

June 11, 2013

The regular meeting of the Mason County Board of Commissioners was held at 7:00 p.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 J. Andersen. Pledge to the flag followed.

Motion by T. Posma and seconded by J. Lenius to approve the agenda. Motion carried.

Motion by M. Nichols and seconded by J. Andersen to approve the minutes of the May 14, 2013 regular meeting. Motion carried.

There was no Public Comment.

Airport Manager Dave Johnson gave his annual report stating that the airport is following the trend of other general aviation airports nationally with usage being down due to the economy. The airport currently houses 25 aircraft with the student and private activity being less than previous years. "Fractional Share" airplane activity (jets) has been on the increase and Manager Johnson noted this will most-likely continue to increase and cited the recent order by Net Jet for new aircraft as confirmation of this growing trend. The new John Deere 544K loader was purchased and put into service in 2012 as part of the 10-year Capital Layout Plan for the airport. Manager Johnson stated the next major project for the airport will be the construction of a new 6-unit t-hanger and will be completed as funds become available.

Animal Control Officer Marion gave his annual report and stated that euthanizations have showed a slight increase which he felt was in part due to economic conditions. The dog census is continuing on Wednesdays and Thursdays with the result being approximately half the county being done each year. Officer Marion stated that things have gone well in his department over the past year and the animal adoption process with the help of Lakeshore Animal Friends' spay/neuter program continues to be very successful.

Michigan State University Extension (MSUE) District Coordinator Kay Cummings thanked the County Board for their support and reported that after a few initial issues the office location in Scottville is working out nicely. The Mason County 4-H program has been in transition with there being fewer leaders and membership being down slightly, however, those involved are committed and the program seems to have stabilized. Director Cummings proceeded to highlight some of the program activities provided in the annual report in the agenda packet and answered questions.

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

HONORABLE COMMISSIONERS

WHEREAS, Emergency Management Coordinator Reimink is requesting authorization to purchase a projector from the Equipment Replacement Fund; and

WHEREAS, the Public Safety & Courts Committee is recommending the approval of this purchase from the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of a projector for the Emergency Management Coordinator's office, \$500.00 to come from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) J. Lenius

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County Sheriff Cole is requesting authorization to apply for a Port Security grant from the federal government.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason authorizes the submittal of a Port Security grant application for the purchase of a Remote Operated Vehicle; and

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BE IT FURTHER RESOLVED, that a successful grant must be reviewed by the Public Safety & Courts Committee and the Finance, Personnel, & Rules Committee prior to the grant coming to the Board of Commissioners for final consideration.

Moved for your approval.

A general discussion was held regarding the request from Sheriff Cole that had not been discussed at the committee level. Commissioners raised concerns stating the Remote Operating Vehicle may be a better fit for the City of Ludington as Chief Barnett is in charge of the Port Authority, the highly technical piece of equipment would require special electrical needs, as well as the time needed for staffing and training, and the local match money required for the grant was not budgeted. It was pointed out that submitting for the grant did not mean it would be approved. Chairman Lange commended Sheriff Cole for seeking grant money however he felt this particular issue was not in the best interest of the Mason County taxpayers.

A roll call vote was taken. Ayes: M. Nichols. Nays: J. Lenius, B. Carpenter, C. Lange, C. VanderWall, J. Andersen, and T. Posma. Motion being defeated 1-6.

Motion defeated. (Signed) J. Lenius

Motion by B. Carpenter and seconded by C. VanderWall 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 2010 Homeland Security Program; and

WHEREAS, the Region 6 Homeland Security Governing Board has authorized the purchase of one Citizen Preparedness: 30 second PSA TV Ad; and

WHEREAS, the County of Mason needs to approve the attached Certification of Goods Received.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Certification of Goods Received and authorizes the Board Chair to sign this document.

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, the Sheriff's Office has received authorization for a 50% Grant for the purchase of protective vests from the Department of Justice; and

WHEREAS, the Public Safety & Courts Committee is recommending the original equipment purchase from the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the original equipment purchase from the Equipment Replacement Fund and the receipt of the grant back into the Equipment Replacement Fund when it is received from the Department of Justice.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

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

HONORABLE COMMISSIONERS

WHEREAS, the Michigan Legislature approved the Michigan Planning Enabling Act, PA 33 of 2008 that includes:

- A requirement to review and revise as necessary a County Master Plan at least once each five years;
- A requirement to invite broad participation in the preparation and review of a draft County Master Plan by local units of government within the county, as well as adjacent to the county, and regional planning commissions in an effort to improve compatibility between the plans and zoning of adjoining jurisdictions;
- A requirement that before a draft plan is released for review by local governments, that it first receive the approval for review by the County Board of Commissioners (note that approval to release for review does not mean that the County Board has approved of all the contents of the draft Plan; without the County Boards' approval for release, it cannot be released for public review);
- An opportunity for the County Board to adopt the Plan at the completion of the review process and after a public hearing by the Planning Commission and recommended action by the Planning Commission; and

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WHEREAS, the Mason County Planning Commission with assistance from a consultant has prepared a draft Master Plan to revise and extend the Master Plan last adopted in 2006; and

WHEREAS, the public provided input into development of the draft Master Plan via one Town Meeting and through surveys at the start of the planning process and at meetings of Planning Commission since, and will have one more opportunity for public input at a public hearing and that draft documents will be available for inspection at the County Library and on the County website; and

WHEREAS, the Mason County Planning Commission has held many meetings for careful review and refinement of the draft Plan and the revised Data Book, and at the County Planning Commission meeting on April 23rd adopted a motion recommending the County Board approve the release of the draft plan for public review and comment;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners the County of Mason does hereby approve the draft Mason County Master Plan for formal public release, review, and comment pursuant to the requirements of the Planning Enabling Act.

Roll Call Vote:

Ayes: J. Lenius, B. Carpenter, C. Lange, C. VanderWall, M. Nichols, J. Andersen, and T. Posma

Nays: None.

Absent: None.

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Charles Lange, Chairman
Mason County Board of Commissioners

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy and collect County allocated property taxes; and

WHEREAS, the General Property Tax Act has been amended by Public Act 357 of 2004, being MCL 211.44a, to require all Michigan Counties to impose a summer tax levy, with the summer tax levies for 2005 and 2006 to be in the amount of 1/3 and 2/3, respectively, of the total County allocated tax, with the full amount of County allocated tax to be levied and collected as a summer tax levy in 2007 and thereafter.

THEREFORE, BE IT RESOLVED, that pursuant to Public Act 357 of 2004, the Mason County allocated tax shall be levied and collected on July 1, 2013, at the rate of 5.0967 mills; and

BE IT FURTHER RESOLVED, that the Treasurer of each city, village and township in Mason County is directed to account for and deliver the County allocated tax collections for 2013 in accordance with the provisions of Public Act 357 of 2004; and

BE IT FURTHER RESOLVED, that this Resolution constitutes certification of the levy of the County allocated tax and authorized collection of the County allocated tax on July 1, 2013, at the rate of 5.0967 mills; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded by the County Administrator to the Treasurer of each city, village and township in Mason County.

Moved for your approval.

Roll call vote was taken. Ayes: J. Lenius, B. Carpenter, C. Lange, C. VanderWall, M. Nichols, J. Andersen, and T. Posma. Nays: None.

Motion carried. (Signed) M. Nichols

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

HONORABLE COMMISSIONERS

WHEREAS, Emergency Management Coordinator Reimink and the Safety & Courts Committee are recommending the appointment of Mr. Ray Hasil and Mr. Todd Myers 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 Mr. Ray Hasil and Mr. Todd Myers to the Mason County Local Emergency Planning Committee.

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, Carr Communications has requested an easement on county-owned property to provide internet service to the Ludington Area School system; and

WHEREAS, federal guidelines require a survey and appraisal to establish the value of the easement on the airport; and

WHEREAS, Carr Communications has agreed to pay the costs related to the survey and appraisal.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves procuring a survey and appraisal related to a request for an easement on the Mason County Airport.

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 Finance, Personnel, and Rules Committee has reviewed the transfers for June 11, 2013.

THEREFORE, we, your Finance, Personnel, and Rules Committee, request your approval of the following transfers:

Jail Operations	\$112,175.00
Equipment Replacement	\$132,350.00

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, the following applications for Farmland (Act 116 of the Public Acts of 1974) have been filed with the County Clerk.

<u>NUMBER</u>	<u>NAME</u>	<u>TOWNSHIP</u>	<u>SECTION</u>
2013-05	Jacob Zwagerman	Sheridan	32

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the applications for Farmland (Act 116 of the Public Acts of 1974), in the County of Mason.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by Chairman Lange and seconded by M. Nichols to approve the following resolution:

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County's claims dated May 9, 2013 totaling \$214,258.91, and May 23, 2013 totaling \$323,020.09; 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) C. Lange, M. Nichols, T. Posma

Motion by Chairman Lange and seconded by B. Carpenter 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 Finance, Personnel, & Rules Committee is recommending that the Board of Commissioners approve the attached base bid and alternates #1 and #2 from Tridonn Construction Company.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached base bid and alternates #1 and #2 from Tridonn Construction Company for various rehabilitation projects at the Mason County Jail; funds to come from the Jail Construction Fund; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Mason directs the Board Chair to sign all necessary documents on their behalf.

Moved for your approval.

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After reading the resolution and receiving a second from Commissioner Carpenter, Chairman Lange asked Administrator Knizacky to update the County Board on the status of the bid. Administrator Knizacky reported that bids for the project were taken on May 31st with Tridonn Construction being the only bid. The Finance, Personnel and Rules Committee at the June 4, 2013 meeting recommended approval of the Tridonn Base Bid and Alternates 1 and 2 to the full County Board. On June 6th Architect Bill Roy received notice from Tridonn Construction there was an error on their bid and the cost of the stainless steel shower units was not included on the bid. The approximate cost for the shower units in the base bid was \$87,000 and the cost for the units in alternate #1 was an additional \$53,000. Tridonn Construction asked the county to reject the bid due to these errors. Administrator Knizacky recommended accepting the bid from Tridonn Construction as it was the only bid received and then asked Mr. Ross Falkowski of Tridonn Construction, who was in attendance, if that was an accurate account of what had happened and if he had anything to add on the issue.

Mr. Falkowski explained that there had indeed been an omission of the actual cost of the stainless steel shower units between his company and the subcontractor, there was a limited amount of sources for the stainless shower units which made securing pricing difficult, and that Tridonn Construction could not absorb the cost of the omission with a project this size. Mr. Falkowski stated that Tridonn Construction would need to withdraw the bid which would allow Mason County to receive his company's bid bond which would total approximately \$15,000 and leave the county in a position of seeking bids again which he felt would be substantially higher. Mr. Falkowski felt that his company, if allowed to change the subcontractor for that portion of the project, could get the cost of the base bid of the project closer to the original bid which would be best for the county financially.

Administrator Knizacky asked if the County Board was willing to allow him to work with Tridonn Construction and bring back any proposed agreement to the County Board for final approval. Chairman Lange moved that the resolution be amended to include allowing County Administrator Knizacky to work with Tridonn Construction regarding the omission of the cost of the stainless steel shower units for the jail renovation project and to bring any resolution back to the full County Board for approval. Commissioner Carpenter seconded the amendment and the motion carried with all members voting yes.

Motion carried. (Signed) C. Lange

Treasurer Shirley Smith reviewed the May 2013 Treasurer's report, the Annual Investment Report, and the Tax Foreclosed Lands Summary Report.

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

Administrator Knizacky reported that the campground project should be completed by July 4th if the materials needed to finish the project are not delayed. The tuckpointing at the courthouse has been started as has the Mason County Fairgrounds project.

Public comment:

- MSUE Educator Mike Crouch reported that Mason County is up and running with the "Step Forward Michigan" program which is designed to help homeowners who have fallen behind in paying their taxes or real estate payments.

Any Unfinished Business: None.

With no other business, the meeting was adjourned at 8:07 p.m.

JIM RIFFLE, COUNTY CLERK

CHARLES LANGE, BOARD CHAIRMAN