

March 12, 2013

The regular meeting of the Mason County Board of Commissioners was held at 9:00 a.m. in the Commissioners' Room located in the Mason County Courthouse in the City of Ludington.

The meeting was called to order by Chairman Lange.

Roll call was taken. Present: J. Lenius, B. Carpenter, C. Lange, C. VanderWall,  
M. Nichols, J. Andersen, T. Posma  
Absent: None.

Invocation was given by B. Carpenter. Pledge to the flag followed.

Motion by C. VanderWall and seconded by M. Nichols to approve the agenda with the addition of a letter of support for the Ludington State Park General Management Plan Grant. Motion carried.

Motion by J. Lenius and seconded by J. Andersen to approve the minutes of the February 12, 2013 regular meeting. Motion carried.

No correspondence was presented.

Public Comment:

- Evelyn Bergaila of Riverton Township thanked commissioners who had expressed their condolences in the recent passing of her mother. Ms. Bergaila expressed her disagreement in comments made by Zoning Director Reilly and Planning Commissioner Robidoux at a Michigan Planning Conference held in the fall of 2012 stating that at no time was the Lakewinds Energy Park approved as a mandate from above. Ms. Bergaila stated that Consumers Energy had ordered the turbines from Vestas prior to county board approval of the permits and questioned the statements regarding the timeline for the permit process by former County Board Chairman Squires.

- Aldon Maleckas of Custer Township discussed his findings from the Internet and the information related to the Midwest Independent Transmission Systems Operator (MISO). Mr. Maleckas stated that Consumers Energy is receiving large tax credits for the wind park which results in the company producing energy that isn't needed as Consumers Energy pays MISO to put energy created by the wind turbines on the grid. Mr. Maleckas felt the county should have made Consumer's Energy compensate anyone who is affected by the wind turbine project.

West Michigan Community Mental Health System Executive Director Rich VandenHeuvel gave the agency's annual report and informed the board that the number of persons served by the agency hit a new all-time high with almost 2,700 people served. The plans for the new regional affiliation are going well as the five boards merge to one board.

District Health Department #10 Health Officer Linda VanGills reviewed the district's 2012 report and answered questions. She thanked the county for their support and also for supporting the recent minor remodeling at the Ludington facility as well informing the board that Dr. Wilson will soon be retiring as the medical director for District #10.

Motion by Public Safety and Courts Committee Chairman J. Lenius and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Homeland Security Grants are now being given on a regional basis; and

**WHEREAS**, the County of Mason is a member of the Region 6 Homeland Security Governing Board; and

**WHEREAS**, the Region 6 Homeland Security Governing Board has designated West Michigan Shoreline Regional Development Commission as the Fiduciary for the 2011-12 Homeland Security Program; and

**WHEREAS**, the Public Safety & Courts Committee is recommending approval of an agreement with West Michigan Shoreline Regional Development Commission.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves an agreement with West Michigan Shoreline Regional Development Commission and authorizes the Board Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) J. Lenius

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Motion by J. Lenius and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Mason County Board of Commissioners has received a request to endorse the exploration of a state certified snowmobile trail in Mason County; and

**WHEREAS**, a certified trail would move snowmobile use to managed trails, makes property owners eligible for a million dollar liability policy, provides a boost to the local economy, makes Mason County eligible for state funding for law enforcement, and allow the trails to be eligible for grant dollars for their maintenance; and

**WHEREAS**, the Safety & Courts Committee is recommending that the Board of Commissioners endorse this effort to explore the feasibility of a snowmobile trail from the Mason County Fairgrounds to a connector trail north east of Free Soil.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of Mason County endorses the effort to explore the feasibility of a snowmobile trail from the Mason County Fairgrounds to a connector trail north east of Free Soil.

Moved for your approval.

Motion carried. (Signed) J. Lenius

Motion by B. Carpenter and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Mason County Local Emergency Planning Committee has applied for a FY 2012-13 Hazardous Materials Emergency Preparedness (HMEP) Grant; and

**WHEREAS**, the State of Michigan has awarded a grant in the amount of \$1,650.00 to the County of Mason.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves accepting the FY 2012-13 Hazardous Materials Emergency Preparedness (HMEP) Grant and directs the Board Chair to sign the agreement on behalf of the Board.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Motion by B. Carpenter and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Emergency Management Coordinator Reimink and the Safety & Courts Committee are recommending the appointment of Sheriff Kim Cole, Mr. Jordan DeVries, Undersheriff Jody Hartley, Commissioner Mary Nichols, and Equalization Director Tom Routhier to the Mason County Local Emergency Planning Committee.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the appointment of Sheriff Kim Cole, Mr. Jordan DeVries, Undersheriff Jody Hartley, Commissioner Mary Nichols, and Equalization Director Tom Routhier to the Mason County Local Emergency Planning Committee.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Motion by Building, Planning, Drains, and Airport Committee Chairman C. VanderWall and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Michigan Office of Land Survey and Remonumentation desires that the Board of Commissioners of the County of Mason appoint a Remonumentation Peer Group; and

**WHEREAS**, Surveyor John Schulke is recommending approval of the appointment of Mr. James Carter and Mr. Patrick G. Bentley to the Remonumentation Peer Group.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the appointment of Mr. James Carter and Mr. Patrick G. Bentley to the Remonumentation Peer Group and further directs the Board Chair to sign the related contracts on their behalf.

Moved for your approval.

Commissioner VanderWall stated as Chairman of the Building, Planning, Drains and Airport Committee these two individual's names were coming to the board as appointees without the recommendation of his committee. County Surveyor Schulke was in attendance and suggested that surveyors from outside the county would have

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less conflict of interest in serving on the Peer Group. Commissioners Andersen and Posma (also members of committee) spoke in support of surveyors who are residents of the county and questioned if the personal conflict between surveyors Barnett and Weinert with County Surveyor Schulke had caused him to want to appoint assessors from outside the county.

Motion defeated with all members voting nay.  
(Signed) C. VanderWall

Motion by C. VanderWall and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Mason County Zoning Ordinance requires a post construction sound survey for the Lake Winds Energy Park Project; and

**WHEREAS**, the Mason County Planning Commission has sought proposals from various consultants to assist them in performing a post construction sound survey; and

**WHEREAS**, the Mason County Planning Commission is recommending that the Board of Commissioners approve the attached authorization for engineering services with HGC Engineering.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached authorization for engineering services with HGC Engineering and directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Commissioner Nichols abstained from voting due to both her and her husband filing formal complaints with the county on the matter.

Motion carried. (Signed) C. VanderWall

Motion by M. Nichols and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Register of Deeds is recommending the purchase of the attached scanner system for the Register of Deeds office from the Register of Deeds Automation Fund; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending the approval of the purchase of this scanner system.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the purchase of the attached scanner system for the Register of Deeds office; funds to come from the Register of Deeds Automation Fund.

Moved for your approval.

Motion carried. (Signed) M. Nichols

Motion by M. Nichols and seconded by T. Posma to approve the following resolution:

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County's claims dated February 14, 2013 totaling \$205,563.77, and February 28, 2013 totaling \$345,827.23; and

The Finance, Personnel, and Rules Committee found these claims to be in order and asks the Board to approve these claims.

Moved for your approval.

Motion carried. (Signed) M. Nichols, T. Posma

Motion by J. Andersen and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Michigan Office of Land Survey and Remonumentation desires that the Board of Commissioners of the County of Mason appoint a Remonumentation Peer Group; and

**WHEREAS**, the Building, Planning, Drains, and Airport Committee is recommending approval of the appointment of Mr. James Nordlund, Mr. Rex Pope, and Surveyor John Schulke to the Remonumentation Peer Group and Mr. Noah Penn as alternate.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the appointment of Mr. James Nordlund, Mr. Rex Pope, and Surveyor John Schulke to the Remonumentation Peer Group and Mr. Noah Penn as alternate and further directs the Board Chair to sign the related contracts on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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Motion by J. Andersen and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the State of Michigan has approved a 2013 Survey and Remonumentation Grant for the County of Mason; and

**WHEREAS**, the Buildings, Planning, Drains, & Airport Committee is recommending approval of this grant.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the 2013 Survey and Remonumentation Grant Agreement with the State of Michigan and directs the County Administrator to sign said agreement.

Moved for your approval.

Motion carried. (Signed) J. Andersen

Motion by J. Andersen and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Homeland Security Grants are now being given on a regional basis; and

**WHEREAS**, the County of Mason is a member of the Region 6 Homeland Security Governing Board; and

**WHEREAS**, the Region 6 Homeland Security Governing Board has designated West Michigan Shoreline Regional Development Commission as the Fiduciary for the 2009 Homeland Security Program; and

**WHEREAS**, the Region 6 Homeland Security Governing Board has authorized the purchase of 11 R522 Motorola Minitor V Monitor/Pagers for the County of Mason; and

**WHEREAS**, the County of Mason needs to adopt a Transfer of Ownership Agreement/Equipment receipt and acceptance for purchases under Federal Award Number 97.067.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached Transfer of Ownership Agreement/Equipment receipt and acceptance for purchases under Federal Award Number 97.067 between West Michigan Shoreline Regional Development Commission and Mason County and authorizes the Board Chair to sign this document and all related forms on behalf of the County.

Moved for your approval.

Motion carried. (Signed) J. Andersen

Motion by J. Andersen and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Mason County Sheriff Kim Cole has requested that various rehabilitation projects be done at the Mason County Jail; and

**WHEREAS**, the Safety & Courts Committee is recommending that the Board of Commissioners approve the hiring of r2 design group to prepare bid specifications and solicit bids for this project.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the hiring of r2 design group to prepare bid specifications and solicit bids for various rehabilitation projects at the Mason County Jail; funds to come from the Jail Construction Fund.

Moved for your approval.

Motion carried. (Signed) J. Andersen

Motion by Finance, Personnel, and Rules Committee Chairman T. Posma and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Mason County Board of Commissioners created the Mason County Computer Network Advisory Board to review the various technology systems of the County and make recommendations to the Board for consideration; and

**WHEREAS**, the Mason County Computer Network Advisory Board is recommending the attached Terminal Server Upgrade for a not to exceed amount of \$10,700.00.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached Terminal Server Upgrade for a not to exceed amount of \$10,700.00; funds to come from the Computer Network Fund.

Moved for your approval.

Motion carried. (Signed) T. Posma

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Motion by T. Posma and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Section IV of the Mason County Remonumentation Plan states that the County Grant Administrator must submit surveyor contracts to the Mason County Board of Commissioners for approval and authorization; and

**WHEREAS**, the Building, Planning, Drains, and Airport Committee is recommending approval of contracts with Nordlund & Associates, Mr. Rex Pope, and Surveyor John Schulke.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the related surveyor contracts and further directs the Board Chair to sign said contracts on their behalf.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by T. Posma and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Mason County Sheriff Kim Cole has requested that the ducted air systems in the Mason County Jail be cleaned; and

**WHEREAS**, the Safety & Courts Committee is recommending that the Board of Commissioners approve this request; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending that the Board hire r2 design group to prepare bid specifications and solicit bids for this project.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the hiring of r2 design group to prepare bid specifications and solicit bids for the cleaning of the ducted air systems in the Mason County Jail; funds to come from the Jail Construction Fund.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by T. Posma and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the City of Ludington has agreed to provide the administrative services for Mason County's Community Development Block Grant Program.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached contractual agreement between Mason County and the City of Ludington and further directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by Chairman Lange and seconded by T. Posma to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, there is one vacancy on the Tax Allocation Board; and

**WHEREAS**, there was one response to the advertisement notice that was published in the Ludington Daily News from Mr. Jack Harper.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the reappointment of Mr. Jack Harper to the Tax Allocation Board.

Moved for your approval.

Motion carried. (Signed) C. Lange

Motion by Chairman Lange and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, there is one position on the West Michigan Community Mental Health System Board with a term expiring on March 31, 2013; and

**WHEREAS**, there was one response to the advertisement notice that was published in the Ludington Daily News from Mr. Ronald Sanders.

**THEREFORE BE IT RESOLVED**, that Mr. Ronald Sanders be appointed to the West Michigan Community Mental Health System Board for a term expiring March 31, 2016.

Moved for your approval.

Motion carried. (Signed) C. Lange

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Motion by Chairman Lange and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending that the Council on Aging Board be restructured by reducing the size of the board to seven members and having one member from each commissioner district.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves reducing the size of the board to seven members and having one member from each commissioner district; and

**BE IT FURTHER RESOLVED**, that the Board directs the County Administrator to work with Commissioner Andersen and the Council on Aging Board to amend the Council on Aging bylaws to reflect this change.

Moved for your approval.

Administrator Knizacky explained that an opinion given by Prosecutor Spaniola stated that the Council on Aging would need to amend their by-laws. Currently there are five members serving on the Council on Aging with one County Commissioner District having duplicate representation (two members from the same county commissioner district) In answering a question on how to proceed regarding the duplicate representation, Administrator Knizacky stated the prosecutor communicated that the transition to seven members was a political decision and the board could chose to repopulate to seven members immediately or allow eight members to serve until the end of the members' term for the district served by two members.

Motion carried. (Signed) C. Lange

Following the passage of the resolution a motion was made by Commissioner Posma and supported by Commissioner Nichols to allow for eight people, with one district (#3) being served by two members who are currently serving on the Council on Aging until the end of the current term. Motion carried.

Motion by Chairman Lange and seconded by M. Nichols to send a letter to the Michigan Department of Natural Resources (MDNR) in support of the Ludington State Park General Management Plan Grant. Motion carried.

Treasurer Shirley Smith reviewed the January and February 2013 Treasurer's report and answered questions.

Clerk Jim Riffle reviewed the January and February 2013 Clerk's Report and answered questions.

Administrator Knizacky reported the county had received approval on the bid specifications for the grant projects at the fairgrounds and the county campground, and a pre-construction meeting for the tuckpointing of the courthouse will be held by the end of March. Administrator Knizacky was elected as Vice-Chairman of the Michigan Municipal Risk Management Authority (MMRMA) Board of Directors. MMRMA has approved a net asset distribution of 19.1 million dollars to its members in 2014. Administrator Knizacky also announced the preliminary budget process for 2014 has begun and asked for any input the County Board may have regarding the budget.

Public comment:

- Aldon Maleckas of Custer Township stated that the MISO monthly reports show a 20 % monthly reduction in electricity usage over the last two years and that Consumer's Energy is paying \$19.73 per kilowatt to put the electricity produced from the wind turbines on the grid.

- Evelyn Bergaila of Riverton Township stated that between the Pumped Storage Facility and the wind turbines Mason County accounts for 4% of the 10% renewable energy mandate of Consumer's Energy and she felt Mason County should not have to give up any more natural scenic beauty and other parts of the state needed to do their share.

Any Unfinished Business:

- Other business: Commissioner Posma welcomed newly appointed Amber Township Supervisor Jim Gallie who was in attendance.

With no other business, the meeting was adjourned at 10:35 a.m.

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JIM RIFFLE, COUNTY CLERK

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CHARLES LANGE, BOARD CHAIRMAN