

**TUESDAY, JANUARY 19, 2016**

Pursuant to law, the Board of Commissioners met on Tuesday, January 19, 2016 at 9:00 a.m. in the Board of Commissioner's Room and were called to order by the Chairperson.

Pledge of Allegiance

Invocation

Roll Call was taken by Jill M. Nowak, County Clerk:

PRESENT: Mark Bergstrom, Jeff Dontz, Karen Goodman, Ken Hilliard, Alan W. Marshall, Richard Schmidt, Brook Shafer

ABSENT: None

**APPROVE MEETING AGENDA**

Moved by Shafer, seconded by Bergstrom to approve the Meeting Agenda with the following additions: add Thomas Smith, County Drain Commissioner to the agenda at 10:30 a.m.; review and possibly support of a draft letter from Chairman Dontz in support of a grant and loan application from Onekama Township to the U.S. Department of Agriculture to establish sewer infrastructure around Portage Lake; review and possibly support proposed SB 703 which addresses the restrictions brought forth by P.A. 269 of 2015 on how local officials, municipalities and schools must comply and communicate with voters about local ballot measures; and add Recognition, Announcement & Correspondence which was inadvertently left off of the Agenda.

Motion Carried

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**CONSENT AGENDA**

Moved by Shafer, seconded by Hilliard to approve the Consent Agenda which includes the minutes of the December 15, 2015 Regular Board Meeting, the January 4, 2016 Organizational Meeting, the January 4, 2016 Board Study Session and the January monthly appropriations and fund transfers.

YEAS: 7 Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer  
NAYS: 0 None

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Motion Carried

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**RECOGNITION, ANNOUNCEMENTS & CORRESPONDENCE**

Mr. Kaminski explained numerous letters and handouts that were placed on the Commissioner’s desks. Some of which will be addressed as the meeting continues.

**PUBLIC COMMENT**

Curt VanderWall of Mason County, appeared before the Board to introduce himself and announce his candidacy representing the Republican Party for the 101<sup>st</sup> House District Seat.

Ronald Stoneman, Superintendent, Manistee Area Public Schools, appeared before the Board to introduce himself and answer questions from the Board.

**TREASURER’S REPORT**

Russell Pomeroy, County Treasurer, reviewed the 2014/15 Year-End Financial Summary Report which is still being finalized by the auditors this past week. Mr. Pomeroy reported that after review of the year end numbers, the County has a surplus of \$210,240.61 plus the \$129,822.00 budgeted transfer from fund balance that did not have to be transferred to balance revenue and expenditures. In the Child Care Fund and the Separation Fund, there were larger than expected expenditures due to unforeseen expenses and long term employee retirements. These funds will be monitored closely in the future. Authority was requested to transfer money from the General Fund to Department Contingency funds in accordance with County Policy and make the necessary year-end budget amendments. The Auditors will appear at the April County Board meeting to present the Audit Report.

Moved by Hilliard, seconded by Schmidt to authorize Mr. Kaminski to make Contingency Fund transfers in accordance with County Policy and the authority to make the necessary year-end budget amendments.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom  
NAYS: 0 None

Motion Carried

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In reference to the precedence setting Principal Residence Exemption (PRE) court case that was previously ruled on in favor of the County, Mr. Pomeroy reported that the Hardenburghs have filed an Application for Leave to Appeal the Court of Appeals decision to the Michigan Supreme Court. If this Supreme Court rejects the application, the Court of Appeals decision stands. If the Supreme Court grants the application for leave, the parties undertake a second round of briefing. Mr. Pomeroy requested up to \$4,000 for additional attorney fees to be paid from the General Fund if needed.

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Moved by Marshall, seconded by Shafer to allocate up to \$4,000 for additional attorney fees for the Hardenburgh’s PRE court case to be paid from the General Fund if needed.

YEAS: 7 Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz  
NAYS: 0 None

Motion Carried

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**FINANCE COMMITTEE REPORT**

Board of Commissioners  
Manistee County  
Manistee, Michigan 49660

Board of Commissioners:

We do hereby submit our claims from December 2, 2015, through January 6, 2016:

General Fund:.....	\$187,730.62
Recycling Fund: .....	6,450.68
Maintenance of Effort Fund:.....	11,681.72
Bear Lake Improvement Fund: .....	610.00
Remonumentation Fund:.....	12,649.93
Register of Deeds Automation Fund: .....	347.50
Health Insurance Fund: .....	167,043.06
Law Enforcement Training Fund:.....	1,171.25
Concealed Pistol Licensing Fund: .....	34.98
Law Library Fund: .....	842.00
Housing Fund:.....	16,060.00
Juvenile Intervention Fund: .....	504.33
Child Care Fund:.....	13,593.90
Soldiers & Sailors Relief Fund: .....	2,150.00
Veterans Trust Fund:.....	1,500.00
Airport Authority Fund:.....	47,811.38
Compensated Services Fund:.....	85,728.20
Unemployment Fund: .....	774.09
Tax Revolving – State Sales: .....	88,274.48
Trust & Agency Fund: .....	6,295.39
Drain Fund: .....	2,708.80

**Total Claimed and allowed January 19, 2016 .....\$653,962.31**

Total Payroll for the period of December 2, 2015, through January 6, 2016 ....\$715,731.55  
(Includes 3 payrolls)

Moved by Bergstrom, seconded by Hilliard to approve and the same to be paid in the amount of \$653,962.31.

YEAS: 7 Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman  
NAYS: 0 None

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Motion Carried

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**COUNCIL ON AGING (COA) POTENTIAL BUILDING PURCHASE**

Robert Daniels, Board President of the Council on Aging, Sarah Howard, Executive Director of the Council on Aging and Marlene McBride, Board Secretary of the Council on Aging appeared before the County Board to inform the Board of an opportunity to potentially purchase federally owned real property in the City of Manistee. The group had appeared at the Ways & Means Committee meeting and was asked to present the opportunity to the full Board. Mr. Daniels explained that the Armory on First Street is for sale and is being considered as a new location for the Senior Center/Council on Aging. The current building is quite crowded for the amount of seniors that are served daily. One of the goals in the Strategic Plan for the Council on Aging, is to possibly relocate to a bigger facility and broaden the services offered to seniors and the community. This opportunity has arisen and the COA would like to explore this possibility. The Armory Building is 35,000 square feet which is more than ample room needed by the Senior Center. Ideas such as a geriatric daycare, and/or renting space to other organizations which would make it more of a Community Center are being considered. Financing the purchase of the building and the COA millage was discussed as well as the idea that rent could assist in the financing. Details of the layout of the building and the parking lot were also discussed. A proposed Business Plan will be completed. Mr. Kaminski will also contact the County's legal counsel with preliminary questions.

Moved by Bergstrom, seconded by Schmidt to authorize the Chair to send a letter to the Federal Government/MI National Guard expressing an interest in being a potential purchaser of the National Guard Armory building.

YEAS: 7 Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard  
NAYS: 0 None

Motion Carried

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**AIRPORT AUTHORITY APPOINTMENT**

One (1) individual to serve the remainder of a term which began January 1, 2016 and expires on December 31, 2018. The incumbent for this position is Thom Smith who did not apply for reappointment.

Vote:

Frank Elo 0 Gerald R. Haw 7

Gerald R. Haw was appointed to the Airport Authority to serve the remainder of a term which began January 1, 2016 and expires on December 31, 2018.

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**MANISTEE COUNTY TRANSPORTATION, INC RESOLUTION OF INTENT**

Richard Strevey, General Manager of Manistee County Transportation Inc., appeared before the Board to request approval of a Resolution of Intent to apply for State financial assistance for Fiscal Year 2017 under Act 51 of the Public Acts of 1951, as amended. The Resolution further states Manistee County’s intention to provide public transportation services and appoints Richard Strevey as the Transportation Coordinator for all public transportation matters in Manistee County. This Resolution is required to be filed annually with the Michigan Department of Transportation.

**RESOLUTION OF INTENT**

**THE APPROVED RESOLUTION OF INTENT TO APPLY FOR FINANCIAL ASSISTANCE FOR FISCAL YEAR 2017 UNDER ACT 51 OF THE PUBLIC ACTS OF 1951, AS AMENDED**

**WHEREAS**, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for Manistee County Transportation, Inc. (MCTI) established under Act 51, to provide a local transportation program for the state fiscal year of 2017 and, therefore, apply for state financial assistance under provisions of Act 51; and

**WHEREAS**, it is necessary for Manistee County to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the Commission or department for its administration of Act 51; and

**WHEREAS**, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

**WHEREAS**, the Board of Directors has reviewed and approved the proposed budget and funding sources for 2017 of:

Estimated Federal Funds	\$ 409,405
Estimated State Funds	\$ 791,369
Estimated Local Funds	\$ 375,000
Estimated Farebox	\$ 632,000
Estimated Other Funds	\$ 8,000
Estimated Total Expenses	\$2,213,000

**NOW THEREFORE**, be it resolved that Manistee County does hereby make its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

**HEREBY**, appoints Richard Strevey as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the Commission or department for its administration of Act 51 for 2017.

Moved by Schmidt, seconded by Shafer to approve the above Resolution of Intent to Apply for Financial Assistance for Fiscal Year 2017 Under Act 51 of the Public Acts of 1951, as amended.

YEAS: 7 Shafer, Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt  
NAYS: 0 None

Motion Carried

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**WAYS & MEANS COMMITTEE MINUTES/JANUARY 6, 2016**

Mark Bergstrom presented the Ways & Means Committee Minutes of January 6, 2016.

**ROOM USE AGREEMENT BETWEEN MANISTEE COUNTY AND  
OPEN DOOR ASSESSMENTS, LLC**

Moved by Bergstrom, seconded by Hilliard to approve the Room Use Agreement between Manistee County and Open Door Assessments, LLC be renewed for the 2016 calendar year.

YEAS: 7 Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer  
NAYS: 0 None

Motion Carried

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**PROPOSED FY 2016/17 BUDGET CALENDAR**

**PROPOSED  
COUNTY OF MANISTEE  
2016/17 BUDGET CALENDAR  
10/1/16 through 9/30/17**

April 4, 2016	Budget packets distributed to all Departments and Courts.
April 4, 2016	Budget request forms sent to all appropriated agencies.
May 6, 2016	Completed budget request forms due in the County Controller/Administrator's Office.
May 6, 2016 - June 10, 2016	Tentative budget recommendations prepared by the County Controller/Administrator's Office.
June 13, 2016 - June 30, 2016	County Board of Commissioners hold several Study Sessions on Tentative Budget.
July 1, 2016 - July 18, 2016	Department/Court/Agency review of recommendations. Budget hearings take place with the full Board. Tentative adjustments, if necessary, are made to the recommended tentative budget.
July 19, 2016	County Board of Commissioners adopt a tentative budget.
July 20, 2016 - August 15, 2016	County Board reviews financial statements of entities receiving special millages.

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July 20, 2016 - August 15, 2016 Tentative budget available for public review, additional budget hearings with the full Board are held, if necessary.

August 16, 2016 Public Hearing on the 2016/17 budget held during the County Board Meeting. Board adopts final 2016/17 budget and General Appropriations Act resolution.

Moved by Bergstrom, seconded by Shafer to approve the above FY 2016/17 Budget Calendar.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom

NAYS: 0 None

Motion Carried

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**FALLEN TREE REMOVAL ON COUNTY OWNED PROPERTY**

Moved by Hilliard, seconded by Schmidt to the approve the cutting of tree tops with no cost to Mr. Kenny; with non-exclusive use of the stated County owned property in Bear Lake Township; and upon execution of an Accident Waiver and Release of Liability Agreement between Mr. Patrick Kenny and the Manistee County. Mr. Kaminski is also given the authority to grant permission to others upon request and the execution of an Accident Waiver and Release of Liability Agreement.

YEAS: 6 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer

NAYS: 1 Bergstrom

Motion Carried

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Moved by Bergstrom, seconded by Hilliard to accept the Ways & Means Committee Minutes of January 6, 2016.

Motion Carried

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**MANISTEE BLACKER AIRPORT AUTHORITY 2015 ANNUAL REPORT**

Barry Lind, Airport manager appeared before the Board to present the 2015 Annual Report of the Manistee Blacker Airport Authority.

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**MCGUINEAS DRAIN EASEMENT**

Thomas Smith, Manistee County Drain Commissioner, appeared before the Board to request the approval of the McGuineas Drain Easement. After review of the proposed Easement and correspondence by Prosecutor Stone, County Planner Rob Carson and from the Drain Commissioner’s Attorney Mark Koerner, it was determined that more details need to be discussed. Prosecutor Stone and Attorney Koerner will continue to work on the easement with possible involvement from Attorney Richard Wilson who represents West Shore Medical Center.

**HOUSING REVIEW COMMITTEE MINUTES/JANUARY DECEMBER 18, 2015**

Mr. Dontz presented the Housing Review Committee Minutes of December 18, 2015.

The Housing Review Committee has Power to Act on Emergency projects and did so on Emergency Project # 14-5-15.

Moved by Hilliard, seconded by Bergstrom to accept the Housing Review Committee Minutes of December 18, 2015.

Motion Carried

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**PERSONNEL COMMITTEE MINUTES/JANUARY 6, 2016**

Ken Hilliard presented the Personnel Committee Minutes of January 6, 2016.

No Action Items.

Items Not Requiring Board Action.

Newly Elected Officials wages and the process for setting those wages was discussed.

Lisa Sagala, Assistant Administrator/Human Resources Manager reported that work is continuing on updating job descriptions with each Department

Moved by Hilliard, seconded by Bergstrom to accept the Personnel Committee Minutes of January 6, 2016.

Motion Carried

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**PUBLIC SAFETY COMMITTEE MINUTES/JANUARY 6, 2016**

Ken Hilliard presented the Public Safety Committee Minutes of January 6, 2016.

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No Action Items.

Items Not Requiring Board Action.

Sheriff Kowalkowski discussed agreements for inmate health care services and bids that have been received. The provider may change in the near future which will allow a cost savings to the County.

Sheriff Kowalkowski will be moving forward with the hiring of a Corrections Technician for the Jail.

Lt. Falk, Emergency Management Coordinator is working on a Homeland Security Grant for future projects.

Moved by Hilliard, seconded by Schmidt to accept the Public Safety Committee Minutes of January 6, 2016.

Motion Carried

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**MISCELLANEOUS CONTROLLER AND BOARD ITEMS**

**LETTER OF SUPPORT FOR A GRANT AND LOAN APPLICATION FOR  
SEWER INFRASTRUCTURE AROUND PORTAGE LAKE IN ONEKAMA**

Moved by Bergstrom, seconded by Hillard to send a letter of support for a grant and loan application from Onekama Township to the U.S. Department of Agriculture to establish sewer infrastructure to treat municipal wastes around Portage Lake that would connect with the treatment facility of the Little River Band of Ottawa Indians; and authorize Mr. Kaminski to make appropriate changes to the letter as needed; and authorize the Chair to sign the same.

Motion Carried

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**LETTER IN SUPPORT OF SB 703**

Moved by Schmidt, seconded by Shafer to authorize the Chair to send a letter on behalf of the Board of Commissioners in support of SB 703 to Representative Franz, Senator Booher, Governor Snyder, Senator Dale Zorn (author of the bill) and Michigan Association of Counties (MAC).

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YEAS: 7 Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman

NAYS: 0 None

Motion Carried

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Mr. Shafer reported that the JAWS unit that is housed in Onekama Township and used in the entire County is looking to be upgraded to a heavy duty unit. Funds are being sought for this upgrade. Mr. Shafer reported that Norman Township has two (2) sets of heavy duty JAWS.

Mr. Marshall reported that the Alliance for Economic Success (AES) is studying a potential agreement for in work in Benzie County. Concern was voiced about services and time being jeopardized in Manistee County. Mr. Kaminski indicated that AES is just looking for other sources of revenue and that Manistee County projects cross the border into Benzie County.

Mr. Schmidt discussed requests for Substance Abuse money and funds that could be used locally. Concern was expressed if the County will be looked to for additional funding in the future.

Fair Board financials were discussed and the timing of the filing of the paperwork requested by the County Board. The Fair Board is looking into expanding their racing events.

**PUBLIC COMMENT**

Mr. Tillotson relayed his positive experiences with West Shore Medical Center and the Veterans Administration.

Adjourn at the Call of the Chair.

\_\_\_\_\_ Clerk