

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**August 2, 2011**

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, August 2, 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 Chair 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 Walterhouse, seconded by Stobie, to approve the agenda as amended, adding Maples Issues with Jay Pettitt at 11:30 a.m. and Pete Bruski and John Daugherty under Department Head time to discuss Soil Erosion Board of Appeals appointments. 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 July 19, 2011 as presented. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Roper, seconded by Stobie, to approved the special session minutes of July 22, 2011 as presented. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

9:03 a.m. Public Input

Carol Hines, Chairman of Council on Aging, thank you to Frank Walterhouse for interacting with the council; this is a good start and asks if we can get together as boards to have a better relationship; we are open to suggestions.

Thelma Rider Novak discusses Maples building project and who makes the decisions on the project; compliments the board for the interview process for County Administrator and DHS Board member.  
9:11 a.m. Public Input Closed

**ELECTED OFFICIALS & DEPT HEAD COMMENTS**

John Daugherty, Prosecuting Attorney, we have a challenge and an opportunity under the Soil Erosion Sedimentation and Storm Water Control Ordinance, we don't have an appeals board and the law says we are to have a five member board; they should be trained by the Michigan DEQ. Peter Bruski, Soil Erosion Officer, says there are none in the state that have been trained by the DEQ. Chairman Tanner says the three members of the Health Department Board of Appeals should be members: Don Tanner, Mark Roper and Mary Pitcher, together with Tad Peacock and a Planning Commission member.

Motion by Walterhouse, seconded by Stobie, to appoint Don Tanner, Mark Roper, Mary Pitcher, Tad Peacock and a member of the Planning Commission to the Soil Erosion Board of Appeals Board. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

## **COMMISSIONERS**

**Page 2**

**August 2, 2011**

Motion by Walterhouse, seconded by Roper, to set the fee for the Board of Appeals at \$400.00 for Soil Erosion. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Craig Johnson, EMS Director, says thank you to the Coast Guard, Sheriff Office and Benzonia Fire & Rescue for assistance on the incident on Lake Michigan what an individual that went into cardiac arrest; communication was the biggest concern and we will need to look at that in the future; Dune Grass Festival is this weekend in Almira Township; July was another record setting month for us. Comm Halliday asks for a two year comparison study on services by EMS.

Jaime Croel, Animal Control Officer, presents the ACO Report; complaints are up; they have 17 dogs and 30 cats/kittens; next Advisory Board meeting is August 9 @ 1:30 p.m.

## **FINANCE**

Motion by Roper, seconded by Halliday, to approve the bills from July 20, 2011 through August 2, 2011 in the amount of \$470,392.51. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Linda Wilson, County Treasurer, presents the Cash Fund Summary Report.

Motion by Walterhouse, seconded by Halliday, to transfer \$408,037 from the General Fund (101-966-999.18 & 999.19) to the Jail Fund (213-351-699.00). Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to transfer \$100,000 from the General Fund (101-966-999.04) to the Child Care Fund (292-000-699.00). Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Roper, seconded by Kelley, to authorize \$1,596.00 for installation of Sensor Switches for 6 restrooms, with funds to come out of Capital Improvement Fund – Project Expenses (401-101-967.00). Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Stobie, to amend the Building Department's Budget by increasing revenues for Sale of Books (249-371-643.00) by \$4,794 and expenditures for Workers Comp. Insurance (249-871-828.00) by \$710 and HRA Reimbursements (249-852-717.02) by \$4,084. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Roper, to amend the Maples Debt/Millage Fund Budget by increasing revenues for Current Real Property Tax (312-000-402.00) by \$685,855, Delinquent Personal Property Tax (312-000-420.00) by \$1,646, Commercial Forest Reserve (312-000-424.00) by \$70, Federal Government PILT (312-000-427.00) by \$660, Penalties & Interest on Taxes (312-000-445.00) by \$8 and expenditures for Refunds & Rebates (312-000-964.00) by \$500 and Transfer Out (312-000-999.20) by \$687,739. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

## FINANCE

Page 3

August 2, 2011

Motion by Walterhouse, seconded by Halliday, to amend the General Fund Budget by increasing revenues for Current Real Property Tax (101-253-402.00) \$70,151, Delinquent Personal Property tax (101-253-420.00) \$9,541, Federal PILT (101-253-427.00) \$650, Penalties & Interest on Taxes (101-253-445.00) \$350, Record Copying (101-253-602.00) \$350, decrease Court Equity (101-253-569.00) - \$7,207 and increase expenditures for Tax Tribunals Refunds (101-899-964.00) \$2,500, Salary – Department Head (101-172-703.00) \$4,616, Office Supplies (101-172-727.00) \$500, Equipment – 2 new computers (101-172-970.00) \$3,500 and Contingency (101-966-999.00) \$62,770. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Halliday, to amend the Jail Fund Budget by increasing Current Real Property Tax (213-351-402.00) by \$2,744, Delinquent Personal Property Tax (213-351-420.00) \$1,726, Refund/Rebates (213-351-687.00) \$2,047, Employee Health Ins. Reimb (213-351-677.00) \$38 and increase expenditures for Wages – Corrections (213-351-707.16) \$2,911, Wages – Part-Time (213-351-707.18) \$1,622, Refunds/Rebates (213-899-964.00) \$448, and Contingency (213-966-999.00) \$1,574. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Halliday, to accept the proposal from NetLink for a 5-year lease for two copy machines for the lower level at the Government Center. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Halliday, that the new copy machine in the paper room be programmed for department/fund use only and that each department or fund that uses the machine be charged accordingly for the lease. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Damm, that beginning October 1, 2011, all employees' pay 20% of all health insurance costs which include medical, dental, vision and administration fees. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Damm, to purchase from Lark Lawn & Garden the Gravely HD 52 Z/T lawn mower for \$4,463, with funds to come from the maintenance department.

10:31 a.m. Break

10:44 a.m. Reconvene

**Motion by Roper, seconded by Halliday, to table purchase of lawn mower to August 16, 2011. Ayes: Damm, Halliday, Kelley, Roper, Stobie and Tanner Nays: Walterhouse Motion carried.**

Motion by Tanner, seconded by Roper, to have the 2012 budget figured with MSU in the budget. Roll call. Ayes: Damm, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: Halliday Motion carried.

## COMMISSIONERS

Page 4

August 2, 2011

11:13 a.m. Tad Peacock, Conversation District and Liz Paladino

Presents a revised Phragmites Resolution

Comm Stobie as why a resolution? Tad states that it helps with credibility to go after future funding.

Motion by Stobie, seconded by Roper, to adopt resolution 2011-014 Phragmites Australis as

presented. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse

Nays: None Motion carried.

11:22 a.m. Terry Money & Roger Griner, Parks & Recreation Commission

Terry Money: Been in touch with Friends of Point Betsie Lighthouse; they have done a wonderful job; the Master Plan with Parks & Recreation the number one item is to keep access open at road ends for the public.

Roger Griner: The Master Plan has been adopted by Parks and Recreation – high issue is to keep access open to the waters; trash issue -- he has talked with Bill Robinson, Lake Township Supervisor, and he indicates that Lake Township will look into the issue and see how they can help.

Chairman Tanner says it should be a joint venture with the Park Commission/Lake Twp/Friends of Point Betsie/Road Commission and any other entities that want to be involved; the Friends will be very interested and will be involved and the project should be led by Parks & Rec.

Motion by Roper, seconded by Walterhouse, to allow Parks and Recreation to come back to us with a formal resolution to support the road end project at Point Betsie Lighthouse. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

11:51 a.m. The Maples, Jay Pettitt, Chairman of the Building Authority

Comm Stobie states that we had a Building Authority meeting yesterday and there have been some discussions regarding this project and the 40 of 62 employees that signed a grievance against the Administrator of the Maples; issues with culture change; there is a question out there as to if this is the final form this building will be in; involved five kitchens; living in pods and eating with the same group; huge shift; still trying to resolve the grievance to find out where this is going to go; there are questions out there, but no answers.

Marsha LaTour, Chairman of DHS board; we did meet on July 5 with their attorney and the union and their representative and right now the ball is in the court of the union and we have heard nothing from them; we are at a standstill; understand that Al Goodreau taking comments from the department heads at the facility; people will be cross-trained for most of the people and all be trained as CENA and licensed. The fear is that there is lack of knowledge as to what the task will be.

Marsha LaTour to inquire of the union what their decision is; perhaps a visitation of employees to a similar facility; Ms. Coleman will come before this board.

Kay Hopkins says it is a darn shame, this homework should have been done before the millage was passed.

Lana Knight says all staff were informed of what was going to happen and shown plans; they were told they would be cross trained in case another staff needed assistance.

Thelma Novak says she has seen the grievance/complaint and the main thing that was said was hostility between management and the workers.

12:23 p.m. Break for Lunch

1:01 p.m. Reconvene

## COMMISSIONERS

Page 5

August 2, 2011

John Amrhein, MSU Extension, Discusses County Administrator Position

Talks about discrimination – dealing with differentiating between candidates; presentation topics – behavioral oriented; post a question for knowledge of Benzie County and propose how they would move forward.

Comm Walterhouse asks to talk contract: he would propose 1 year contract with 2 year renewal.

Bill Sholten envisions that you would do the interview, narrow down, take your favorite person and do a conditional talk and discuss contract; if he doesn't want it, go on to number 2.

Date for interview and presentation before the Board of Commissioners: Tuesday, August 16, 2011 at 9:00 a.m. for a special meeting. Regular meeting will remain in the evening at 6:00 p.m. that day with an open house in between the two meetings from 4:00 to 5:30 p.m. for the public to meet the three candidates.

**There will be a 15 minute presentation from each candidate; question & answer period from the Board up to one hour.**

**Question: The Presentation will be a Power Point presentation of: What is your vision for Benzie County and if you were granted the job -- what would your first month on the job be like.**

Motion by Walterhouse, seconded by Roper, that the three candidates recommended for County Administrator: Bob Metzger, Chris Olson and Clarence Goodlein, be scheduled for August 16 follow up presentation and interview. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

Open Audit Bids:

Three bids were received: Anderson, Tackman & Company, Gabridge & Wilson and Dennis, Gartland & Neirgarth; bids were opened and turned over to the finance committee.

Motion by Roper, seconded by Stobie, to send Audit bids to the finance committee for final review and bring back a recommendation to this board. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried

## PERSONNEL

DHS Board: Motion by Roper, seconded by Stobie, to appoint Kenneth Masters to fill the vacancy on the DHS Board for a term ending October 31, 2013. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

2:32 p.m. Break

2:38 p.m. Reconvene

Discussions regarding personnel policy and changes to be made (mainly typos). County Treasurer and Clerk to contact Mr. Cohl to get a final copy for this board to approve.

## ACTION ITEMS

Motion by Roper, seconded by Stobie, to bring Short Term/Long Term Disability issue off the table.

Motion by Walterhouse, seconded by Roper, to no longer pay Short Term/Long Term

Disability Insurance for elected officials. Roll call. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None Motion carried.

## COMMISSIONERS

Page 6

August 2, 2011

### CORRESPONDENCE

- Health Insurance Rates – 20% increase if the same policy is maintained.
- Report of County Treasurer regarding penal fines report – information only.
- Benzie ATV Association minutes of July 25, 2011.
- Green Lake Township Master Plan – information – to notify Planning Commission.
- Letter received from Mr. and Mrs. Sullivan regarding Gathering Place – information only.
- Information received from NaCO – information only.
- Grand Vision report from July 2011.
- Comm Halliday's report from July 18, 23, 25, 2011.
- Letter received from Mr. and Mrs. Raz regarding the Gathering Place – information only.
- Grand Traverse County Supporting Employee Freedom to Work Act Resolution received.
- Little Platte Lake elevation report received.
- Crystal Lake elevation report received.
- Council on Aging minutes of July 20, 2011 received.
- Comm Halliday's report dated July 30, 2011 received.
- Letter received from Susan Wells regarding safety issues at the government center – referred to Building Needs Committee for response to Ms. Wells; create a policy and look into smoke detectors for the building.
- Chairman Tanner reports that Ed Roy has notified him that we are officially being sued over the bollards in the trail; he will ask Mr. Figura to turn it over to Mr. Roy.

**NEW BUSINESS -- None**

### COMMISSIONER REPORTS

Comm Roper has nothing additional to add.

Comm Kelley provides a written report.

Comm Halliday has nothing additional to add.

Comm Damm has nothing additional to add.

Comm Walterhouse states that the budget will be highlighted at the August 16, 2011 meeting.

Comm Stobie has nothing additional to add.

Comm Tanner has nothing additional to add.

4:02 p.m. PUBLIC INPUT

Dawn Olney informs the board of the Joint Court Meeting being moved to Manistee County on August 12, 2011 at 2:00 p.m.

4:03 p.m. Public Input Closed

Motion by Stobie, seconded by Kelley, to adjourn until August 16, 2011 at 9:00 a.m. or the call of the chair. Ayes: Damm, Halliday, Kelley, Roper, Stobie, Tanner and Walterhouse Nays: None  
Motion carried.

## COMMISSIONERS

Page 7

August 2, 2011

### INDEX

1. Approved the agenda as amended.
2. Approved the regular meeting minutes of July 19, 2011 as presented.
3. Approved the special session minutes of July 22, 2011 as presented.
4. Appointed Don Tanner, Mark Roper, Mary Pitcher, Tad Peacock and a member of the Planning Commission to the Soil Erosion Board of Appeals Board.
5. Set the fee for the Board of Appeals at \$400.00 for Soil Erosion.
6. Approved the bills from July 20, 2011 through August 2, 2011 in the amount of \$470,392.51.
7. Transferred \$408,037 from the General Fund to the Jail Fund.
8. Transferred \$100,000 from the General Fund to the Child Care Fund.
9. Authorized \$1,596.00 for installation of Sensor Switches for 6 restrooms, with funds to come out of Capital Improvement Fund – Project Expenses.
10. Amended the Building Department's Budget by increasing revenues and expenditures by \$4,794.
11. Amended the Maples Debt/Millage Fund Budget by increasing revenues and expenditures by \$688,239.
12. Amended the General Fund Budget by increasing revenues and expenditures by \$73,886.
13. Amended the Jail Fund Budget by increasing revenues and expenditures by \$6,555.00.
14. Accepted the proposal from NetLink for a 5-year lease for two copy machines for the lower level at the Government Center.
15. Approved that the new copy machine in the paper room be programmed for department/fund use only and that each department or fund that uses the machine be charged accordingly for the lease.
16. That beginning October 1, 2011, all employees' pay 20% of all health insurance costs which include medical, dental, vision and administration fees.
17. Tabled motion to purchase of lawn mower to August 16, 2011.
18. Approve to have the 2012 budget figured with MSU in the budget.
19. Adopted resolution 2011-014 Phragmites Australis as presented.
20. Approved to allow Parks and Recreation to come back to us with a formal resolution to support the road end project at Point Betsie Lighthouse.
21. That the three candidates recommended for County Administrator: Bob Metzger, Chris Olson and Clarence Goodlein, be scheduled for August 16 follow up presentation and interview.
22. Sent Audit bids to the finance committee for final review and bring back a recommendation to this board.
23. Appointed Kenneth Masters to fill the vacancy on the DHS Board for a term ending October 31, 2013.
24. Approved to no longer pay Short Term/Long Term Disability Insurance for elected officials.