

TUESDAY, FEBRUARY 19, 2008

Pursuant to law, the Board of Commissioners met on Tuesday, February 19, 2008, at 9:00 a.m. in the Board of Commissioners Room and were called to order by the Chairperson.

Pledge of Allegiance.

Invocation was given by Ervin Kowalski.

Roll Call was taken by the Clerk and all members reported present.

Fenstermacher, Haik, Kowalski, Lottie, McCraner, O’Shea, Rutske

APPROVE MEETING AGENDA

Moved by McCraner, supported by Kowalski to approve the Meeting Agenda.

Motion Carried

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APPROVE CONSENT AGENDA

Moved by McCraner, supported by Lottie to approve the Consent Agenda which includes the minutes of the January 15, 2008, Regular Board Meeting and the February 2008 monthly appropriations and fund transfers.

YEAS: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O’Shea, Rutske,

NAYS: 0

Motion Carried

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PUBLIC COMMENT:

NONE

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NOTICE OF APPEAL/U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Moved by Fenstermacher, supported by Haik to send a Notice of Appeal in response to the letter from the U.S. Department of the Interior, Bureau of Indian Affairs. The letter states, it is the intent of the Regional Director to approve the acquisition of the "High Bridge" and "Old House" parcels in Dickson Township into trust status for the benefit of the Little River Band of Ottawa Indians. The Notice of Appeal will include, a Statement of Reasons, explaining why the Board of Commissioners believe this decision to be in error. Copies of this Notice of Appeal will be sent to State and Federal Senators and Representatives.

YEAS: 7 Haik, Kowalski, Lottie, McCraner, O'Shea, Rutske, Fenstermacher

NAYS: 0

Motion Carried

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RECOGNITION/GERALD MAJCHRZAK

The Board of Commissioners recognized Gerald Majchrzak for his many years of unselfish and distinguished service to the citizens of Manistee County. On January 15, 2008, Mr. Majchrzak retired from employment with the County after serving more than 20 years as an employee of the Sheriff's Department.

TREASURER'S REPORT:

Russell Pomeroy, Manistee County Treasurer, presented the Treasurer's Report. The Treasurer's Foreclosure Hearing took place in Circuit Court on February 11, 2008. Manistee County foreclosed on 85 parcels this year. Property owners have until 5:00 p.m. on March 31, 2008 to pay the taxes and redeem their property.

The Treasurer's Office opted out of doing the Principal Residence Exemption Audits. The State of Michigan took care of them. The Manistee County Treasurer's Office billed 197 parcels on the list from the State of Michigan for a total of \$461,255.27 including interest. Many of the property owners are appealing the decision by the State. The next time the Treasurer has the option to do the PRE Audits in house, he will opt in to do the audits. The Treasurer believes his office will be able to do a better job that will result in less appeals and still generate additional tax dollars for the local schools.

New rolling files are being installed in the vault in the Treasurer's Office.

On March 1st, 2008, all of the local units of government will start to bring in all of their delinquent taxes. The month of March is a very busy time in the Treasurer's Office.

FINANCE COMMITTEE REPORT

Ervin Kowalski presented the Finance Committee Report.

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Board of Commissioners
Manistee County
Manistee, Michigan 49660

Board of Commissioners:

We, do hereby submit our claims from January 8, 2008 through February 15, 2008.

General Fund	\$371,976.85
Friend of the Court Fund	\$2,756.25
Election Fund	\$25,750.07
County Employment Training Fund	\$376.56
District Court Services Fund	\$709.13
JAWS of Life Fund	\$1,073.91
Brownfield Redevelopment Fund	\$798.80
Brownfield Redevelopment-Joslin Cove Fund	\$45,321.16
Capital Improvement Fund	\$1,576.07
Brownfield Site Assessment Grants Fund	\$3,700.00
Health Insurance Fund	\$162,864.60
Dive Equipment Fund	\$13,704.52
Juvenile Drug Court Fund	\$171.35
Law Enforcement Training Fund	\$446.32
Law Library Fund	\$1,289.50
Computer Technology Fund	\$35,467.39
Drug Testing-District Court Fund	\$695.03
Forestry Fund	\$2,520.00
LEPC Grant Fund	\$325.00
MSHDA Home Improvement Grant Fund	\$1,076.31
CRA Grant Fund	\$8,375.55
Community Corrections Fund	\$429.57
Juvenile Intervention Fund	\$1,421.90
Child Care Fund	\$38,011.18
Veteran's Trust Fund	\$1,118.29
Airport Fund	\$51,641.79
Unemployment Fund	\$34,625.83
County Vehicle Fund	\$8,583.72
Tax Revolving-State Sales	\$145.46
Compensated Services Fund	\$130,702.17
Total Claimed and allowed February 15, 2008	\$947,654.28
Total Payroll for the period 1/8/08 through 2/15/08	\$659,028.37
Respectfully submitted,	

Ervin Kowalski
Janice McCraner
Glenn Lottie

Moved by Kowalski, supported by Lottie to approve the bills and the same be paid in the amount of \$947,654.28.

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YEAS: 7 Kowalski, Lottie, McCraner, O’Shea, Rutske, Fenstermacher, Haik

NAYS: 0

Motion Carried

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WAYS & MEANS COMMITTEE REPORT/FEBRUARY 15, 2008

Ervin Kowalski presented the Ways & Means Committee Report of February 15, 2008.

2008 REMONUMENTATION PROGRAM

Moved by McCraner, supported by Lottie to approve that the GPS work for the 2008 Remonumentation Program be done by Abonmarche for \$686.67 per corner, and that the Surveying Services be done by TW Land Surveying LLC for \$482.50 per corner.

YEAS: 2 Lottie, McCraner

NAYS: 5 O’Shea, Rutske, Fenstermacher, Haik, Kowalski

Motion Denied

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Moved by Kowalski, supported by Lottie to approve that the GPS work for the 2008 Remonumentation Program be done by TW Land Surveying LLC for \$362.50 per corner, and that the Surveying Services be done by TW Land Surveying LLC for \$482.50 per corner.

YEAS: 6 O’Shea, Rutske, Fenstermacher, Haik, Kowalski, Lottie

NAYS: 1 McCraner

Motion Carried

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APPROPRIATION/AREA AGENCY ON AGING OF NORTHWEST MICHIGAN

Moved by McCraner, supported by Kowalski to approve releasing the appropriation in the amount of \$4,168.00 to the Area Agency on Aging of Northwest Michigan.

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YEAS: 6 O'Shea, Rutske, Haik, Kowalski, Lottie, McCraner

NAYS: 1 Fenstermacher

Motion Carried

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APPROPRIATION/MANISTEE COUNTY FAIR BOARD

Moved by McCraner, supported by Kowalski to approve releasing the appropriation in the amount of \$2,808.50 to the Manistee County Fair Board, and authorizing County Administration to make a budget amendment with funds being taken from the Soil Conservation District appropriation line item.

YEAS: 7 Rutske, Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea

NAYS: 0

Motion Carried

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PAYMENT UNUSED ACCUMULATED VACATION & PERSONAL HOURS

Moved by McCraner, supported by Lottie to approve the payment of unused accumulated vacation and personal hours to Gerald Majchrzak in the amount of \$3,527.22.

YEAS: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea, Rutske

NAYS: 0

Motion Carried

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LEGAL FEES/TES FILER CITY STATION TAX APPEAL

Moved by Kowalski, supported by Fenstermacher to approve the payment of \$1,543.40 to the Charter Township of Filer for legal defense fees in the TES Filer City Station Tax Appeal. Payment to be made from the County legal defense fund #259.

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YEAS: 7 Haik, Kowalski, Lottie, McCraner, O’Shea, Rutske, Fenstermacher

NAYS: 0

Motion Carried

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MANISTEE COUNTY DIGITAL ORTHOPHOTOGRAPHY PROJECT

Moved by Lottie, supported by McCraner to approve that Manistee County contract with Sanborn/Allied for the Manistee County Digital Orthophotography Project at a cost of \$81,450.00, and that the County partner with the City of Manistee who will pay \$6,000.00 towards the project, and that the County apply for the State of Michigan Imagery Grant, and that the Manistee County Board of Commissioners’ Chairperson is authorized to sign the contract with Sanborn/Allied after review by legal counsel.

YEAS: 7 Kowalski, Lottie, McCraner, O’Shea, Rutske, Fenstermacher, Haik

NAYS: 0

Motion Carried

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Moved by Kowalski, supported by McCraner to accept the Ways & Means Committee Report of February 15, 2008.

Motion Carried

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AIRPORT AUTHORITY APPOINTMENT

The appointment to the Airport Authority is for one individual to serve an unexpired term ending December 31, 2009.

VOTE: Doug Bell 1 Paul D. Schulert 1 Lee Trucks 1
Robert Wilson 4

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Robert Wilson was appointed to the Airport Authority to serve an unexpired term ending December 31, 2009.

MANISTEE-BENZIE COMMUNITY MENTAL HEALTH BOARD OF DIRECTORS

APPOINTMENTS

The appointment to the Manistee-Benzie Community Mental Health Board of Directors is for a three (3) year term which begins April 1, 2008 and expires March 31, 2011. This appointment is for a Board of Commissioner seat.

VOTE: Edward Haik 5 Kathy Fenstermacher 2

Edward Haik was appointed to the Manistee-Benzie Community Mental Health Board of Directors for a three (3) term beginning April 1, 2008 and ending March 31, 2011.

Moved by McCraner, supported by Kowalski to cast a unanimous vote for Annie Hooghart to be appointed to the Manistee-Benzie Community Mental Health Board of Directors. The three (3) term begins April 1, 2008 and expires on March 31, 2011.

YEAS: 7 O’Shea, Rutske, Fenstermacher, Haik, Kowalski, Lottie, McCraner

NAYS: 0

Motion Carried

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RESOLUTION OF INTENT

Richard Strevey, General Manager of Manistee County Transportation, Inc. appeared before the Board to present a Resolution of Intent to apply for State financial assistance for Fiscal Year 2009 under Act 51 of the Public Acts of 1951, as amended. This resolution is required to be filed annually with the Michigan Department of Transportation.

RESOLUTION OF INTENT

THIS APPROVED RESOLUTION OF INTENT TO APPLY FOR FINANCIAL

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ASSISTANCE FOR FISCAL YEAR 2009 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 2009 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 surplus budget and funding sources for 2009 of:

Estimated Federal Funds	\$ 231,200
Estimated State Funds	\$ 522,368
Estimated Local Funds	\$ 350,000
Estimated Farebox	\$ 345,000
Estimated Other Funds	\$ 30,000
Estimated Total Expenses	\$1,445,000

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 2009.

Moved by McCraner, supported by Kowalski to accept the Resolution of Intent to apply for financial assistance for fiscal year 2009 under Act 51 of the Public Acts of 1951, as amended.

YEAS: 7 Rutske, Fenstermacher, Haik, Kowalski, Lottie, McCraner, O’Shea

NAYS: 0

Motion Carried

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ANNUAL REPORT/MANISTEE COUNTY TRANSPORTATION, INC.

Richard Strevey, General Manager of Manistee County Transportation, Inc. appeared before the Board to present the Annual Report for Manistee County Transportation, Inc. Discussion followed.

POLICY COMMITTEE REPORT/FEBRUARY 1, 2008

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Carl Rutske presented the Policy Committee Report of February 1, 2008.

**MANISTEE COUNTY, MICHIGAN
RESOLUTION OF SUPPORT FOR THE NATIONAL ASSOCIATION OF COUNTIES
CAMPAIGN AGAINST SEXUAL EXPLOITATION OF CHILDREN**

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan, on the 19th day of February, 2008.

PRESENT: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea, Rutske

ABSENT: 0

The following resolution was offered by McCraner and seconded by Fenstermacher:

WHEREAS, according to the U.S. Department of Justice, in a one-year period, an estimated 1.6 million children either ran away from or were thrown out of their homes; and

WHEREAS, an estimated 40,000 of these children will be involved in some form of sexual exploitation and victimization by predators; and

WHEREAS, many child victims of prostitution are abandoned or neglected children, who have not been reported missing to law enforcement or have run away from their homes or foster care; and

WHEREAS, the average age at which a child enters into prostitution is 14 years old, however, children as young as 9 years old are being exploited; and

WHEREAS, although hundreds of thousands of children have been lured into prostitution, it is far too often overlooked that a child can never consent to prostitution - it is always exploitation; and

WHEREAS, though the prostitution of female children is more widely publicized, male children are also susceptible to the same dangers as females in this world of exploitation; and

WHEREAS, the dangers that children face as a result of prostitution are both immediate and long-term. Most immediate is the physical, mental and emotional violence that these once innocent children experience at the hands of pimps, madams and customers. Long-term dangers include health problems, drug addictions, adverse psychological effects and even death; and

WHEREAS, the most tangible consequence for children involved in prostitution is the extremely high probability of suffering violent assault. Prostituted children are often afraid to report these crimes to law enforcement because they are embarrassed and fearful that the charges would not be taken seriously or that they may be arrested themselves; and

WHEREAS, housing instability, poverty, untreated psychological and emotional problems, substance abuse, education and vocational failure and major problems at home have all been cited as common precipitating factors in the lives of exploited children; and

WHEREAS, the children's young age, inadequate education and lack of the necessary street sense to survive alone all contribute to them resorting to engaging in exchanging sex for food, money, shelter, drugs or protection; and

WHEREAS, the National Association of Counties (NACo) and the National Center for Missing and Exploited Children (NCMEC) have partnered for a national campaign to promote child safety and help prevent the commercial child sexual exploitation; and

WHEREAS, this national campaign is being supported here in Manistee County to heighten the public awareness of child sexual exploitation and help give communities across the United States effective strategies and tools to better safeguard their children; and

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WHEREAS, the national campaign urges key stakeholders within a community to begin dialogues on topics related to child sexual exploitation and advocating for the prevention of such victimization; and

WHEREAS, local communities are requested to join in demonstrating their commitment to protecting children and to send a clear message to child sexual offenders that the criminal and sexual victimization of children will not be tolerated;

NOW, THEREFORE, BE IT RESOLVED, that the Manistee County Board of Commissioners hereby joins with the National Association of Counties (NACo) and the National Center for Missing and Exploited Children (NCMEC) to initiate a campaign dedicated to preventing commercial child sexual exploitation.

BE IT FURTHER RESOLVED, that copies of this adopted resolution be sent to the National Association of Counties, the National Center for Missing and Exploited Children, and the Manistee County Human Services Coordinating Body.

Moved by McCraner, supported by Fenstermacher to adopt the Resolution of support for the National Association of Counties campaign against sexual exploitation of children.

YEAS: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O’Shea, Rutske
NAYS: 0

Motion Carried

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REIMBURSE EDUCATION EXPENSES

Moved by Rutske, supported by Fenstermacher to approve to reimburse Mindy Dalke for up to \$187.00 in current and future education expenses toward obtaining an Associates of Arts Degree with proper written evidence of her grades with funds for the same being paid out of the Education Fund.

YEAS: 7 Haik, Kowalski, Lottie, McCraner, O’Shea, Rutske, Fenstermacher
NAYS: 0

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Motion Carried

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Moved by McCraner, supported by Lottie to accept the Policy Committee Report of February 1, 2008.

Motion Carried

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PUBLIC SAFETY COMMITTEE REPORT/FEBRUARY 1, 2008

Ed Haik presented the Public Safety Committee Report of February 1, 2008.

Items Not Requiring Board Action:

- Working on finalizing the Animal Control and Rabies Enforcement Ordinance.
- Proposed 67% cut to the Justice Systems Grant Appropriations for 2008.
- Jail Lock System needs to be replaced.
- Homeland Security Grant Fund/Some of the money used to install an Intercom System for the Courthouse.
- The Courthouse Alarm System/Panic Buttons are working.

MANISTEE COUNTY SHERIFF/MANISTEE CITY POLICE

RECIPROCAL LAW ENFORCEMENT AGREEMENT

Moved by Lottie, supported by Kowalski to enact the Manistee County Sheriff/Manistee City Police Reciprocal Law Enforcement Agreement.

YEAS: 7 Kowalski, Lottie, McCraner, O’Shea, Rutske, Fenstermacher, Haik

NAYS: 0

Motion Carried

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Moved by McCraner, supported by Fenstermacher to accept the Public Safety Committee Report of February 1, 2008.

Motion Carried

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MANISTEE AREA CHAMBER OF COMMERCE REPORT

Steven Morris, Interim Executive Director, Manistee Area Chamber of Commerce appeared before the Board to provide an update of recent Chamber activities. Handout entitled: The New Chamber was presented to the Board. Discussion followed.

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MANISTEE COUNTY TECHNOLOGY/INFORMATION

COMMITTEE REPORT/FEBRUARY 14, 2008

Glenn Lottie presented the Manistee County Technology/Information Committee Report of February 14, 2008.

PURCHASE 12 DELL COMPUTERS

Moved by Lottie, supported by Fenstermacher to approve purchasing twelve computers from Dell at a group total price of \$11,872.20. Four Computers for the MSU Extension Office, four computers for the Sheriff Department/Jail, two computers for District Court and one computer each in the County Treasurer's Office and the Equalization Department.

YEAS: 7 Lottie, McCraner, O'Shea, Rutske, Fenstermacher, Haik, Kowalski
NAYS: 0

Motion Carried

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PURCHASE 12 GIGABIT OF MEMORY/MAIN WINDOWS SERVER

Moved by Lottie, supported by Fenstermacher to approve purchasing 12 gigabit of memory for the main windows server from CDW-G at a total cost of \$867.81.

YEAS: 7 McCraner, O'Shea, Rutske, Fenstermacher, Haik, Kowalski, Lottie
NAYS: 0

Motion Carried

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Moved by McCraner, supported by Haik to accept the Manistee County Technology/Information

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Committee Report of February 14, 2008.

Motion Carried

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RECYCLING COMMITTEE REPORT/FEBRUARY 1, 2008

Allan O’Shea presented the Recycling Committee Report of February 1, 2008.

No Action Items.

Tim Ervin, Alliance for Economic Success, reported to the Committee that nine community meetings regarding recycling have been held in the County. The Alliance for Economic Success is not ready to share the results of those meetings yet.

Moved by McCraner, supported by Kowalski to accept the Recycling Committee Report of February 1, 2008.

Motion Carried

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GREEN TEAM COMMITTEE REPORT/FEBRUARY 1, 2008

Allan O’Shea presented the Green Team Committee Report of February 1, 2008.

No Action Items.

Items Not Requiring Board Action:

- New Members welcomed.
- NACO Energy Tracking Program
- Purchasing New Patrol Cars/Sheriff’s Department

Moved by McCraner, supported by Kowalski to accept the Green Team Committee Report of February 1, 2008.

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Motion Carried

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ACCEPTED BIDS FOR POLICE VEHICLES

Moved by Lottie, supported by Kowalski to accept the high bids for the following police vehicles:

- 2002 Ford Crown Victoria, 4-door, approx. 103,671 miles (VIN #149417)
Chicago Motors, Inc. \$2,021.00
- 2003 Ford Crown Victoria, 4-door, approx. 114,550 miles (VIN #139855)
Welcome Motors \$2,711.00
- 2005 Ford Crown Victoria, 4-door, approx. 83,948 miles (VIN #119240)
Chicago Motors, Inc. \$5,801.00
- 2005 Ford Crown Victoria, 4-door, approx. 98,996 miles (VIN #119242)
Welcome Motors \$5,811.00

YEAS: 7 O’Shea, Rutske, Fenstermacher, Haik, Kowalski, Lottie, McCraner
 NAYS: 0

Motion Carried

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RENEW LISTING AGREEMENT/CENTURY 21 BOARDWALK

Moved by McCraner, supported by Kowalski to renew the Listing Agreement with Century 21 Boardwalk for a period of six months for the former Animal Control Building on Franklin Road.

The Listing Agreement is effective for six months beginning March 1, 2008.

YEAS: 7 Rutske, Fenstermacher, Haik, Kowalski, Lottie, McCraner, O’Shea
 NAYS: 0

Motion Carried

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CORRESPONDENCE TO STATE REPRESENTATIVE DAVID PALSROK

Moved by Rutske, supported by Kowalski to table the motion to approve and send correspondence from the Manistee County Prosecuting Attorney to State Representative David Palsrok on Local Revenue Sharing and PILT funding issues. The letter will not be sent.

YEAS: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea, Rutske

NAYS: 0

Motion Carried

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Adjourn at the Call of the Chair.

_____CLERK