

March 15, 2016

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 VanderWall.

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 W. Taranko. Pledge of Allegiance to the flag of the United States of America followed.

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

Motion by C. Lange and seconded by S. Hull to approve the minutes of the February 9, 2016 regular meeting. Motion carried.

Correspondence:

Chairman VanderWall read a five page letter received from Mrs. Rebecca Berringer regarding her concerns with the Western Michigan Fair Association (WMFA). She highlighted several issues that have been taking place over the past year with the WMFA, as well as the West Michigan Livestock Council (WMLC); who have now taken over the WMFA. She is asking the County to enforce their lease with the WMFA/WMLC and to assist in whatever capacity they are able to.

Public comment:

- Rachel Bendele, Custer Township, spoke to the Board regarding the many concerns that she had with the Western Michigan Fair Association (WMFA) and the West Michigan Livestock Council (WMLC) with what she felt is the noncompliance of WMFA/WMLC with operations, regulations, as well as being out of compliance with the established by-laws and State guidelines. She addressed additional concerns regarding the hostile atmosphere of these councils requiring Sheriff Department staff to be present at the past three meetings. She has additional concerns including why the County Commissioners have not gotten involved especially with the financing knowing that they (the WMFA/WMLC) have not paid the lease with the county in the past three years. She is looking for answers and hopes the Board of Commissioners will be able to assist her.

- Michelle DeKuiper, Scottville, stated that she supported Ms. Bendele and requested that the County Commissioners look into the WMFA targeting of members.

- Doug Berringer, Amber Township, started the 4-H shooting Club. It has grown to be one of the largest clubs in Mason County. However, he has recently stepped down due to the issues involving the WMFA and all of the conflict surrounding it. He is disappointed with the conduct of WMFA, especially the president.

- Commissioner Vanderwall spoke with the group stating he had Administrator Knizacky contact the County's legal counsel. Unfortunately, the Mason County Board of Commissioners does not have any legal jurisdiction over either of these councils.

- Evelyn Bergaila, Riverton Township, addressed concerns with Lake Winds Energy sound contract agenda item with Hankard Environmental. She stated that she can support this proposal if a caveat is made that indicates that 10 data points and the ability to move locations can be added. In addition to the caveat, the need for extra time if substantial scientific results can be achieved. Ms. Bargaila stated that Sue Kaiser, a Riverton Township resident is in the hospital with neurological disorders with what Evelyn believes are a result of the wind turbines. She requested that the County board find a Neurologist for Mason County.

Motion by C. Lange and seconded by T. Posma to go into public hearing regarding a Brownfield Amendment for 225 W. Ludington Avenue, 200 West Loomis Street, and 210 West Loomis Street, Ludington, Michigan for Mason County pursuant to and in accordance with the provisions of Act 381 of the Public Acts of the State of Michigan of 1996 as amended. Motion carried. Ludington City Manager John Shay spoke regarding the City's request to redevelop the former bowling area block and move the current fire barn to a new location on Tinkham Avenue. In doing so, the City is also requesting to have these properties placed into a 30 year Brownfield agreement. Mr. Shay respectfully requested the Mason County Board of Commissioners approve this request.

Comments and questions from the audience:

- Mark Karselli, Ludington, asked if a new fire station was needed. City Manager Shay responded yes because the fire station is need of significant repairs.

- Ken Muzzo, Hamlin Township, was concerned about subsidized low income housing and what it will do on the economy of the downtown area. Mr. Shaw responded with part of the housing was going to be senior housing, and the remainder was going to be low-income subsidized family housing.

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- Mr. Muzzo again was concerned about the low income status being in the middle of the downtown shopping district and how it will affect the tourism and feels that this location is a terrible choice for the City of Ludington.
- Cindy Muzzo, Hamlin Township, was also concerned about the effect of these homes on the businesses in that district.
- Mark Karselli, Ludington, expressed his concerns when other City's such as Traverse City tried to do this type of structuring and failed; leaving the downtown areas in financial distress.
- Sandy Karselli, Ludington, wanted to know what is the benefit in picking this specific location. Mr. Shay stated that there are currently 34 low-income homes in the downtown area. The need for additional low-income housing for the City of Ludington affects 60% of the population in the Ludington area.

Motion made by C. Lange and seconded by W. Taranko to close the public hearing and return to the regular session. Motion Carried.

Sherriff Kim Cole reported on the many events that had occurred during the 2015 calendar year. Top priority items included school safety with the Adopt-A -Door campaign and establishment of "The Boot" to every classroom in Mason County, of which all monies for this project have been donated. The break-up of a burglary ring, the unfortunate deaths of three local residents due to auto accidents; the addition of the Helping Hands Statue to the Sheriff Department with donations from Dr. Terry Luxford and wife, Sandra, as well as Dr. William Anderson. ALICE (Alert, Lockdown, Inform, Counter, Evacuate) training has been conducted in Mason County for first responders and school personnel, and he was happy to report that 2015 had zero fatalities on the U.S. 10 corridor.

Kevin Hughes, District #10 Health Department Officer, introduced Sarah Olenizack, a new deputy to the office for the 10-County Health Department. Ms. Olenizack wrote a grant and received funding for substance abuse issues, which has had a positive impact on the county. Mr. Hughes reviewed the 2015 Annual Report for the District #10 Health Department. He noted that the Health Department did receive National Accreditation for their work. In addition, he noted that the next five years will be riddled with significant changes due to retirements, but hopes to then level out as new staff comes on board. Commissioner VanderWall asked Mr. Hughes about the number of immunizations in Mason County. Mr. Hughes was happy to report that they have a new program that helps philosophical and religious individuals understand the importance of immunizations and since starting the program have had a decrease of 49% in health issues associated with the immunizations.

Drain Commissioner Jim Riffle gave his first annual report noting that 2015 was a good year. He reviewed many of the activities within the county's drainage districts, as well as the Inland Lake Boards and the Department of Public Works. The Drain Office has been able to have additional work performed in combination with entities such as Prein/Newhoff and others that resulted in no additional cost to the county. He would like to thank the Mason County Road Commission, and the Cities of Ludington and Scottville for their continued support and assistance. Commissioner Andersen commended Drain Commissioner Riffle for the great work he and his team have done over the last year.

Commissioner Taranko was proud to announce that the Mason-Oceana 911 Board has paid off its loan for new equipment to Mason County four months early.

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

HONORABLE COMMISSIONERS

WHEREAS, the Michigan State Police Emergency Management and Homeland Security Division are planning a statewide tornado drill on Wednesday, April 13th; and

WHEREAS, the Division is asking all local emergency management programs to promote the initiative throughout their county to raise awareness for severe weather safety; and

WHEREAS, Emergency Management Coordinator Reimink is requesting that county staff be allowed to participate in this drill; and

WHEREAS, the Safety & Courts Committee is recommending that the county staff be authorized to participate in the drill.

THEREFORE BE IT RESOLVED the Board of Commissioners of the County of Mason authorizes county staff to participate in the statewide tornado drill on Wednesday, April 13, 2016.

Moved for your approval.

Chairman VanderWall asked if there was a policy in place for Board meetings if there were a tornado watch in place. Administrator Knizacky informed the Chairman that it would be the Chairman's decision on whether or not to suspend the meeting.

Motion carried. (Signed) W. Taranko

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

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, and Rules Committee has reviewed the transfers for March 15, 2016.

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

Jail Operations	\$126,000.00
Self Insurance - Health, Life, and Pension	\$450,000.00

Moved for your approval.

Motion carried. (Signed) B. Carpenter

At a regular meeting of the Board of Commissioners of the County of Mason, Michigan, held in the Board of Commissioner's room at the Mason County Courthouse of said County on the 15th day of March, 2016, at 7:00 P.M.

PRESENT: Commissioner Taranko, Commissioner Carpenter, Commissioner Lange, Commissioner VanderWall, Commissioner Hull, Commissioner Andersen, and Commissioner Posma

ABSENT: None

MOTION BY: Commissioner Carpenter

SUPPORTED BY: Commissioner Taranko

WHEREAS, the Mason County Brownfield Redevelopment Authority (the "Authority"), pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has prepared and approved, and recommended for approval by the Mason County Board of Commissioners, a Combined Brownfield/Act 381 Work Plan (the "Brownfield Plan") for the Ludington Bowling Alley Block Redevelopment pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the Mason County Board of Commissioners at which this resolution has been considered, provided notice of the public hearing in the Ludington Daily News, notice to and fully informed all taxing jurisdictions, which are affected by the Brownfield Plan (the "Taxing Jurisdictions") about the fiscal and economic implications of the proposed Brownfield Plan, and the Board of Commissioners has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Brownfield Plan and in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Mason County Brownfield Redevelopment Authority reviewed and approved the Brownfield Plan at its March 4, 2016 meeting and recommends approval by the Mason County Board of Commissioners, and the Ludington City Council approved a resolution of concurrence with the Brownfield Plan at its 7th day of March, 2016 meeting; and

WHEREAS, the Mason County Board of Commissioners has made the following determinations and findings:

The Brownfield Plan constitutes a public purpose under the Act;

The Brownfield Plan meets all of the requirements set forth in Section 13 of the Act;

The proposed method of financing the costs of the Brownfield Eligible Activities, as described in the Brownfield Plan, is feasible and the Authority has the ability to arrange the financing through the capture of tax increment revenues and reimbursement for the cost of Brownfield Eligible Activities;

The costs of the Brownfield Eligible Activities proposed in the Brownfield Plan are reasonable and necessary to carry out the purposes of the Act;

The amount of captured taxable value estimated to result from the adoption of the Brownfield Plan is reasonable; and

WHEREAS, as a result of its review of the Brownfield Plan and upon consideration of the recommendation of the Mason County Brownfield Redevelopment Authority, the concurrence of the City of Ludington and the views of the Taxing Jurisdictions, the Mason County Board of Commissioners desires to proceed with approval of the Brownfield Plan; and

WHEREAS, a Development and Reimbursement Agreement between the City of Ludington and the Authority has been developed, which describes the roles and responsibilities of the parties.

THEREFORE, BE IT RESOLVED THAT:

Brownfield Plan Approved. Pursuant to the authority vested in the Mason County Board of Commissioners by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Brownfield Plan is hereby approved.

Development and Reimbursement Agreement Approved. Pursuant to the authority vested in the Mason County Board of Commissioners by the Act, the Development and Reimbursement Agreement is hereby approved and the Chair is authorized to sign the Agreement on behalf of the County.

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Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: Commissioner Taranko, Commissioner Carpenter, Commissioner Lange, Commissioner VanderWall, Commissioner Hull, Commissioner Andersen, and Commissioner Posma

NAYES: None.

ABSTAINED: None.

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

COUNTY OF MASON)

I, the undersigned, the duly qualified and acting Clerk of the County of Mason, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Mason at a regular meeting held on the 15th day of March, 2016, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 15th day of March, 2016.

Cheryl Kelly, Clerk
County of Mason

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

HONORABLE COMMISSIONERS

WHEREAS, the City of Ludington has asked to extend the assessing services agreement between the County of Mason and the City of Ludington for an additional year; and

WHEREAS, the Finance, Personnel, and Rules Committee is recommending approval of the attached agreement with the City of Ludington.

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

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Motion by C. Lange 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 February 11, 2016 totaling \$224,067.39, February 25, 2016 totaling \$221,984.50, 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

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

HONORABLE COMMISSIONERS

WHEREAS, the Register of Deeds is recommending the purchase of the Phase 2 Imaging Proposal from the Register of Deeds Automation Fund; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending the approval of the purchase of this proposal.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of the Phase 2 Imaging Proposal from the Register of Deeds Automation Fund.

Moved for your approval.

Motion carried. (Signed) C. Lange

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Motion by S. Hull 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 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.

Motion carried. (Signed) S. Hull

Motion by S. Hull 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>
1-0116	Christopher R. Thurow	Riverton	1
2-0116	Christopher R. and Stephanie L. Thurow	Eden	6
3-0116	Christopher R. and Stephanie L. Thurow	Riverton	1
4-0116	Christopher R. and Greg S. Thurow	Riverton	36

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) S. Hull

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

HONORABLE COMMISSIONERS

WHEREAS, the Hamlin Lake Preservation Society is starting the process of updating the Hamlin Lake Watershed Management Plan; and

WHEREAS, the Society would like Mason County as a partner in developing an updated watershed management plan for Hamlin Lake; and

WHEREAS, the purpose of the attached Partnership Agreement is to demonstrate the diversity of the Council's support in the community and to give them credibility with sources of funding and others.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Partnership Agreement for the Hamlin Lake Watershed Management Plan and directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Planning Commission is recommending that the Board of Commissioners approve the attached proposal for acoustical engineering services with Hankard Environmental.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached proposal for acoustical engineering services with Hankard Environmental and directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, the Michigan Department of Transportation has offered a grant contract to install Weather Reporting Equipment - Replace AWOS ceilometer and transmitter - construction project, as further defined in Contract No. 2016-0165, at the Mason County Airport; and

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

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves Contract No. 2016-0165 for a Federal/State/Local Airport Project for a Weather Reporting Equipment - Replace AWOS ceilometer and transmitter - construction project, as further defined in Contract No. 2016-0165, at the Mason County Airport and directs the Board Chair Curtis VanderWall to sign any necessary documents.

Moved for your approval.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the Board of Commissioners of the County of Mason has accepted the responsibility for electrical, mechanical, and plumbing inspection services in the county; and

WHEREAS, the Zoning and Building Director is recommending the attached updated contracts with the various inspectors.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Contracts for electrical, mechanical, and plumbing inspection services and directs the Board Chair to sign them on their behalf.

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 Finance, Personnel, and Rules Committee is recommending the attached budget amendments related to the Zoning Office.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached budget amendments related to the Zoning Office.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by T. Posma and seconded by S. Hull 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) T. Posma

Motion by Chairman VanderWall and seconded by W. Taranko 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, 2016; and

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

THEREFORE BE IT RESOLVED, that Mr. Ron Sanders be appointed to the one position on the West Michigan Community Mental Health System Board for a term expiring March 31, 2019.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

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Motion by Chairman VanderWall and seconded by J. Andersen 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. VanderWall

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

HONORABLE COMMISSIONERS

WHEREAS, there are two vacancies on the Mason County Building Authority Board with terms that expire on April 30, 2016; and

WHEREAS, there were two responses to the advertisement that was published in the Ludington Daily News from Mr. Wallace Cain and Mr. Fabian Knizacky.

THEREFORE BE IT RESOLVED, that Mr. Wallace Cain and Mr. Fabian Knizacky be appointed to the two positions on the Mason County Building Authority Board for terms ending April 30, 2019.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

Treasurer Andrew Kmetz presented the February 2016 Treasurer's Report.

Clerk Cheryl Kelly presented the February 2016 Clerk's Report and informed the Commissioners that the Clerk's Office is currently finishing up the Presidential Primary Election held on March 8, 2016, noting that the county had good voter turnout, double that of the 2012 Presidential Primary, with a 37% voting turnout.

Administrator Knizacky was appointed the vice chairman for the Michigan Municipal Risk Management Authority (MMRMA) board and informed the Commissioners that the MMRMA would be distributing upwards of \$31,000,000 back to members who agreed to renew their membership with MMRMA.

Public comment:

- Rachel Bendele, Custer Township, thanked the Commissioners for allowing her to speak and asked that the Commissioners take time to consider possibilities to re-write the lease with the Western Michigan Fair Association (WMFA).

- Doug Berringer, Amber Township, had additional questions concerning the jurisdiction and governing authority of the WMFA and who should be enforcing these guidelines, or what can the Commissioners do to help with these issues.

- Administrator Knizacky informed Ms. Bendele and Mr. Berringer that the Board of Commissioner has met with the WMFA during the Building, Planning, Drains, and Airport Committee meetings, and that these meetings are open to the public.

- Evelyn Bergaila, Riverton Township, thanked the Board for passing the resolution regarding the sound study for the wind turbines, noting her friend, Sue Kaiser, would be happy and asked that the Commissioners keep Ms. Kaiser in their thoughts and prayers at this time.

- Register of Deeds Diane Englebrecht thanked the Board of Commissioners for approving her project to digitize all the documents in the Register of Deed's office, noting this will allow for records dating back to 1840 to become digitized.

With no other business, the meeting was adjourned at 9:00 p.m.

CHERYL KELLY, COUNTY CLERK

CURTIS S. VANDERWALL, BOARD CHAIRMAN