

**TUESDAY, JANUARY 19, 2021**

Pursuant to law, the Board of Commissioners met on Tuesday, January 19, 2021 at 9:00 a.m. in the Board of Commissioner's Room and were called to order by the Chairperson.

Pledge of Allegiance

Invocation

PRESENT: Margaret Batzer (on-line, City of Manistee), Jeff Dontz, Karen Goodman (on-line, City of Manistee), Eric Gustad (on-line, Filer Township), Pauline Jaquish, Nikki Koons (on-line, Norman Township) and Richard Schmidt (on-line, Maple Grove Township).

ABSENT: None

The County Board and its Committees are operating remotely and electronically by Zoom under PA 254 of 2020 due to the COVID-19 pandemic.

**APPROVE MEETING AGENDA**

Moved by Goodman, seconded by Batzer to approve the Meeting Agenda, as amended, to include the Resolution #2021-2, Manistee County Transportation Resolution of Intent and discussion concerning a letter to the Attorney General for an opinion on Community Mental Health funding issues.

Motion Carried

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**CONSENT AGENDA**

Moved by Batzer, seconded by Schmidt to approve the Consent Agenda which includes the minutes of the December 15, 2020 Board meeting, the minutes of the January 4, 2021 Organizational Meeting and the January 2021 monthly appropriations and fund transfers.

YEAS: 7 Batzer, Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt

NAYS: 0 None

Motion Carried

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**PUBLIC COMMENT**

None, neither in person nor on-line.

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**TREASURER’S REPORT**

Rachel Nelson, County Treasurer, appeared before the Board to present a Quarterly Investment Update, additional 2020 Foreclosure Auction details and an update on legislation. In reviewing the Quarterly Investment Updates, Ms. Nelson noted that the report indicates a decrease in the total report of approximately \$2.5 million. This is due to the County’s Trust and Agency Account, which serves as an “in & out” account, so it depends on the timing of the report. Ms. Nelson also noted that the Morgan Stanley Account has been closed as Morgan Stanley no longer works with our type of entity.

Ms. Nelson reported that the second Tax Foreclosure Sale was held in November 2020 which included two (2) burned out structures that were not sold at the first Foreclosure Sale. Both properties sold and therefore, there are no remaining foreclosure properties left from 2020.

Ms. Nelson also reviewed the handout entitled Manistee County Treasurer 2018 Property Tax Lifecycle. Currently, the annual process is at the step of holding an Administrative Show Cause Hearing held before the County Treasurer. This meeting with property owners who, as an example, have not paid their property taxes for 2018, that are to be paid by the end of March 2021. They meet in person or on the phone to request a one (1) year extension for good cause. There is then a Foreclosure Hearing scheduled for February 12, 2021 before the Circuit Court Judge. New this year, anyone with financial interest in a property that is being foreclosed on, has until July 1<sup>st</sup> to file a notice concerning the excess proceeds from the foreclosure sale.

In the past and in accordance with the law, this is the law that County Treasurers have followed. The state law has been deemed unconstitutional with regards to excess proceeds received by Counties in foreclosure sales. Now, PA 255 and 256 of 2020 address the process for excess proceeds foreclosure funds. This law is effective for 2020 foreclosures. As of now, there is no decision for foreclosure sales before 2020.

**WAYS & MEANS COMMITTEE REPORT/JANUARY 6, 2021**

Richard Schmidt presented the Ways & Means Committee Report of January 6, 2021.

**FINANCE REPORT**

Board of Commissioners  
Manistee County  
Manistee, Michigan 49660

We hereby submit claims for December 2, 2020 through January 5, 2021, and a summary of the On-Demand checks for their review and approval. The totals are as follows:

101 General Fund .....	\$221,457.14
201 County Road Fund.....	0.00
208 Parks/Recreation Trails Fund .....	0.00
215 Friend of the Court Fund .....	0.00
216 Department Contingency Fund .....	0.00
220 Local Revenue Sharing Grant Fund .....	0.00
225 Recycling Fund.....	24,705.89
234 Judicial Technology Fund .....	0.00
235 District Court Services Fund .....	0.00
236 Maintenance of Effort Fund .....	13,062.34
238 Land Bank Authority Fund.....	510.00
239 NF&W Foundation Grant.....	0.00
241 AIS Grant Fund .....	0.00

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242 Bear Lake Improvement Fund.....	0.00
243 Brownfield Redevelopment Authority Fund.....	0.00
244 Brownfield Redevelopment-Joslin Cove.....	0.00
245 Public Improvement Fund.....	0.00
246 Township Improvement Revolving Fund.....	0.00
251 Capital Improvement Fund.....	0.00
252 PRE Audit Fund.....	0.00
253 Remonumentation Fund.....	5,950.00
254 Medical Care Depreciation Fund.....	0.00
255 Brownfield Site Assessment Fund.....	0.00
256 Register of Deeds Automation Fund.....	63,992.20
257 Budget Stabilization Fund.....	0.00
258 Mounted Search and Rescue.....	0.00
259 Indigent Defense Fund.....	7,389.29
260 Health Insurance Fund.....	144,915.14
261 9-1-1 Service Fund.....	0.00
262 Dive Equipment Fund.....	89.98
263 Sheriff's Office Forfeited Assets Fund.....	0.00
264 Family Counseling Services Fund.....	0.00
265 Juvenile Drug Court Fund.....	0.00
266 Law Enforcement Training Fund.....	210.72
267 Concealed Pistol Licensing Fund.....	1,715.73
268 Homeland Security Grant Fund.....	0.00
269 Law Library Fund.....	944.50
270 Corrections Officer Training Fund.....	75.00
271 County Library Fund.....	0.00
272 County Library Trust Fund.....	0.00
274 OHSP Grant Funds.....	0.00
275 Dial-A-Ride Fund.....	0.00
276 Forestry Fund.....	0.00
277 Air Photo Fund.....	0.00
278 LEPC Grant Fund.....	0.00
279 Economic Development - Housing Fund.....	0.00
280 MSHDA Grant Fund.....	0.00
281 Law Enforcement Technology Fund.....	0.00
282 Care Act Fund.....	66,096.05
283 F.I.A. Benzie County.....	0.00
284 Community Corrections Fund.....	0.00
285 Drunk Driving Case Flow Fund.....	0.00
286 Juvenile Intervention Fund.....	0.00
287 Juvenile Accountability Fund.....	0.00
290 Department of Human Services Fund.....	0.00
292 Child Care Fund.....	1,710.00
293 Soldiers & Sailors Relief Fund.....	0.00
294 Veterans Trust Fund.....	0.00
295 Airport Authority Fund.....	52,645.97
296 Juvenile Justice Fund.....	1,250.00
297 Compensated Services Fund.....	123,847.86
298 County Employee Separation Fund.....	0.00
299 Unemployment Fund.....	0.00
356 Fair Board Debt Fund.....	0.00
360 9-1-1 Expansion Construction Fund.....	0.00
361 Jail Expansion Construction Fund.....	0.00
362 Jail Building Bond.....	0.00
368 Library Loan Fund.....	0.00
369 Building Authority Debt Fund.....	0.00
370 County Road Building Debt Fund.....	0.00
461 Building Authority Construction Fund.....	0.00
462 County Road Construction Fund.....	0.00
512 Medical Care Facility Fund.....	0.00
516 Delinquent Tax Revolving Fund.....	50.00

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606 Tax Revolving Fund.....	0.00
609 2009 Tax Revolving Fund.....	0.00
610 2010 Tax Revolving Fund.....	0.00
611 2011 Tax Revolving Fund.....	0.00
612 Delinquent Taxes.....	0.00
613 2013 Tax Revolving Fund.....	0.00
614 2014 Tax Revolving Fund.....	0.00
615 2015 Tax Revolving Fund.....	0.00
616 2016 Tax Revolving Fund.....	0.00
617 2017 Tax Revolving Fund.....	0.00
618 2018 Tax Revolving Fund.....	0.00
618 2018 Tax Revolving Fund.....	0.00
619 2019 Tax Revolving Fund.....	0.00
620 Foreclosure Fund.....	69,819.61
701 Trust and Agency .....	0.00
702 OPEB Trust Fund.....	0.00
801 Drain Fund.....	0.00
 Total: .....	 <u>\$800,437.42</u>

(includes 3 acct. payable runs; on demand checks): \$156,497.00

Payroll for the period of Dec. 2, 2020 thru Jan. 5, 2021 + \$556,882.89  
(incl. 2 payrolls) and also includes:  
    Longevity Payouts - \$800  
    Sheriff's Office Shift Premium Payouts - \$14,000  
    Sheriff's Office EMT/Education Payouts - \$5,300

Total to be Claimed and allowed January 19, 2021 \$1,357,320.31

Moved by Schmidt, seconded Batzer to approve the on-demand checks, bills and payroll, be accepted in the amount of \$1,357,320.31; and that the same be placed on file.

YEAS: 7 Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer  
NAYS: 0 None

Motion Carried

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**PAYMENT OF UNUSED ACCUMULATED VACATION AND PERSONAL HOURS**

Moved by Schmidt, seconded by Batzer to approve payment for unused accumulated vacation and personal hours to James Frost, former Corrections Officer, who resigned from the Sheriff's Office effective December 20, 2020 = \$2,204.68; to be paid from the Employee Separation Fund #298 000 701.001.

YEAS: 7 Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer, Dontz  
NAYS: 0 None

Motion Carried

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Moved by Schmidt, seconded by Batzer to approve payment for unused accumulated vacation hours to Susan Almy, former Secretary, who resigned from the Prosecuting Attorney’s Office effective December 5, 2020 = \$1,254.43; to be paid from the Employee Separation Fund #298 000 701.001.

YEAS: 7 Gustad, Jaquish, Koons, Schmidt, Batzer, Dontz, Goodman  
NAYS: 0 None

Motion Carried

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**MANISTEE COUNTY INVESTMENT POLICY**

Moved by Schmidt, seconded by Batzer, to approve of the changes made to the Manistee County Investment Policy, dated January 19, 2021, as recommended by Treasurer Nelson.

YEAS: 7 Jaquish, Koons, Schmidt, Batzer, Dontz, Goodman, Gustad  
NAYS: 0 None

Motion Carried

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**MANISTEE COUNTY TREASURER’S OFFICE FEE SCHEDULE**

Moved by Schmidt, seconded by Batzer to approve of the County Treasurer’s Office Fee Schedule, as presented by Treasurer Nelson.

YEAS: 7 Koons, Schmidt, Batzer, Dontz, Goodman, Gustad, Jaquish  
NAYS: 0 None

Motion Carried

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**ZONING SERVICES AGREEMENT BETWEEN MANISTEE COUNTY AND THE TOWNSHIP OF BEAR LAKE**

Moved by Schmidt, seconded by Batzer to approve the Zoning Services Agreement between Manistee County and the Township of Bear Lake; the Agreement is for Zoning Administration Services Level II and Code Enforcement Services Level II. The Contract

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Services is a three (3) year agreement with the first-year service fee of \$14,250 (for both services), and an increase of 2% each year thereafter. The agreement is effective December 22, 2020 through December 21, 2023; and authorize the Board Chair to sign the same.

YEAS: 7 Schmidt, Batzer, Dontz, Goodman, Gustad, Jaquish, Koons

NAYS: 0 None

Motion Carried

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**ZONING SERVICES AGREEMENT BETWEEN MANISTEE COUNTY AND THE VILLAGE OF ONEKAMA**

Moved by Schmidt, seconded by Batzer to approve the Zoning Services Agreement between Manistee County and the Village of Onekama; the Agreement is for Zoning Administration Services Level II and Code Enforcement Services Level I. The Contract Services is a three (3) year agreement with the first-year service fee of \$6,250 (for both services), and an increase of 2% each year thereafter. The agreement is effective December 16, 2020 through December 15, 2023; and authorize the Board Chair to sign the same.

YEAS: 7 Batzer, Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt

NAYS: 0 None

Motion Carried

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**DISCUSSION REGARDING MISAIL AERIALS**

Moved by Schmidt, seconded by Batzer to support the MiSAIL Aerial Program to purchase 6” imagery in the draft amount up to \$26,000 from Fund #277-000-800.000, and to work on getting local participation from the Townships to replenish the fund to sustain the ongoing aerial program.

YEAS: 7 Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer

NAYS: 0 None

Motion Carried

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**SHERIFF’S OFFICE 2020 COMP TIME**

Moved by Schmidt, seconded by Gustad to approve paying the Sheriff’s Department employees for 2020 comp time they haven’t been able to take due to the COVID pandemic, in the amount of approximately \$8,000.

YEAS: 7 Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer, Dontz

NAYS: 0 None

Motion Carried

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**PAYMENT OF UNUSED ACCUMULATED VACATION AND PERSONAL HOURS**

Moved by Schmidt, seconded by Batzer to approve payment for unused accumulated vacation and personal hours to Brian Gutowski, former Under Sheriff, who became an elected official on January 1, 2021 = \$11,980.24; to be paid from the Employee Separation Fund #298 000 701.001.

YEAS: 7 Gustad, Jaquish, Koons, Schmidt, Batzer, Dontz, Goodman

NAYS: 0 None

Motion Carried

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Moved by Schmidt, seconded by Jaquish to accept the Ways & Means Committee Minutes of January 6, 2021.

Motion Carried

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**PLANNING COMMISSION APPOINTMENT**

One (1) individual to serve an unexpired at-large position for a three (3) year term which begins immediately and expires June 9, 2021. This appointment is to be filled by a person representing Transportation and Communication interests in the County.

Two (2) Applicants:  
Robert Blackmore Glenn Zaring

An Applicant must receive at least four (4) votes to be appointed.

1<sup>st</sup> vote

Blackmore 1 Zaring 6

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Glenn Zaring is appointed to the Manistee County Planning Commission representing Transportation and Communication interests in the County, to serve an unexpired at-large position for a three (3) year term which begins immediately and expires June 9, 2021.

**LIBRARY BOARD APPOINTMENT**

One (1) individual to serve an unexpired five (5) year term which begins immediately and expires December 31, 2022. No applications were received for this position. The Clerk will readvertise for the vacancy.

**PERSONNEL COMMITTEE MINUTES/JANUARY 8, 2021**

Karen Goodman presented the Personnel Committee Minutes of January 8, 2021.

**DISCUSSION REGARDING VACATION CARRYOVER**

Moved by Goodman, seconded by Schmidt to approve extending the deadline to June 30, 2021 to use excess 2020 unused vacation over 37.5 hours, with the balance of unused 2020 vacation to be used by the December 31, 2021.

YEAS: 7 Jaquish, Koons, Schmidt, Batzer, Dontz, Goodman, Gustad

NAYS: 0 None

Motion Carried

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Ms. Goodman requested this topic be placed on the next Personnel meeting agenda to review/discuss union and court issues regarding the above.

Moved by Goodman, seconded by Gustad to accept the Personnel Committee Minutes of January 8, 2021.

Motion Carried

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**RESOLUTION #2021-2**

**FY 2022 RESOLUTION OF INTENT**

**THE APPROVED RESOLUTION OF INTENT TO APPLY FOR STATE FORMULA OPERATING ASSISTANCE FOR FISCAL YEAR 2022 UNDER ACT 51 OF THE PUBLIC ACTS OF 1951, AS AMENDED**

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 19<sup>TH</sup> Day of January, 2021.

PRESENT: Batzer, Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt



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ABSENT: None

The following resolution was offered by Schmidt and seconded by Goodman:

**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 94, to provide a local transportation program for the state fiscal year of 2022 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 State Transportation 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 2022 of:

Estimated Federal Funds	\$ 493,560
Estimated State Funds	\$1,029,209
Estimated Local Funds	\$ 594,053
Estimated Farebox	\$ 680,000
Estimated Other Funds	\$ 3,000
Estimated Total Expenses	\$2,742,000

**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 State Transportation Commission or department for its administration of Act 51 for 2022.

Moved by Schmidt, seconded by Goodman to approve above Resolution #2021-2, FY 2022

Resolution of Intent. The Approved Resolution of Intent to Apply for State Formula

Operating Assistance for Fiscal Year 2022 Under Act 51 of the Public Acts of 1951, as

Amended.

YEAS: 7 Koons, Schmidt, Batzer, Dontz, Goodman, Gustad, Jaquish

NAYS: 0 None

Motion Carried

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**PUBLIC SAFETY COMMITTEE MINUTES/JANUARY 8, 2021**

Pauline Jaquish presented the Public Safety Committee Minutes of January 8, 2021.

**DISCUSSION: MUTUAL AID AGREEMENT BETWEEN MANISTEE COUNTY SHERIFF AND MANISTEE CITY POLICE**

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Moved by Jaquish, seconded by Batzer to approve the four (4) year Mutual Aid Agreement between Manistee County and the City of Manistee; and authorize the Board Chair to sign the same.

YEAS: 7 Schmidt, Batzer, Dontz, Goodman, Gustad, Jaquish, Koons  
NAYS: 0 None

Motion Carried

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Moved by Jaquish, seconded by Batzer to accept the Public Safety Committee Minutes of January 8, 2021.

Motion Carried

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(10:20 a.m.)

**MOTION TO ENTER INTO CLOSED SESSION**

Moved by Jaquish, seconded by Schmidt to enter into Closed Session for the purpose of discussing Contract Negotiations, pursuant to Section 8(c) of the Michigan Open Meetings Act. The County Board of Commissioners; Lisa Sagala, County Administrator/Controller; Julie Griffis, HR Generalist; and Jill M. Nowak, Manistee County Clerk; are granted permission to remain in the room to participate in the closed session discussion.

YEAS: 7 Batzer, Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt  
NAYS: 0 None

Motion Carried

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(10:30 a.m.)

**MOTION TO RETURN TO OPEN SESSION**

Moved by Schmidt, seconded by Jaquish to return to Open Session of the Manistee County Board of Commissioners.

YEAS: 7 Dontz, Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer

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NAYS: 0 None

Motion Carried

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**MOTION REGARDING CONTRACT NEGOTIATIONS**

Moved by Jaquish, seconded by Schmidt to accept the GEA/POAM Union Contract as presented.

YEAS: 7 Goodman, Gustad, Jaquish, Koons, Schmidt, Batzer, Dontz

NAYS: 0 None

Motion Carried

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**MISCELLANEOUS CONTROLLER AND BOARD ITEMS**

No action was taken on the following items:

- Resolution from Kankaska County recommending the Impeachment of Governor Whitmer.
- MIDC Update on Standard 5
- Commissioners 2021 Payroll Schedule

**MDHHS FUNDING AND LOCAL MATCH EQUIREMENT**

Commissioner Goodman had distributed a letter concerning the local 10% match requirement funds for mental health services for their County residents through MDHHS. Currently County funds is paid to Centra Wellness, then to MDHHS and is then sent back to the County. This process allows MDHHS funds to be received from the federal government. These funds are used for local programs like prevention services and jail services. The state is now saying they can take the money and do what they want with it and use it if needed. Then the General Fund of the County will have to fund the local services. Ms. Goodman has requested the County Prosecutor review the information, develop questions and report at the February County Board Meeting, and possibly get the Attorney General’s Office involved. It was also suggested to check with MAC.

**PUBLIC COMMENT**

None, neither in person nor on-line.

Adjourn at the Call of the Chair at 10:50 a.m.

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Jill M. Nowak Clerk