

**TUESDAY, NOVEMBER 15, 2022**

Pursuant to law, the Board of Commissioners met on Tuesday, November 15, 2022 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, Jeff Dontz, Karen Goodman, Eric Gustad, Pauline Jaquish, Nikki Koons and Richard Schmidt

ABSENT: None.

**APPROVE MEETING AGENDA**

Moved by Schmidt, seconded by Batzer to approve the Meeting Agenda as amended.

Motion Carried

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**CONSENT AGENDA**

Moved by Schmidt, seconded by Koons approve the Consent Agenda which includes the minutes of the October 18, 2022 Board meeting and the November 2022 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**

Phil Morse with Senator Vanderwall's office introduced himself.

**RECONGNITION**

Sheriff Gutowski presented 3 citizens with a Life Saving Citation for their actions on September 4, 2022. On September 4, 2022 Ryan Cramer, Erica Cramer and Jerry Johnson were traveling on Merkey Road when they observed smoke coming from the roof and eaves of a residence. Upon seeing the smoke, they stopped their vehicles and began to knock on the windows and doors of the home. These actions alerted the homeowner who was unaware of the fire. Because of their actions, the homeowner was able to alert his daughter who was

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playing in the basement and evacuate the residence unharmed. Without the quick actions of Ryan Cramer, Erica Cramer and Jerry Johnson, it is quite possible the residents may not have been able to escape safely.

**TREASURER’S REPORT**

Rachel Nelson, Manistee County Treasurer, appeared before the Board to present the Quarterly Investment Report.

**MANISTEE COUNTY VETERANS AFFAIRS REPORT**

Tony Covell, Manistee County Veterans Office Director, appeared before the Board to present an update. Mr. Covell addressed changes to the dental van, grants and a request for a credit card for the department. Mr. Covell may need to request a possible amendment to the grant for changes regarding the dental van at a future Board meeting.

**LIBRARY BOARD APPOINTMENT**

One (1) vacancy to fill an unexpired five (5) year term, commencing immediately and expiring December 31, 2023.

There was one late applicant. The position will be re-advertised for the December Board meeting.

**CHARTER/SPECTRUM BUILD OUT FOR BROADBAND UPDATE**

Marilyn Passmore, Director, State Government Affairs, with Charter/Spectrum appeared before the Board to provide an update regarding their new build out for broadband availability in Manistee County.

**MSU EXTENSION ANNUAL REPORT**

Jennifer Berkey, District Director, with MSU Extension appeared before the Board to provide an annual report.

**MANISTEE COUNTY FAIR BOARD NEWLY ELECTED OFFICERS**

Elaine Blossingham, Manistee County Fair Board, appeared before the Board to present and request approval of their newly elected officers.

Moved by Schmidt, seconded by Jaquish, to accept the newly elected slate of officers for the Manistee County Fair Board for year 2022-2023.

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

Motion Carried

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**LEASE AGREEMENT FAIR BOARD AND ONEKAMA LIONS CLUB**

Moved by Goodman, seconded by Koons to approve the Lease Agreement between Manistee County and the Manistee County Fair Board; and the Lease Agreement between Manistee County and the Onekama Lions Club.

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

NAYS: 0 None

Motion Carried

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**WAYS & MEANS COMMITTEE REPORT/NOVEMBER 2, 2022**

Richard Schmidt presented the Ways & Means Committee Report of November 2, 2022.

**FINANCE REPORT**

Board of Commissioners  
Manistee County  
Manistee, Michigan 49660

We hereby submit claims for October 1, 2022 through October 31, 2022 and a summary of the On-Demand checks for their review and approval. The totals are as follows:

<b>FUND #</b>	<b>FUND NAME</b>	<b>10/01/2022 THRU 10/31/2022</b>	<b>ON DEMAND</b>	<b>TOTAL</b>
101	GENERAL FUND	\$ 1,594,388.22		\$ 1,594,388.22
102	BUDGET STABILIZATION FUND			\$ -
201	COUNTY ROAD FUND			\$ -
208	PARK/RECREATION FUND-TRAILS			\$ -
213	AIS GRANT FUND			\$ -
214	BEAR LAKE IMPROVEMENT FUND	\$ 37,595.84		\$ 37,595.84
215	FRIEND OF THE COURT FUND			\$ -
216	DEPARTMENT CONTINGENCY FUND			\$ -
217	LOCAL REVENUE SHARING GRANT FUND			\$ -
225	RECYCLING FUND	\$ 10,054.00		\$ 10,054.00
232	MANISTEE COUNTY DIVE EQUIPMENT FUND			\$ -
233	SHERIFF DEPT. FORFIET ASSETS FUND			\$ -
234	FAMILY COUNSELING SERVICES FUND			\$ -
235	MEDICAL SUPPORT INCENTIVE FUND			\$ -
236	MAINTENANCE OF EFFORT FUND	\$ 7,297.59		\$ 7,297.59
237	HOMELAND SECURITY GRANT FUND			\$ -
238	LAND BANK AUTHORITY FUND	\$ 1,100.22		\$ 1,100.22

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239	US FISH & WILDLIFE GRANT			\$	-		
242	BROWNFIELD REDEVELOPMENT-JOSLIN COVE			\$	-		
243	BROWNFIELD REDEVELOPMENT AUTHORITY FUND			\$	-		
245	OHSP GRANT FUNDS			\$	-		
251	CAPITAL IMPROVEMENT FUND			\$	-		
252	PRE AUDIT FUND			\$	-		
253	REMONUMENTATION FUND			\$	-		
254	MEDICAL CARE DEPRECIATION FUND			\$	-		
256	REGISTER OF DEEDS AUTOMATION FUND	\$	1,668.62	\$	1,668.62		
259	COMMUNITY EMERGENCY REPOSE TEAM (CERT)	\$	932.66	\$	932.66		
260	INDIGENT DEFENSE FUND	\$	6,728.69	\$	6,728.69		
261	9-1-1 SERVICE FUND			\$	-		
263	CONCEALED PISTOL LICENSING FUND	\$	26.00	\$	26.00		
264	CORRECTIONS OFFICER TRAINING FUND	\$	1,512.50	\$	1,512.50		
266	LAW ENFORCEMENT TRAINING FUND			\$	-		
269	LAW LIBRARY FUND	\$	1,264.95	\$	1,264.95		
271	COUNTY LIBRARY FUND			\$	-		
272	COMMUNITY CORRECTIONS - 511	\$	333.34	\$	333.34		
273	DRUNK DRIVING CASE FLOW FUND			\$	-		
274	JUVENILE INTERVENTION FUND			\$	-		
275	JUVENILE ACCOUNTABILITY FUND			\$	-		
276	SHERIFF - DOG CENSUS FUND			\$	-		
277	AIR PHOTO FUND			\$	-		
278	LEPC GRANT FUND			\$	-		
279	HOUSING FUND			\$	-		
280	HEALTH INSURANCE FUND	\$	129,639.65	\$	51,787.69	\$	181,427.34
282	CARES ACT			\$	-		
285	AMERICAN RESCUE PLAN ACT			\$	-		
288	DIAL-A-RIDE FUND			\$	-		
290	DEPT OF HUMAN SERVICES FUND			\$	-		
292	CHILD CARE FUND	\$	11,847.69	\$	11,847.69		
293	SOLDIERS & SAILORS RELIEF FUND	\$	690.00	\$	690.00		
295	AIRPORT AUTHORITY FUND	\$	41,503.98	\$	41,503.98		
296	JUVENILE JUSTICE FUND	\$	1,250.00	\$	1,250.00		
297	COMPENSATED SERVICES FUND	\$	23,980.30	\$	152,291.55	\$	176,271.85
298	COUNTY EMPLOYEE SEPERATION FUND			\$	-		
299	UNEMPLOYMENT FUND			\$	-		
357	9-1-1 EXPANSION CONSTRUCTION FUND			\$	-		
363	JAIL EXPANSION CONSTRUCTION FUND			\$	-		
366	JAIL BUILDING BOND			\$	-		
369	BUILDING AUTHORITY DEBT FUND	\$	2,432.19	\$	2,432.19		
370	COUNTY ROAD BUILDING DEBT FUND			\$	-		
481	AIRPORT CAPITAL FUND			\$	-		
512	MEDICAL CARE FACILITY FUND			\$	-		
516	DELINQUENT TAX REVOLVING FUND			\$	-		
595	COMMISSARY/CONCESSION FUND			\$	-		
620	FORECLOSURE FUND	\$	7,188.68	\$	7,188.68		
701	TRUST AND AGENCY FUND	\$	9,901.10	\$	9,901.10		
714	INMATE TRUST FUND			\$	-		
737	OPEB TRUST FUND	\$	21,280.03	\$	325.83	\$	21,605.86

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<b>TOTALS</b>	\$	1,912,616.25	\$	204,405.07	\$	<b>2,117,021.32</b>
(Includes 2 accounts payable runs; on demand checks)						

<b>TOTAL PAYROLL FOR 10/01/22 THRU 10/31/22</b>	<b>\$</b>	<b>772,291.29</b>
<b>(includes 2 payrolls) and includes COLA Payment</b>		

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**Employee Separation Payouts**

David Bottrell  
Megan Prielipp

**GRAND TOTAL**

**\$ 2,889,312.61**

Moved by Schmidt, seconded by Batzer to approve the on-demand checks, bills and payroll, be accepted in the amount of \$2,889,312.61 and that the same be placed on file.

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

NAYS: 0 None

Motion Carried

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**AGREEMENT FOR EXTENSION SERVICES BETWEEN MICHIGAN STATE UNIVERSITY AND MANISTEE COUNTY FOR FY 2022/2023**

Moved by Schmidt, seconded by Batzer to approve the Agreement for Extension Services provided by MSU to Manistee County for FY 2022/23 in the amount of \$47,027 for the period commencing October 1, 2022 and shall terminate September 30, 2023.

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

NAYS: 0 None

Motion Carried

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**EMERGENCY STORAGE REPLACEMENT FOR SHERIFF'S DATA CENTER**

Moved by Schmidt, seconded by Batzer to approve the bid from Insight for emergency storage replacement for the Sheriff's Data Center in the amount not to exceed \$9,000; to be paid for from the equipment line item 101 228 730.000.

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

NAYS: 0 None

Motion Carried

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**FISCAL YEAR 2023 MICHIGAN DRUG COURT GRANT PROGRAM**

Moved by Schmidt, seconded by Goodman to approve the Michigan Drug Court Grant Program Fiscal Year 2023 Contract for the 85<sup>th</sup> District Court – DWI Sobriety Court in the amount of \$58,000.

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

Motion Carried

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**REDUCED COST FOR PLAT BOOK INFORMATION**

Moved by Schmidt, seconded by Batzer to set the GIS data fee at \$1,000 for the Parcel Layer Information for use in producing the 2023 Plat Book.

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

Motion Carried

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Moved by Schmidt, seconded by Batzer to accept the Ways & Means Committee Minutes of November 2, 2022.

Motion Carried

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Break at 10:55am / Return 11:05am

**PERSONNEL COMMITTEE MINUTES/NOVEMBER 4, 2022**

Karen Goodman presented the Personnel Committee meeting minutes of November 4, 2022.

**PTO POLICY**

Moved by Goodman, seconded by Batzer to approve the PTO Policy for all non-union, non-court staff.

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

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NAYS: 0 None

Motion Carried

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**PTO POLICY ADDENDUM**

Moved by Goodman, seconded by Gustad to approve the PTO Policy Addendum for all non-union, not-court staff.

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

NAYS: 0 None

Motion Carried

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**EMERGENCY MANAGEMENT COORDINATOR AGREEMENT**

Moved by Goodman, seconded by Gustad to approve the Addendum to Work Agreement dated November 16, 2022, with Alvin Rischel.

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

NAYS: 0 None

Motion Carried

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Moved by Goodman, seconded by Gustad to accept the Personnel Committee Meeting minutes of November 4, 2022.

Motion Carried

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(11:18 a.m.)

**MOTION TO ENTER INTO CLOSED SESSION**

Moved by Batzer, seconded by Schmidt to enter into Closed Session for the purpose of discussing proposed settlement agreement for Granger v. Ottawa County, et al, pursuant to MCL 15.268 Sec. 8(e) of the Michigan Open Meetings Act. The County Board of Commissioners; Lisa Sagala, County Administrator/Controller; Kristyn Malkowski,

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Administrative Secretary; Rachel Nelson, County Treasurer, Legal Counsel and Lindsey Marquardt, Manistee County Clerk; are granted permission to remain in the room to participate in the closed session discussion.

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

NAYS: 0 None

Motion Carried

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(11:33 a.m.)

**MOTION TO RETURN TO OPEN SESSION**

Moved by Goodman, seconded by Gustad to return to Open Session of the Manistee County Board of Commissioners.

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

NAYS: 0 None

Motion Carried

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**PUBLIC SAFETY COMMITTEE MINUTES/NOVEMBER 4, 2022**

Pauline Jaquish presented the Public Safety Committee meeting minutes of November 4, 2022.

No Action Items.

Moved by Jaquish, seconded by Batzer to approve the Public Safety Committee meeting minutes of November 4, 2022.

Motion Carried

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**POLICY COMMITTEE MINUTES/OCTOBER 21, 2022**

Karen Goodman presented the Policy Committee meeting minutes of October 21, 2022.

No Action Items. The PTO Policy and PTO Policy Addendum were voted on during the Personnel Committee minutes.



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Moved by Batzer, seconded by Koons to approve the Policy Committee meeting minutes of October 21, 2022.

Motion Carried

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**GREEN TEAM COMMITTEE MINUTES/OCTOBER 27, 2022**

Margaret Batzer presented the Green Team Committee meeting minutes of October 27, 2022.

No Action Items.

Moved by Batzer, seconded by Gustad to approve the Green Team Committee meeting minutes of October 27, 2022.

Motion Carried

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**MISCELLANEOUS CONTROLLER AND BOARD ITEMS**

**LETTER OF SUPPORT MANISTEE COUNTY CONSERVATION DISTRICT**

**EGLE GRANT**

Moved by Batzer, seconded by Jaquish to provide a letter of support for the Manistee Conservation District’s Coastal Resilience Technical Specialist in Manistee and Mason County EGLE Grant.

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

NAYS: 0 None

Motion Carried

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**AMENDED 2022 COUNTY APPORTIONMENT REPORT**

Moved by Batzer, seconded by Gustad that Manistee County accept the Amended 2022 Apportionment Report as prepared and presented by the Equalization Director, and that the

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same be approved and the millage rates within the report be thereby levied on the taxable value of their respective taxing jurisdictions.

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

NAYS: 0 None

Motion Carried

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RESOLUTION #2022-14

MANISTEE COUNTY BOARD OF COMMISSIONERS

2022 MANISTEE COUNTY APPORTIONMENT REPORT AMENDMENT

**RESOLUTION AMENDING THE 2022 MANISTEE COUNTY APPORTIONMENT REPORT AS A RESULT OF ADDITIONAL MILLAGE BEING REQUESTED BY ARCADIA AND MARILLA TOWNSHIPS**

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 15th<sup>th</sup> day of November, 2022.

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

ABSENT: None

The following resolution was offered by Batzer and seconded by Gustad:

WHEREAS, the County Board of Commissioners are required to meet each October to examine certificates and direct the spread of taxes in terms of millage rates to be spread on taxable value.

WHEREAS, on October 18, 2022, the Manistee County Board of Commissioners accepted and approved the 2022 Apportionment Report as prepared and presented by the Equalization Director, approved the millage rates within the report that were ordered levied on the taxable value of their respective taxing jurisdictions.

WHEREAS, at the General Election held on November 8, 2022, the voters of Arcadia Township approved the ballot proposal that permits Arcadia Township to levy up to 1.0000 mill for Arcadia Lake-Lake Michigan Channel Maintenance Improvement. Also, at the General Election held on November 8, 2022, the voters of Marilla Township approved the ballot proposal that permits Marilla Township to levy up to .6000 mills for the purpose of providing funds for Fire and EMS Protection.

WHEREAS, Arcadia Township has filed an amended Form L-4029 requesting that 1.0000 mill be levied on December 1, 2022. Also, Marilla Township has filed an amended Form L-4029 requesting that .6000 mills be levied on December 1, 2022.

WHEREAS, the County Board of Commissioners pursuant to Public Act 206 of 1893 Section 211.36 (5) shall meet and direct or amend its direction for the spread of millages by local units in the county.

WHEREAS, an Amended 2022 Apportionment Report has been prepared and presented by the Equalization Director.

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NOW, THEREFORE, BE IT RESOLVED, that the Manistee County Board of Commissioners accept the Amended 2022 Apportionment Report as prepared and presented by the Equalization Director, approves the millage rates within the amended report that are ordered levied on the taxable value of their respective taxing jurisdictions as amended on November 15, 2022, as Manistee County’s official apportionment report.

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

NAYS: 0 None

Motion Carried

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**EMPLOYEE RECONGNITION**

Moved by Goodman, seconded by Batzer to appropriate up to \$4,000 to be used for Employee Recognition gifts.

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

NAYS: 0 None

Motion Carried

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**RESOLUTION #2022-13**

**MANISTEE COUNTY BOARD OF COMMISSIONERS**

**SUPPORT FOR ECONOMIC IMPACT STUDY CONSUMERS ENERGY DAMS**

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 15<sup>th</sup> day of November, 2022.

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

ABSENT: None

The following resolution was offered by Batzer and seconded by Koons:

WHEREAS, on August 09, 2022, Consumers Energy announced it will gather opinions from the public about the 13 dams they own and operate on five Michigan rivers to help guide their decisions about the future of those electric generating facilities; and

WHEREAS, two of the dams, Tippy Dam in Manistee county and Hodenpyl Dam in Wexford and Manistee County have significant impact on economic well-being of our county; and

WHEREAS, members of the public and local leaders have expressed great concern regarding the potential removal of these two hydro facilities/dams; and

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WHEREAS, the Board of Commissioners believes that both Tippy and Hodenpyl dams are an integral part of the character of our region and should be preserved for the economic, recreational, and esthetic impact they bring; and

WHEREAS, to quantify the potential economic impact of the decommissioning of the 13 listed dams it is necessary that reliable and objective data is obtained relative to the operating costs and true economic impact of each of the dams to their local communities; now

THEREFORE BE IT RESOLVED, that the Manistee County Board of Commissioners requests that Consumers Energy has a responsibility to fund state-wide economic and environmental studies by an independent consultant with expertise in these subjects to obtain accurate picture of the true economic and environmental impacts to the State of Michigan and Manistee County; and

BE IT FURTHER RESOLVED, that the assistance of the Michigan Association of Counties (MAC) is requested in this endeavor, and

BE IT FURTHER RESOLVED, that the Manistee County Board of Commissioners further support the exploration of other funding sources for these studies including but not limited to State and Federal grants.

YEAS: 6 Jaquish, Koons, Schmidt, Batzer, Dontz, Goodman

NAYS: 0 None

ABSTAIN: 1 Gustad

Motion Carried

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**LETTER OF OPPOSITION**

Moved by Batzer, seconded by Schmidt to approve sending a letter to Consumers Energy opposing the removal of Tippy Dam, and allow the County Board Chairperson to sign said letter.

YEAS: 6 Koons, Schmidt, Batzer, Dontz, Goodman, Jaquish

NAYS: 0 None

ABSTAIN: 1 Gustad

Motion Carried

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**STRATEGIC PLAN UPDATE**

The Strategic Plan Goal #6 will be reviewed at the next meeting.

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**PUBLIC COMMENT**

None.

Adjourn at the Call of the Chair at 10:42 a.m.

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Lindsey Marquardt Clerk

DRAFT