

THE BENZIE COUNTY BOARD OF COMMISSIONERS
November 5, 2013

The Benzie County Board of Commissioners met in a regular meeting on Tuesday, November 5, 2013, 448 Court Place, 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, Tucker and Walterhouse

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

Agenda:

Motion by Walterhouse, seconded by Rineer, to approve the agenda as amended, adding 10:00 open audit bids; and County Administrator appointment under HR and Personnel. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Minutes:

Motion by Walterhouse, seconded by Griner, to approve the regular session minutes of October 15, 2013 as presented. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Walterhouse, seconded by Rineer, to approve the special session minutes of October 30, 2013 as presented. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

9:05 a.m. Public Input

Adrian Poulisse discussed a letter from him to the Board regarding Board of Canvasser appointment. Bev Holbrook, Chair Benzie Bus, says that all is going very well; last Friday the board met and decided to have North Sky come in to help with the hiring of a new director.

Eric VanDussen, discussed a letter from Ed Roy to Chris Cooke regarding the Benzie Transportation Authority issues; he has filed a first amended complaint to his lawsuit.

9:10 a.m. Public Input Closed

ELECTED OFFICIALS & DEPT HEAD COMMENTS:

Doug Durand, Council on Aging Director talks about working in collaboration with BACN; Senior Needs Assessment; Lawn Chore Program Survey; snow removal program is all set; annual audit is taking place today to finish up the audit; he is doing a review with all insurances; working with Frank Post to put together shelf-stable food boxes; welcome letters are going out to all new clients; contract for COA services.

Motion by Griner, seconded by Rineer, to extend the current Benzie County Council on Aging contract for services to the aging to be provided in calendar year 2014, under the terms and conditions contained in the contract and for the contracted expense of \$659,000 to be paid in monthly installments in accordance with the contract. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Marlene Wood, Recycling Coordinator she has worked to retrieve revenues from last year's budget; she is working with the Equalization and Treasurer; she has prepared a newsletter to send out with tax bills; a confidential paper shredding and Styrofoam collection will be held November 16.

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Sheriff Schendel states that he is looking to replace the seasonal road patrol vehicle; there is money in the account to cover the purchase; he is looking at a 4-wheel drive Tahoe with equipment.

Motion by Bates, seconded by Tucker, to authorize the Sheriff to purchase a 2014 Tahoe commercial package along with the necessary equipment, not to exceed \$37,100. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Bates, seconded by Kelley, to approve a budget amendment for a rebate from paying off a loan early, as follows:

Increase:	101-301-940.00	\$381.73	
Decrease:	101-301-687.00		\$381.73

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

Motion by Walterhouse, seconded by Bates, to amend the 2013-14 Budget for Dept 332 – Snowmobile as follows:

Revenues:

217-332-539.00	State Grants	\$ 7,000.00
217-332-585.00	Local Match	2,200.00
217-332-699.03	General Fund Match	<u>1,050.00</u>
Total		\$10,250.00

Expenses:

217-332-706.00	Wages – Deputy Sheriff	\$ 7,000.00
217-332-725.00	Fringe Benefits	1,200.00
217-332-748.00	Gas, Oil & Grease	800.00
217-332-749.00	Vehicle Repairs	1,000.00
217-332-751.00	Uniforms	50.00
217-332-970.00	Equipment	<u>200.00</u>
Total		\$10,250.00

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

Bert Gale, Building Dept: presents the October 2013 permit listing; requests adoption of the Soil Erosion fee for minor earth changes.

Motion by Walterhouse, seconded by Griner, to adopt the new fee scale for SESSC as presented.

Roll call. Ayes: Kelley, Rineer and Walterhouse Nays: Bates, Griner, Tanner and Tucker Motion fails.

Motion by Bates, seconded by Griner, to reconsider the prior motion. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Bates, seconded by Rineer, to adopt the \$120.00 SESSC Minor Earth Changes fee as presented. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

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9:58 a.m. Break

10:06 a.m. Reconvene

Open Audit Bids: Bids were received from

Anderson Tackman	\$75,000	3 years
	\$ 7,500	Single Audit
Abraham & Gaffney	\$29,800	2014
	\$30,800	2015
	\$31,800	2016
	\$ 2,500	Single Audit
	\$ 500	F-65 Report
Gabridge & Company	\$20,280	2014
	\$21,300	2015
	\$21,900	2016
	\$ 1,250	Single Audit
Rehman.	\$30,500	2014
	\$31,500	2015
	\$32,500	2016
	\$ 2,500	Single Audit – 2014
	\$ 2,750	Single Audit – 2015
	\$ 3,000	Single Audit – 2016

Motion by Walterhouse, seconded by Griner, to accept the four audit bids and turn over to the County Treasurer, County Administrator and the Budget Committee to review and come back with a recommendation. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Craig Johnson, EMS states that they held the ALS Advisory meeting a week ago and discussed the cardiac monitors; snowplowing bids have been received. They are working on a grant for Lucas CPR Machines but will require a 5% match and will be presented at the next meeting; they are also looking at a tribal grant. Medicare and Medicaid mileage rate has increased from \$12.40 to \$13.00 per mile effective December 1, 2013. The October 2013 volume was down a little; he would support the appointment of Mr. Johnson for County Administrator.

Motion by Walterhouse, seconded by Bates, to accept the snowplowing bids for ALS in the amount of \$65.00 for the 669 building and \$70.00 for the Frankfort site per trip for 2-years. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Frank Post, Emergency Manager, presents the October 2013 Emergency Management Activities report; winter weather spotter program will be held November 7, 2013 @ 6:00 p.m.; CERT Program (Citizen Emergency Response Team) – he feels that Benzie County should reactivate this program – he will advertise the program and set an organizational meeting to get things rolling.

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Jaime Croel, ACO, provided the October 2013 report; they are very full in the shelter; the part time person is working out fine.

11:00 a.m. Marlene Wood, Recycling Coordinator

She presents a contract with American Waste for all recycling services with Benzie County.

Motion by Griner, seconded by Kelley, to enter into contract with American Waste for recycling services, authorizing the chairman to sign. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

11:20 a.m. Robert Richardson, Traverse Bay EDC

He presents the TBEDC Consulting Agreement for development of a strategic plan; this will be a 12 month project.

Motion by Walterhouse, seconded by Griner, to adopt the Consulting Agreement between Benzie County and Traverse Bay Economic Development Corporation, authorizing the chairman to sign.

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

Proposed Task Force Members for EDC -- Motion by Walterhouse, seconded by Tucker, to set up the proposed Task Force Advisory Board as presented. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Board Packets and Additional Packets: Chairman Tanner state that the additional packet is larger than the original; we need to set a deadline for the packet and the additional packet information would be forwarded to the next meeting – the Board does not have time to review and understand the additional packet that is provided the morning of the meeting; any special circumstances can be addressed to the Board Chairman.

Motion by Walterhouse, seconded by Griner, that all packet information be at the County Clerk's Office by Wednesday at 5:00 p.m. before the Tuesday meeting. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

COUNTY ADMINISTRATOR'S REPORT – Chris Olson

We received a letter from Mr. Figura regarding increase of his hourly rate – this is the first increase in five years.

Motion by Walterhouse, seconded by Bates, to approve the increase the hourly rate of Mr. Figura from \$125.00 to \$135.00. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Rules relative to Railroad Point – Parks & Rec have not addressed it yet.

Open issues with Mr. Roy: Council on Aging Bylaws – BOC does not appoint to their board; COA Gathering Place appraisal which is more extensive and optimistic that we thought – the opinion of the appraiser is that the facility is worth \$460,000; about \$150,000 in a current loan that will be paid off; the county has \$150,000 in the initial purchase of the property, together with other purchases and upgrades, the county has over \$300,000 into the property; the COA is not willing to go to the bank and ask if they will put the county in first position.

Mr. Durand says that in 2016 there is a balloon payment that is due the bank – the bank wouldn't give up their position.

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Mr. Roy may have another instrument to be sure there wouldn't be further debt.

Regarding ACO -- he has spent time with an Animal Advocate.

Technology -- Next meeting November 12, 2013.

Union Contracts -- four unions have reached agreements over the last couple of weeks; Tom Crist was the mediator from Lansing -- General Fund -- \$7,700; Jail Fund \$13,000; Dispatch -- \$5,000; 1% wage increase every six months; employees are taking a step to fund MERS.

Comm Waltherhouse discusses the contract with Mr. Olson and states that we need to discuss where we are going; he will work if needed; he is also willing to help the new County Administrator.

FINANCE

Motion by Kelley, seconded by Rineer, to authorize payment of the bills from October 16 thru November 5, 2013 in the total amount of \$4,255,326.11 as presented. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Waltherhouse Nays: None Motion carried.

County Treasurer presents the cash fund balance report; bond market comments.

Motion by Tucker, seconded by Griner, to approve the 2013-14 budget amendment regarding technology (regarding dedicated line between Benzie/Manistee for the AS 400) as follows:

Increase -- Technology:

101-286-963.0	\$956.25
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Decrease -- Buildings & Grounds:

101-265-850.0	\$956.25
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Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Waltherhouse Nays: None Motion carried.

12:15 p.m. Break

12:25 p.m. Reconvene

HR and PERSONNEL

Motion by Waltherhouse, seconded by Griner, to approve the budget amendment for 2013-14 for the County Administrator's department as follows:

Increase:

101-172-860.00	Travel -- Hotel	\$ 603.00
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101-172-955.00	Conventions	\$1,295.00
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Decrease:

101-172-703.01	Wages -- Admin Asst	\$1,898.00
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Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Waltherhouse Nays: Tucker Motion carried.

MERS: Motion by Waltherhouse, seconded by Rineer, to approve the updates for MERS Divisions 1 and 20, authorizing the chairman to sign. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Waltherhouse Nays: None Motion carried.

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Union Contracts: Motion by Walterhouse, seconded by Kelley, to ratify the tentative agreements as reached at the bargaining table on October 24, 2013 and November 1, 2013 made by the county's bargaining unit team and the union for the following units: POAM (Corrections and Emergency Communications Specialists), POLC and COAM. Roll call. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Griner, seconded by Walterhouse, to appoint Jean Bowers to the DHS board for a 3-year term, expiring October 31, 2016. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Bates, seconded by Rineer, to reappoint Nena Bondarenko to the Planning Commission for a 3-year term, expiring September 30, 2016. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

County Administrator: Motion by Bates, seconded by Griner, to offer the position of County Administrator to Karl Sparks. Roll call. Ayes: Bates, Griner, Rineer, Tanner and Tucker Nays: Kelley and Walterhouse Motion carried.

Motion by Bates, seconded by Tanner, to offer the County Administrator position to Karl Sparks and set up a committee to work out the terms of the salary and contract of Karl Sparks. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Chairman Tanner appoints: Vance Bates, Lisa Tucker and Frank Walterhouse as the committee to work out contract terms with Karl Sparks.

Motion by Walterhouse, seconded by Kelley, that if the Mr. Sparks does not accept the position, then Mr. Johnson will be offered the position. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

HR Consent Calendar:

Comm Bates removes item #1.

Motion by Bates, seconded by Tucker, to adopt items 2 – 4 of the HR Consent Calendar as presented. Ayes: Bates, Griner, Kelley, Rineer, Tanner and Tucker Nays: Walterhouse Motion carried.

Comm Bates comments regarding #1: We have a Technology Committee that has met only once and no decision has been made.

Motion by Tucker, seconded by Kelley, to follow-up on the EMS issue regarding sexual harassment immediately. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

Motion by Tucker, seconded by Kelley, to have CMDA get with Maridee Cutler for training to Craig Johnson, EMS Department regarding sexual harassment immediately. Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None Motion carried.

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ACTION ITEMS

ACO: Frank Foster Charitable Trust Grant – information.

CORRESPONDENCE

- Letter from Adrian Poulisse regarding Board of Canvassers appointments and the fact that the Democratic Party submitted just one name, not three as the law states. Discussion held regarding it.
- Dispatch Training memo from Ron Berns – funding for training was not considered for placement within the budget.
- Bay County resolution re HB 4194 – regarding amendment of PA 30 of 1978 which deals with increasing the cap on the county budget stabilization funds.
- Rotary Charities letter regarding Grant #2172 – Benzie County Organizational Capacity Assessment.
- Road Commission minutes of October 10, 2013 received.
- Letter received from Lesley and John Regan regarding Animal Control Ordinance. (Copy given to Jaime Croel for follow up.)
- Parks and Recreation Commission minutes of September 23, 2013 received.
- Call report from Dispatch for October 2013.
- Little Platte Lake elevation report for October, 2013 received.
- Crystal Lake elevation report for October, 2013 received.

NEW BUSINESS – None

COMMISSIONER REPORTS

Comm Tucker states that she is concerned about the elections tomorrow and the issue that has been brought up regarding canvassers.

Mr. Figura appears and the issue has been explained to him. He reviews the statute and states that there is no issue.

Comm Griner states he has been to Lansing two times for steering committees and is very involved in trying to bring the cruise ship industry back to the Great Lakes.

Comm Kelley asks that a letter be sent to the Benzie Transportation Authority that Roger Griner will now be the County Representative to that Committee replacing Tom Kelley.

Comm Walterhouse asks when do you want to notify the current County Administrator of the 15 day notice. This will discuss on November 19.

Chairman Tanner states that the COG meeting schedule is set; Prisoner Re-entry program – letter from Elaine Wood, we will discuss it further.

1:57 p.m. PUBLIC INPUT -- None

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Motion by Bates, seconded by Kelley, to adjourn until November 19, 2013 or the call of the chair.
Ayes: Bates, Griner, Kelley, Rineer, Tanner, Tucker and Walterhouse Nays: None 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 October 15, 2013 as presented.
3. Approved the special session minutes of October 30, 2013 as presented.
4. Approved to extend the current Benzie County Council on Aging contract for services to the aging to be provided in calendar year 2014, under the terms and conditions contained in the contract and for the contracted expense of \$659,000 to be paid in monthly installments in accordance with the contract.
5. Authorized the Sheriff to purchase a 2014 Tahoe commercial package along with the necessary equipment, not to exceed \$37,100.
6. Approved a budget amendment for rebate in the amount of \$381.73 for paying off a vehicle early.
7. Amended the 2013-14 Budget for Dept 332 – Snowmobile as presented.
8. Denied the new fee scale for SESSC as presented.
9. Reconsidered the prior motion.
10. Adopted the \$120.00 SESSC Minor Earth Changes fee as presented.
11. Accepted the four audit bids and turn over to the County Treasurer, County Administrator and the Budget Committee to review and come back with a recommendation.
12. Accepted the snowplowing bids for ALS in the amount of \$65.00 for the 669 building and \$70.00 for the Frankfort site per trip for 2-years.
13. Entered into contract with American Waste for recycling services, authorizing the chairman to sign.
14. Adopted the Consulting Agreement between Benzie County and Traverse Bay Economic Development Corporation, authorizing the chairman to sign.
15. Approved to set up the proposed Task Force Advisory Board as presented.
16. Approved that all Board of Commissioner packet information be at the County Clerk's Office by Wednesday at 5:00 p.m. before the Tuesday meeting.
17. Accepted the increased hourly rate of Mr. Figura from \$125.00 to \$135.00.
18. Authorized payment of the bills from October 16 thru November 5, 2013 in the total amount of \$4,255,326.11 as presented.
19. Approved the 2013-14 budget amendment regarding technology (regarding dedicated line between Benzie/Manistee for the AS 400) as presented.
20. Approved the budget amendment for 2013-14 as follows for the County Administrator's department.
21. Approved the updates for MERS Divisions 1 and 20, authorizing the chairman to sign.
22. Approved to ratify the tentative agreements as reached at the bargaining table on October 24, 2013 and November 1, 2013 made by the county's bargaining unit team and the union for the

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following units: POAM (corrections and Emergency Communications Specialists), POLC and COAM.

23. Appointed Jean Bowers to the DHS board for a 3-year term, expiring October 31, 2016.
24. Reappoint Nena Bondarenko to the Planning Commission for a 3-year term, expiring September 30, 2016.
25. Authorized to offer the position of County Administrator to Karl Sparks.
26. Authorized to offer the County Administrator position to Karl Sparks and set up a committee to work out the terms of the salary and contract of Karl Sparks.
27. Vance Bates, Lisa Tucker and Frank Walterhouse as the committee to work out contract terms with Karl Sparks.
28. Approved that if the Mr. Sparks does not accept the position, then Mr. Johnson will be offered the position.
29. Adopted items 2 – 4 of the HR Consent Calendar as presented.
30. Approved to follow-up on the EMS issue regarding sexual harassment immediately.
31. Authorized to have CMDA get with Maridee Cutler for training to Craig Johnson, EMS Department regarding sexual harassment immediately.