

August 12, 2014

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 C. Lange. Pledge to the flag followed.

Motion by T. Posma and seconded by B. Carpenter to approve the agenda with the retraction of the Economic Development Corporation Board /Brownfield Redevelopment Authority appointment at the request of the West Shore Community College. Motion carried.

Motion by M. Nichols and seconded by J. Andersen to approve the minutes of the July 8, 2014 regular meeting. Motion carried.

Correspondence: No correspondence was read.

Public Comment:

- Patsy Hagerman, as a member of the Board of Directors to the Area Agency on Aging, spoke in support of the area Senior Citizen Centers and the request to levy .27 mill for 2015 for the operation of those centers.

- Michelle Dekuiper, Michigan State University Extension (MSUE) 4-H Program Coordinator, gave an update on the recently completed fair activities as well as the new programs for "Tech Wizards" and "Shooting Sports" programs for 4-H youth.

District 5 Director Mike Krauch gave the 2013 Annual report for Michigan State University Extension (MSUE) which included the fact that he was named District 5 Coordinator following the retirement of Kay Cummings. MSUE is attempting to raise \$30,000 for a 4-H endowment fund that will be matched dollar for dollar by the Michigan 4-H Foundation. Director Krauch also informed the board that eight homeowners were helped through the Step Forward Michigan real estate assistance program which resulted in the owners being able to avoid foreclosure, keep their homes and to have their property tax payments to be currently paid up to date. Mr. William Hendrian has been appointed as the District 5 Finance and Home Ownership Educator to fill the position vacated when Mr. Krauch became District 5 Coordinator.

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

HONORABLE COMMISSIONERS

WHEREAS, Animal Control Officer Joe Marion is requesting the purchase of a new truck and the related containment unit out of the Equipment Replacement Fund; and

WHEREAS, the Public Safety & Courts Committee is recommending the replacement of this truck and the related containment unit.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves trading in the current truck and the purchase of a 2014 truck and the related containment unit; funds to come from the Equipment Replacement Fund 402 budget.

Moved for your approval.

Motion carried with Commissioner Posma voting nay.
(Signed) J. Lenius

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

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan and the County of Mason have historically worked together to provide for Emergency Management Programs.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the Emergency Management Performance Grant (EMPG) Agreement for FY 2014 between the State of Michigan and the County of Mason for the fiscal year of October 1, 2013 to September 30, 2014 and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) J. Lenius

August 12, 2014

Motion by B. Carpenter and seconded by M. Nichols to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is requesting funds from the Jail Construction Fund to repair the parking lot at the Mason County Jail; and

WHEREAS, the Public Safety & Courts Committee is recommending that the Board of Commissioners approve this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the request from Sheriff Cole to repair the parking lot at the Mason County Jail; funds to come from the Jail Construction Fund 466.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

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

HONORABLE COMMISSIONERS

Community A: Hamlin Township, Mason County, MI

WHEREAS, Community A (check appropriate statement) currently participates desires to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, "the Stille-Derossett-Hale Single State Construction Code Act", Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3; and

WHEREAS, by the action dates of this document or an existing historical agreement, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development with Community A's political boundaries; and

August 12, 2014

WHEREAS, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP; and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that the Community/Entity B's officially designated enforcing agency for the construction code act, Mason County Building Inspector, be directed to administer, apply, and enforce on Community A's behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. Community A and Community/Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRM's by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER BE RESOLVED, both communities declare their understanding that, until this resolution is rescinded or Community A makes another provision to enforce the construction code act:

1. The Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and
2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

Community/Entity B: County of Mason

Date Passed: August 12, 2014

Officer Name: Charles Lange

Title: Board Chairman

Signature: _____

Date August 12, 2014

Witness Name: Fabian Knizacky

Title: County Administrator

Signature: _____

Date August 12, 2014

August 12, 2014

Community A: Township of Hamlin

Date Passed: July 10, 2014

Officer Name: Nancy Vandervest

Title: Supervisor

Signature: /S/ Nancy Vandervest

Date: July 10, 2014

Witness Name: Catherine Lewis

Title: Clerk

Signature: /S/ Catherine Lewis

Date: July 10, 2014

Motion by C. VanderWall and seconded by M. Nichols to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Housing Board of Review is recommending that the Board of Commissioners amend the Program Guidelines for the Mason County Housing Program to increase the amount that can be expended on a project from \$35,000.00 to \$40,000.00.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves amending the Program Guidelines for the Mason County Housing Program to increase the amount that can be expended on a project from \$35,000.00 to \$40,000.00.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

Motion by C. VanderWall and seconded by J. Andersen 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 Buildings, Planning, Drains, and Airport Committee is recommending approval of an amendment to the contract with Mr. Rex Pope.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the amendment to the contract with Mr. Rex Pope and further directs the Board Chair to sign said contracts on their behalf.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

Motion by M. Nichols and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is requesting funds from the Jail Construction Fund to purchase a card reader and an updated control panel at the Mason County Jail; and

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

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the request to purchase a card reader and an updated control panel at the Mason County Jail; funds to come from the Jail Construction Fund.

Moved for your approval.

Motion carried. (Signed) M. Nichols

Motion by M. Nichols and seconded by J. Andersen 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 Homeland Security Program; and

WHEREAS, the Region 6 Homeland Security Governing Board has authorized the purchase of a VPIX License; 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) M. Nichols

August 12, 2014

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

HONORABLE COMMISSIONERS

WHEREAS, the Register of Deeds is recommending the purchase of the attached county care agreement 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 this purchase.

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

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, the County of Mason has received the attached request from Rachel Olivarez to serve alcohol at a proposed event at the county fairgrounds; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending denial of this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the request from Rachel Olivarez to serve alcohol at a proposed event at the county fairgrounds.

Moved for your approval.

Motion defeated. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Council on Aging has recommended fiscal year 2015 funding allocations of \$200,274.00 for the Scottville Senior Center, \$149,450.00 for the Ludington Senior Center, \$31,500.00 for the Tallman Lake Senior Center, \$29,000.00 for Mason County Central Schools Meal Program, \$1,500.00 for HELP, Inc., and \$18,080.00 for the Free Soil Senior Center; and

WHEREAS, the Mason County Finance, Personnel, & Rules Committee is recommending fiscal year 2015 funding allocations of \$200,274.00 for the Scottville Senior Center, \$149,450.00 for the Ludington Senior Center, \$31,500.00 for the Tallman Lake Senior Center, \$29,000.00 for Mason County Central Schools Meal Program, \$1,500.00 for HELP, Inc., and \$18,080.00 for the Free Soil Senior Center.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the fiscal year 2015 funding allocations as recommended by the Mason County Finance, Personnel, & Rules Committee.

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, good budget management practice recommends the amendment of the budgets as necessary; and

WHEREAS, the Finance, Personnel, & Rules Committee has reviewed the attached budget amendments as proposed by the various Department Heads.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached 2014 General Fund and Special Revenue Funds budget amendments as recommended by the Finance, Personnel, & Rules Committee.

Moved for your approval.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, and Rules Committee has reviewed the transfers for August 12, 2014.

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

Jail Operations	\$116,000.00
Property & Liability Insurance	\$ 40,000.00

Moved for your approval.

Motion carried. (Signed) T. Posma

August 12, 2014

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

HONORABLE COMMISSIONERS

WHEREAS, the Ludington/Mason County Cultural Economic Development Task Force Chairman Dr. Bill Anderson has requested authorization for the Task Force to site a bronze sculpture of a law enforcement officer in front of the Mason County Jail; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending approval of this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the request to site a bronze sculpture of a law enforcement officer in front of the Mason County Jail.

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 2013 Audit Report has been presented.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the receipt of the 2013 Audit Report.

Moved for your approval.

Administrator Knizacky reviewed the 2013 Audit Report and answered questions.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the Board of Commissioners of the County of Mason was authorized by the citizens of the County of Mason, to levy a millage of up to 0.2979 mill for the purpose of funding the operation and maintenance of Senior Centers and Senior Citizens Programs in the County of Mason.

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the Board of Commissioners only levy 0.27 mill.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason requests the County Clerk to certify the levy of 0.27 mill, 2.70 cents per \$1,000 valuation for the 2014 levy.

Moved for your approval.

Motion carried. (Signed) C. Lange

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 July 3, 2014 totaling \$355,717.20, July 17, 2014 totaling \$358,342.36, and July 31, 2014 totaling \$298,455.90; 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, J. Andersen, T. Posma

Motion by Chairman Lange and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the National Preparedness Month is a nationwide effort held each September to increase public awareness about the importance of emergency preparedness in order to reduce injury and loss of life in hazardous circumstances; and

WHEREAS, the theme for 2014 is "Be Disaster Aware, Take Action to Prepare" divided into four specific weeks; and

WHEREAS, week #1 focuses on how to reconnect with family after a disaster and Mason County residents are encouraged to learn more about the American Red Cross' "Safe and Well" web page; and

August 12, 2014

WHEREAS, week #2 focuses on how to plan for specific needs before a disaster and Mason County residents are encouraged to consider the unique needs of the very young, the elderly, special needs, and four legged member of their families; and

WHEREAS, week #3 focuses on building an emergency supplies kit and Mason County residents are encouraged to visit ready.gov/build-a-kit to learn what to consider for their families' kits; and

WHEREAS, week #4 focuses on practicing for an emergency and all Mason County businesses are encouraged to practice their emergency plan with their employees; and

WHEREAS, during this month and throughout the year, the Mason County Board of Commissioners encourages the public to "Be Disaster Aware, Take Action to Prepare" by visiting ready.gov/september or the Mason County Emergency Management web page for information and resources regarding the importance of emergency preparedness in Mason County.

NOW THEREFORE BE IT RESOLVED, that I, Charles M. Lange, Chairman of the Board of Commissioners of Mason County urge all county residents to educate themselves and prepare for emergencies and do hereby proclaim September 2014 as Preparedness Month in Mason County.

Moved for your approval.

Motion carried. (Signed) C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners has one representative on the Lakeshore Regional Entity Substance Abuse Oversight Policy Board; and

WHEREAS, there was one response from the advertisement notice that was published in the Ludington Daily News from Ms. Rebecca Lange.

THEREFORE BE IT RESOLVED, that Ms. Rebecca Lange be appointed to fill the position on the Lakeshore Regional Entity Substance Abuse Oversight Policy Board for a term expiring December 31, 2014.

Moved for your approval.

Chairman Lange declared a conflict of interest with this appointment and did not vote because Rebecca Lange is his daughter.

Motion carried. (Signed) C. Lange

Treasurer Shirley Smith was not in attendance.

Clerk Jim Riffle reviewed the July 2014 Clerk's Report and answered questions.

Administrator report; Administrator Knizacky reported that the Airport Obstruction Mitigation Project was being completed by the end of the week and the process had begun for preparing the 2015 Final Budget. Administrator Knizacky encouraged board members to contact himself or members of the Finance, Personnel, & Rules Committee with any questions or suggestions for the 2015 Final Budget.

Public comment:

- Aldon Maleckas of Custer Township suggested that if the resealing of the parking lots at the Mason County Jail that was approved during the meeting included stone chips that the county talk to the City of Scottville as they had issues with the project they had done due to the size of stone that was used.
- Mike Krauch informed all in attendance that there would be another Citizen Planner program offered, however, it would be hosted in Muskegon County.

Any Unfinished Business: None.

With no other business, the meeting was adjourned at 7:55 p.m.

JIM RIFFLE, COUNTY CLERK

CHARLES LANGE, BOARD CHAIRMAN