site – the site suggested would be a lease on private property at \$600 per year which is enough to pay the property taxes, she suggests quarterly payments in case we decide to vacate the property; the property is in the industrial park area; no electricity on site.

Motion by Kelley, seconded by Stobie, to approve a lease for the Thompsonville recycling site in the amount of up to \$600 per year. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Bill Sholten, Under Sheriff, explained the opening of the bids by the Green Team for the HVAC system at the jail; eight companies attended the pre-bid conference; three vendors bid on the project; the committee recommends Arms & Cole for \$69,500 with \$40,000 being reimbursed from the grant and the balance will be taken from the jail reserve fund.

Motion by Walterhouse, seconded by Damm, to accept and award the bid to Arms & Cole in the amount of \$69,500 for the HVAC system at the Benzie County Jail. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Stobie, seconded by Halliday, to authorize the balance of the project (\$34,000) out of the jail reserve fund. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Motion carried.

COMMISSIONERS

Page 2

May 3, 2011

FINANCE

Motion by Roper, seconded by Kelley, to approve bills from April 20, 2011 through May 3, 2011 in the amount of \$138,711.80. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Linda Wilson, County Treasurer, presented the Cash Fund Summary Report; she informs for board of the letter from the Dept of Treasury regarding audit findings; she asks to lock out all Accounts Payable if there are not enough funds in the line number.

Motion by Halliday, seconded by Roper, to approve the payment of delinquent taxes from the Delinquent Tax Revolving Fund (516) in the amount of \$1,644,604.34 to local taxing units. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to approve the Journal Entry to post delinquent taxes to County Funds from the Delinquent Tax Revolving Fund (516) in the amount of \$884,219.08. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to approve the Journal Entry to post chargebacks to the Trust & Agency Fund (701) from the delinquent Tax Revolving Fund (516) in the amount of \$26,476.18. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion Walterhouse, seconded by Roper, to pay to the Council on Aging the balance due for Contracted Services in the amount of \$49,674.90. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Damm, to authorize the County Treasurer to lock out Accounts Payable to stop overdrawn budgets – letter to be sent to all departments. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

PERSONNEL

Letter received from Paula Eberhart regarding vacation time; discussion held and will be discussed further with Mr. Cohl when the personnel policy is addressed.

10:15 a.m. Break

10:26 a.m. Reconvene

CORRESPONDENCE

- Letter received from the Crystal Lake Property Rights Association notifying of their appointments to the Betsie Valley Trail Management Council – information.
- Letter received from MMRMA regarding asset distribution – information.
- Letter received from Jim Cole regarding Duke Energy – information.
- Council of Governments board brief -- information.

COMMISSIONERS

Page 3

May 3, 2011

- Resolution received from Livingston County regarding General Property Tax Act. Motion by Roper, seconded by Stobie, to adopt resolution in support of HB 4148, 4149 and 4150 as presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.
- ATV meeting minutes of April 25, 2011 received.
- Letter and information requesting ROARR resolution – information only.
- Information received regarding mobile hospital open house.
- Letter received from Attorney Roy regarding amendment to Consent Judgment regarding CLPRA vs Benzie County case 04-7095-CE. Motion by Roper, seconded by Walterhouse, authorize Attorney Ed Roy to sign the Stipulated Order for First Amendment to Consent Judgment regarding bollard removal as presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.
- Agreement to Provide Professional Consulting Service presented from MAXIMUS – schedule then for appearance at future meeting.
- Comm Stobie's report regarding The Maples; Ms. LaTour has stated that she will turn all information fro Ms. Novak to the Maples attorney.
- NMSAS meeting minutes of March 7, 2011 received.

Chairman Tanner speaks of the need to hold a joint meeting with the Parks & Recreation Commission regarding Cole vs Benzie County; meeting will be scheduled for Monday, June 27, 2011 at 5:00 p.m. with Mr. Figura present and possible closed session.

11:00 a.m. Patrick Cudney, MSU Extension District Coordinator

Discusses the standardized agreement across the state together with Appendix A and B and proposed 2011-12 MoA Budget Comparison; Mr. Cudney presents the agreement and does a brief overview of what would happen; they are asking for a 5 year commitment by the board and asks the board to approve the Memorandum of Agreement and authorize \$36,258 for FY 2012 at this time; perhaps support staff can be cross trained with other departments; they will take care of all operational costs for their department; it is the secretarial piece that was used to hire a part time person; MSU will take care of all mileage, conferences, etc; Manistee would consider the sharing of the 4-H position with Benzie County.

Linda Wilson asks that the fiscal year be changed on the agreement.

Comm Roper asks for clarification on Section B item 3 regarding operating expenses.

Discussions held by the board regarding this issue and a commitment and what other departments will have.

Pat asks the board to look at the overall contributions to MSU -- there are mandated services, there are mandated offices, not mandated functions for all offices. Look at the mandates closely; I will not tell you what is important and what is not; will take the next step and go to finance/budget.

Comm Tanner would like to enter into the agreement and work out the funds later.

Issue referred to the Budget Committee for consideration.

11:50 a.m. Break

11:58 a.m. Reconvene

COMMISSIONERS

Page 4

May 3, 2011

NEW BUSINESS

Comm Halliday presents concerns regarding county employee contracts and the need for review of all employment contracts that are entered into; they are spending our tax money; perhaps legal review of contract so we can see that they are not out of line; needs to be fair to all concerned – employees, boards and residents; we have to answer to the taxpayers.

Comm Stobie feels that would be overstepping; we can offer service; part of this is that the liaison sitting on that board – is to report back to this board about what is going on, keep the communications going and if we see an issue, then we need to bring it up.

Comm Halliday asks that one person be appointed to review contracts.

Comm Roper says there is a cost factor – how do you handle that.

Comm Stobie says to remember that we are liaison to a board we are not an advocate for that board.

COMMISSIONER REPORTS

Comm Tanner asks the board about action items; we need to mark them with an * if they are to be acted on at the next meeting – the consensus of the board is to do this.

Comm Stobie and Walterhouse review their proposal for building office/storage needs.

Comm Stobie has a proposed drawing and explains – if people aren't there full time, then they should not have a dedicated office.

Comm Stobie ran some numbers – we will need to have walls put up and down; electrical; duct work; floors & carpet – about \$35,000; this would be a long-term solution.

Comm Walterhouse recommends putting the wall in the County Administrator's Office/County Treasurer's Office back up.

Motion by Kelley, seconded by Walterhouse, to have the janitor put the wall back up in the County Administrator's Office/County Treasurer's Office with the County Treasurer to pay for it out of the delinquent tax administration fund 616. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Comm Stobie reported on the Village of Elberta the auditor was there and sees no problem with their rating and the possible take over by a financial manager – Elberta is at 8 and the lowest is 10; they had one minor write-up; taxable values are low.

Comm Walterhouse reported on a letter from the Sheriff regarding dispatch – will talk about it on Friday if it is OK with the rest of this board; revisits April 19 discussions regarding the County Administrator budget for us to review next Tuesday and report back to this board.

Motion by Walterhouse, seconded by Stobie, to set the salary of the County Administrator position at \$50,000 - \$60,000 for one year, and turn it over to the interview committee. Roll call. Ayes: Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: Damm Motion carried.

Comm Damm reported that the Village of Benzonia is working hard on putting in new sidewalks; as well as the Village of Beulah; for 41 years Jack Rineer has done the ice rink and has retired from doing that – they will be doing fundraising; Jack will supervise them; Village of Honor had over 200 people in attendance at their meeting to revitalize Honor.

COMMISSIONERS

Page 5

May 3, 2011

Comm Roper thanks everyone for their cards and condolences – it does mean a lot; be sure and vote today.

Comm Kelley provides a written report.

Comm Halliday says the Road Commission is continuing work on the Arcadia Overlook off of M-22; snow report needs to be amended – to 116.0; Lake Express trip for this weekend has been cancelled but will be June 5; Allen O’Shea is an independent advocate of wind energy; RMT will be the general contractor (Grand Rapids area).

Comm Tanner reported that Joyfield Twp has met with Matt McCaully regarding funding of a master plan and zoning for the township – good meeting.

1:32 p.m. Public Input

Kay Hopkins asks, regarding employee contracts review for people; this is just discussion; will listen to the tape of the Maples Marcia indicated that she talked for the Board of Commissioners at the Maples meeting but will check the recording.

Comm Halliday says he won’t let it rest; perhaps Prosecuting Attorney or the other attorney will review.

1:36 p.m. Public Input Closed

Motion by Kelley, seconded by Stobie, to adjourn until May 17, 2011 at 1:36 p.m. or the call of the chair. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None
Motion carried.

Donald R. Tanner – Chairman

Dawn Olney – County Clerk

INDEX

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2. Approved the regular meeting minutes of April 19, 2011 as corrected.
3. Approved a lease for the Thompsonville recycling site in the amount of up to \$600 per year.
4. Accepted and award the bid to Arms & Cole in the amount of \$69,500 for the HVAC system at the Benzie County Jail.
5. Authorized the balance of the project (\$34,000) out of the jail reserve fund.
6. Approved bills from April 20, 2011 through May 3, 2011 in the amount of \$138,711.80.
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COMMISSIONERS

Page 6

May 3, 2011

11. Authorized the County Treasurer to lock out Accounts Payable to stop overdrawn budgets – letter to be sent to all departments.
12. Adopted resolution in support of HB 4148, 4149 and 4150 as presented.
13. Authorized Attorney Ed Roy to sign the Stipulated Order for First Amendment to Consent Judgment regarding bollard removal as presented.
14. MSU Memo of Agreement issue referred to the Budget Committee for consideration.
15. Authorized the janitor put the wall back up in the County Administrator's Office/County Treasurer's Office with the County Treasurer to pay for it out of the delinquent tax administration fund 616.
16. Authorized the salary of the County Administrator position at \$50,000 - \$60,000 for one year, and turn it over to the interview committee.