

THE BENZIE COUNTY BOARD OF COMMISSIONERS
March 26, 2013

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, March 26, 2013, at the Benzie County Government Center, Beulah, Michigan.

The meeting was called to order by Chairman Donald Tanner at 9:00 a.m.

Present were: Commissioners Bates, Griner, Kelley, Rineer, Tanner and Walterhouse
Absent: Excused: Tucker

The invocation was given by Commissioner Kelley followed by the pledge of allegiance.

Agenda:

Motion by Walterhouse, seconded by Griner, to approve the agenda as amended, adding International Property Maintenance Code under New Business. Motion carried. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Minutes:

Motion by Walterhouse, seconded by Rineer, to approve the regular session minutes of March 5, 2013 as presented. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

9:02 a.m. Public Input

The following people spoke regarding the International Property Maintenance Ordinance Number 2013-001 which was adopted by the Board of Commissioners February 19, 2013:

Gordon Lee Dean; Rev. Steven Thompson; Eric Van Dussen; Robert Theobald; Elizabeth Merrill; John Douglas Holmes; Eric Pyne; Matt Emery.

The following people spoke regarding road patrol officers:

Art Jeannot; Ted Mick, Lyle Milhone, Dave Miner.

9:36 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Sheriff Schendel, presents a staffing analysis and personnel request to the Board; asks for five additional deputies.

Craig Johnson, EMS Director, states that he has nothing additional for the EMS, but he supports what Sheriff Schendel said; the lack of road patrol also affects the EMS staff; they were recently dispatched to a suicide when in fact it turned out to be a murder and the EMS staff was there; it is a liability for EMS workers when there is no officer on duty.

Ron Berns, 911 Central Dispatch, passes out a calls-of-service activity report for dispatch; have hired an unemployed person through Michigan Works and 480 hours will be received as a partial reimbursement for training; also supports the Sheriff for additional staff.

Jaime Croel, Animal Control Officer, states that all is well in Animal Control; they are still looking for a part time cleaning individual; asks that she and Ed be allowed to attend the conference in May that will be held at Crystal Mountain.

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Sara Mason, Prosecuting Attorney, stated that her office is also 24/7 and are looking to get a cell phone for work use on the Sheriffs contract; this will be about \$60.00 per month. She will work through the County Administrator and bring a budget amendment back to the next meeting.

Mike Fiebing, Recycling Coordinator, states that he attended a conference yesterday regarding disposal of pharmaceuticals – we are not handling them correctly at this time; they should not be turned over to the Sheriff either.

Sheriff Schendel states that they have ordered a drop box for the Sheriff Dept for expired medications; the DEA will be coming up two times per year to dispose of the medications turned over.

NEW BUSINESS

International Property Maintenance Code: To rescind an Ordinance, it takes an Ordinance and we have draft here.

Motion by Kelley, seconded by Rineer, to adopt Ordinance 2013-002 to rescind the International Property Maintenance Code as presented.

Mr. Olson, County Administrator, talks regarding other counties that were surveyed as to whether or not they have this Code in effect; no one likes to enforce this code; he would like to reduce the code down to life safety issues – have the committee and professionals work on it; if we do not have a code, we cannot deal with commercial structures. This was to assist communities in dealing with this issue.

Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Motion by Kelley, seconded by Rineer, to send the IPM Code back to committee to review. Comm Griner states that he would like a couple of public hearings – Honor and Joyfield Township -- to take public input.

Chairman Tanner says whatever comes out of committee; he has no problem with public hearings; but does have issues of townships not having their own. Ayes: Griner, Kelley, Rineer and Walterhouse Nays: Bates and Tanner Exc: Tucker Motion carried.

10:11 a.m. Break

10:33 a.m. Reconvene

COUNTY ADMINISTRATOR'S REPORT

Chris Olson, County Administrator, stated that the auditors will be here next week at the meeting; two vehicles have been placed on the MIBID and advertised in two newspapers; support the Planning Commission and Parks & Recreation: with regard to the Planning Commission, a CIP has been put out for all departments to put in items over \$10,000; with regard to P/R, the commission voted to do a Management Plan for Railroad Point for the operation and management of the RR Point area. Budget amendments for next week; Veterans Office is going through its change over with the Grand Traverse Veterans Affairs; union letters to commence negotiations.

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Chairman Tanner reads the newly adopted Ordinance 2013-002 to rescind the Property Maintenance Code.

FINANCE

Motion by Walterhouse, seconded by Kelley, to authorize payment of the bills from March 6, 2013 to March 26, 2013 in the total amount of \$593,935.95 as presented. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Michelle Thompson, County Treasurer, presents a cash fund summary report with four funds in a deficit; tax settlement went well with the townships; 1.8% increase in taxes that were levied and 0.8% decrease in delinquent taxes turned over; she attended the Frankfort Planning Commission meeting with Jay Pettitt regarding the Maples; EDC is moving forward with a move from local to regional EDC; asks to disburse the DTRF fund to local units in the amount of \$1.93 million.

Motion by Walterhouse, seconded by Rineer, to allow the County Treasurer to pay a total of \$1.93 million to the local units and schools as requested. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

10:45 a.m. Lizbeth Webster and Candy Gilman, Constitution Defender Committee, present Sheriff Schendel an award based on this stand regarding the 2nd Amendment.

PERSONNEL

Benzie Bus: Three applications have been received; the committee will schedule interviews for these three individuals.

Brownfield Authority: Chairman Tanner states that the committee will be set at seven members; he has a list of individuals he would like to serve but still has a couple others to contact; will make appointments at the April 2, 2013 meeting.

Centra Wellness: Motion by Tanner, seconded by Walterhouse, to re-appoint Donald Smeltzer to the Centra Wellness Board for a three year term ending March 31, 2016. Motion carried. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Fee Committee: Motion by Walterhouse, seconded by Bates, to re-appoint Michelle Thompson, Tom Longanbach, Dawn Olney and Amy Bissell to the Fee Committee for a three year term, ending February 20, 2016. Motion carried. Ayes: Griner, Kelley, Rineer, Tanner and Walterhouse Nays: Bates Exc: Tucker Motion carried.

Land Bank: Motion by Walterhouse, seconded by Bates, to re-appoint Tom Longanbach and Amy Bissell to the Land Bank Authority for a three year term to expire April 5, 2013. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Veterans: Motion by Griner, seconded by Kelley, to re-appoint Bill Huhnke to the Veterans Affairs Committee for a three year term expiring December 31, 2015. Motion carried. Ayes: Griner, Kelley, Rineer, Tanner and Walterhouse Nays: Bates Exc: Tucker Motion carried.

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Comm Bates states that we need to be cognizant of our younger veterans; they could be vital to this committee and bring unique issues.

Comm Rineer states that the Veterans Affairs committee will meet on April 1, 2013 and at that time will make an appointment to the Grand Traverse Veterans Committee.

11:08 a.m. Susan Miller, Benzie Bus

They are in their sixth year of operation; 5,462 people in Benzie County have used our service at least once since the start of operations, about 1/3 of the population; their building is 100% debt free; in 2011 the millage was renewed and will probably go back up in 2014; they kept up the New Years Eve service for individuals; still do some maintenance on EMS vehicles; they are work on LP conversions will convert four buses to dual services; saving about \$30 per day for each bus that has been converted; they have received a new bus; their drivers are not required to have any special licenses to operate the vehicles, however their board does require some requirements for their drivers; they participate in the TBA work experience program; compliment Mr. Post – their board has just approved two MOU for emergency services – their building will act as an emergency EOC should that be needed – he has been very proactive.

11:20 a.m. Lisa Vogler, Cummings, McClorey, Davis & Acho

She presents a proposal to be corporate counsel for the county and this board; our firm could help in drafting ordinances or revisions same; she plays a very pro-active role in litigation on the front side rather than the back side. She states that she has made it a point to be here for the last several months and have represented two Benzie County entities in two recent cases: the Benzie-Leelanau Health Department and the Maples.

ACTION ITEMS -- None

CORRESPONDENCE

- Ottawa County resolution regarding the criminal justice system – information only.
- Platte Township minutes from January 8, 2013 received.
- Platte Township Budget and Truth in Taxation minutes from February 12, 2013 received.
- NMSAS minutes of January 7, 2013 received.
- Gratiot County resolution regarding Act 88 of 1913 received – information only.
- Letter from Adrian Poulisse regarding Property Maintenance Code received – Chairman Tanner reads the letter into the record.
- Letter received from Matt McDonough, GT Regional Land Conservancy regarding Railroad Point.
- Letter received from Chris Sullivan apologizing for missing our last meeting.
- Council on Aging minutes of February 20 and March 6, 2013 received.
- Council on Aging Interim Directors report.
- Council on Aging financial reports received.
- Senior Center Coordinator's report for March 2013 received.
- Van Buren County resolution received regarding roads and bridges – information.
- Letter received regarding Sheriff road patrol – Chairman Tanner reads the letter into the record.

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11:40 a.m. Mike Woods, Regional Planner, NW Michigan Council of Government
Mr. Woods presents the 2012 Asset Management Pavement Ratings (written report) involves evaluating the surface of roads in the 10-county area which includes Benzie County; 2700 miles of road were cover in the report last year.

12:00 p.m. Public Input

Eric Van Dussen talked about creating a policy for adopting non-agenda items; committee appointments; building department; attorney firms.

Rep Ray Franz updated the county on issues in Lansing: forestry management package; emergency dredging; glad to hear the report on roads; Act 51.

Gordon Lee Dean says thank you for doing the right thing.

Kathy Howland agrees with Comm Bates that someone younger should be on the veteran's board.

12:11 p.m. Motion by Bates, seconded by Kelley, to adjourn until April 2, 2013 or the call of the chair. Ayes: Bates, Grier, Kelley, Rineer, Tanner and Walterhouse Nays: None Exc: Tucker Motion carried.

Donald R. Tanner -- Chairman

Dawn Olney – Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the regular session minutes of March 5, 2013 as presented.
3. Adopted Ordinance 2013-002 to Rescind the International Property Maintenance Code as presented.
4. Approved to send the IPM Code back to committee to review.
5. Authorized payment of the bills from March 6, 2013 to March 26, 2013 in the total amount of \$593,935.95 as presented.
6. Approved to allow the County Treasurer to pay a total of \$1.93 million to the local units and schools as requested.
7. Re-appointed Donald Smeltzer to the Centra Wellness Board for a three year term ending March 31, 2016.
8. Re-appointed Michelle Thompson, Tom Longanbach, Dawn Olney and Amy Bissell to the Fee Committee for a three year term, ending February 20, 2016.
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