

July 14, 2015

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: W. Taranko, B. Carpenter, C. Lange, C. VanderWall,
S. Hull, J. Andersen, T. Posma
Absent: None.

Invocation was given by C. Lange. Pledge to the flag followed.

Motion by T. Posma and seconded by C. VanderWall to approve the agenda. Motion carried.

Motion by B. Carpenter and seconded by J. Andersen to approve the minutes of the June 9, 2015 regular meeting. Motion carried.

No correspondence was read.

There was no public comment:

Emergency Management Coordinator Liz Reimink reviewed her Annual Report with the Board of Commissioners. She addressed the new initiatives that she has been working on over the last year with regards to School Safety Planning Team, Community Wildfire Protection Plan, Local Emergency Support plans, and the FY 2016 Emergency Management Performance Grant Workgroup. In addition, she reviewed the Emergency Action Guidelines, Cooperative Agency Partnerships, future planning projects, continuing education, as well as Incident Response & Monitoring. Her presence is being noted in the community with all her work and programs that she is establishing.

Jacklyn Osgood, President of Second Chance Humane Society (SCHS), reviewed with the Board of Commissioners the request of SCHS and their goal to implement a No-Kill Shelter within the near future. SCHS is not asking for money from the County. Instead, the main request is to have the support of the Commissioners to assist them with their knowledge of the County, within each of their District's, and also with regards to zoning. Any input they can receive to assist them in setting up the shelter would be greatly appreciated. They are looking to find a central location for this new shelter to be adjunct to the County Animal Control and to be a liaison for the County with regards to homeless pets.

Motion by W. Taranko and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Mason County, Michigan has experienced repetitive disasters that have damaged commercial, residential and public properties, displaced citizens and businesses, closed streets and bridges dividing the community both physically and emotionally, and presented general public health and safety concerns; and

WHEREAS, the community has prepared a *Hazard Mitigation Plan* that outlines the community's options to reduce overall damage and impact from natural and technological hazards; and

WHEREAS, the *Hazard Mitigation Plan* has been reviewed by community residents, business owners, and federal, state and local agencies, and has been revised to reflect their concerns.

THEREFORE BE IT RESOLVED THAT,

1. The *Hazard Mitigation Plan* is hereby adopted as an official plan of Mason County.
2. The Mason County Local Emergency Planning Commission (LEPC) is hereby established as a permanent community advisory body whose members are subject to the approval of the Mason County Board of Commissioners. The group's duties shall be as designated in the *Hazard Mitigation Plan*.
3. The Mason County Emergency Management Coordinator, or designee, is charged with supervising the implementation of the Plan's recommendations within the funding limitations as provided by Mason County Board of Commissioners or other sources.

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4. The Mason County Emergency Management Coordinator shall convene the LEPC quarterly. The LEPC shall monitor implementation of the plan and shall submit a written progress report to Mason County in accordance with the following format:

- a. A review of the original plan.
- b. A review of any disasters or emergencies that occurred during the previous calendar year.
- c. A review of the actions taken, including what was accomplished during the previous year.
- d. A discussion of any implementation problems.
- e. Recommendations for new projects or revised action items. Such recommendations shall be subject to approval by the Mason County Board of Commissioners.

Moved for your approval.

Motion carried. (Signed) W. Taranko

Motion by B. Carpenter and seconded by T. Posma to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Area Agency on Aging of Western Michigan has requested that the Mason County Board of Commissioners review and approve the Fiscal Year 2016 Annual Implementation Plan; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending approval of the plan.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Fiscal Year 2016 Annual Implementation Plan of the Area Agency on Aging of Western Michigan.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Motion by B. Carpenter and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, in short, the County of Mason (the "County"), through its County Board, is concerned regarding the impact of the Civil Rights Attorney's Fees Awards Act of 1976 (Public Law 94-559), 42 USC § 1988(b) (the "Act"), which provides that the prevailing party in a number of civil rights lawsuits may be entitled to recover its reasonable attorney's fees, even from the State and local governmental units; and

WHEREAS, the County fears that the Act in many cases facilitates frivolous, unfounded civil rights claims simply because plaintiffs have little fear of paying their own attorneys' fees; and

WHEREAS, the Mason County Board of Commissioners would like to make the public aware of its position that it is opposed to the Civil Rights Attorney's Fees Awards Act of 1976, as it has the effect of deterring governmental units from litigating cases (and particularly meritless cases) involving civil rights and constitutional violations, because they cannot afford to pay plaintiffs' legal fees in addition to their own.

THEREFORE BE IT RESOLVED, that the Mason County Board of Commissioners hereby finds and determines that it will address with the U.S. Congress, through written contact to Senators Stabenow and Peters and Representative Huizenga, the need for changes to, or the abolition of, the Civil Rights Attorney's Fees Awards Act of 1976; and

BE IT FURTHER RESOLVED, that any person wishing to object to the proposed action, as described above, may present his, her, or its objections at the regularly scheduled County Board meeting to be held on July 14, 2015 before final action is taken by the County. Moved for your approval

YEAS: Commissioner Taranko, Commissioner Carpenter, Commissioner Lange, Commissioner VanderWall, Commissioner Hull, Commissioner Andersen, Commissioner Posma

NAYS: None.

ABSTAIN: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)
)SS

COUNTY OF MASON)

I, Cheryl Kelly, Mason County Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the County of Mason Board of Commissioners at a regular meeting held on the 14th day of July 2015, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the Open Meetings Act.

Cheryl Kelly, Mason County Clerk

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Motion by B. Carpenter and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Treasurer Smith has expressed the temporary need for additional clerical help while one of her employees is off work; and

WHEREAS, Treasurer Smith is recommending increasing her part time clerical employee to full time for this period of time.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves increasing the part-time clerical employee in the Treasurer's office to a 40 hours per week full time clerical employee for the period of time that the regular full time employee is off work.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Commissioner Vanderwall stated interviews are being conducted for the Michigan State University Extension office and hope to have someone hired by mid-August for the 4-H Program Coordinator position.

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

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan has approved a 2015 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 2015 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) C. VanderWall

Motion by C. VanderWall and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the County of Mason needs the FAA to perform a commissioning flight inspection of the PAPI on Runway 26 at the Mason County Airport.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Non-Federal Reimbursement Agreement Amendment One with FAA and furthers directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

Since it is cherry season in Mason County and he is a fruit farmer, Commissioner Hull brought in cherry pies made from local cherries to share with the Commissioners and public after the meeting.

Motion by S. Hull 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 Buildings, Planning, Drains, and Airport Committee is recommending approval of the appointment of Mr. James Nordlund, Mr. Rex Pope, Surveyor John Schulke, and Mr. Noah Penn to the Remonumentation Peer Group and Mr. Dennis Dunlap as an 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, Surveyor John Schulke, and Mr. Noah Penn to the Remonumentation Peer Group and Mr. Dennis Dunlap as an alternate and further directs the Board Chair to sign the related contracts on their behalf.

Moved for your approval.

Motion carried. (Signed) S. Hull

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Motion by S. Hull and seconded by W. Taranko to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Mason-Lake Conservation District has worked cooperatively with the Conservation Districts from Manistee and Oceana Counties to develop a program for the proper disposal of household hazardous waste for the residents in Mason County; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending the approval of the attached agreement for services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Agreement for Services between Mason County and Mason-Lake, Manistee and Oceana Conservation Districts and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) S. Hull

Motion by Public Safety and Courts Committee Chairman J. Andersen and seconded by S. Hull 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 contracts with Nordlund & Associates, Mr. Rex Pope, Mr. Noah Penn, 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.

Commissioner Posma raised concerns regarding Surveyor Schulke. Administrator Knizacky was able to respond to these concerns.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, Magistrate Baker has requested the purchase of new furniture for the Jury Room; and

WHEREAS, the Buildings, Planning, Drains, & Airport Committee is recommending the approval of this furniture with funds in the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of new furniture for the Jury Room; funds to come from the Equipment Replacement 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 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) T. Posma

Motion by T. Posma and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the 2014 Audit Report has been presented.

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THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the receipt of the 2014 Audit Report.

Moved for your approval.

Administrator Knizacky commented that the County received the highest opinion possible with regards to the audit. In addition, note was made regarding the General Fund balance being in good standing at 19.6% of annual expenditures. Additionally, it was noted by Layton & Richardson, P.C., the audit firm, that all of their previous recommendations had been implemented, and that any new issues that were mentioned have also been implemented as well. Commissioners' Lange and Posma wished to acknowledge the County's employees and commended all for a job well done.

Motion carried. (Signed) T. Posma, B. Carpenter, C. Lange

Motion by T. Posma and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County's claims dated June 4, 2015 totaling \$177,703.24, and June 18, 2015 totaling \$381,872.20; 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) T. Posma, B. Carpenter, C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, the Register of Deeds is recommending the purchase of a printer 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 printer.

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

Moved for your approval.

Motion carried. (Signed) C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, and Rules Committee has reviewed the transfers for July 14, 2015.

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

Friend of the Court	\$ 96,500.00
Jail Operations	\$122,000.00
Law Library	\$ 3,750.00
Social Welfare	\$ 7,000.00
Social Welfare Child Care	\$140,050.00
Probate Child Care	\$ 68,000.00
Insurance - Liability & Property	\$ 10,250.00

Moved for your approval.

Motion carried. (Signed) C. Lange

Motion by Chairman Lange and seconded by W. Taranko to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the County Board of Commissioners requested proposals for the Mason County Services Building; and

WHEREAS, the County received the attached proposal of \$101,010.10 from Russell Carlson; and

WHEREAS, the Finance, Personnel, and Rules Committee is recommending the approval of the attached proposal.

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THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the sale of Mason County Services Building to Russell Carlson and directs the Board Chair to sign any necessary documents on their behalf.

Moved for your approval.

Motion carried. (Signed) C. Lange

Motion by Chairman Lange and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is one vacancy on the Mason County Council on Aging with a term ending December 31, 2016; and

WHEREAS, Ms. Mary Bedker has agreed to fill this vacancy.

THEREFORE BE IT RESOLVED, that Ms. Mary Bedker be appointed to the Mason County Council on Aging for a term expiring on December 31, 2016.

Moved for your approval.

Motion carried. (Signed) C. Lange

Treasurer Smith presented the June 2015 Treasurer report, Treasurer's Annual Investment Report for the 2014 fiscal year, and the Tax Foreclosed Summary report and offered to answer any questions.

Clerk Kelly presented the June 2015 Clerk's report and offered to answer any questions

Administrator Knizacky informed the Board that the camera and control panel project at the jail has been completed and is in working order. Bids are currently out for air conditioning at the jail and are due by July 27th for the Board to consider at their August 2015 meeting. Additionally, Administrator Knizacky informed the Board of a Township Officer's Meeting this Thursday, July 16, 2015 hosted by Grant Township.

There was no public comment:

Any Unfinished Business: None.

With no other business, the meeting was adjourned at 9:45 a.m.

CHERYL KELLY, COUNTY CLERK

CHARLES LANGE, BOARD CHAIRMAN