

June 12, 2018

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: W. Taranko, G. Castonia, C. Lange, L. Squires,
S. Hull, J. Andersen, T. Posma
Absent: None.

Invocation was given by T. Posma. Pledge of Allegiance to the flag of the United States of America followed.

Motion by J. Andersen and seconded by S. Hull to approve the agenda. Motion carried.

Motion by S. Hull and seconded by W. Taranko to approve the minutes of the May 15, 2018 Regular Meeting. Motion carried.

There was no correspondence read.

Public comment:

- Jack O'Malley, of Lake Ann in Benzie County, introduced himself and informed the Board he is running for the open seat for the 101st Michigan State Representative.
- Mike Krauch, Michigan State University Extension District 5 Coordinator, informed the board of his resignation and is moving to an Extension Office in Missouri. He thanked the Board of Commissioners for working with him and allowing him to work with the Community. He introduced interim coordinator, Sherry Spoelman, who will assist MSU-E until a permanent replacement can be found.

Mason County Medical Examiner Dr. Joyce deJong introduced herself and reviewed with the board the annual report for Mason County noting that it was not a complete report due to the County just joining August 15, 2017. Questions from Commissioner Squires regarding opioid deaths were addressed.

West Michigan Community Mental Health Director Dr. Lisa Williams presented her annual report. She highlighted the accomplishments and reviewed with the Commissioners the goals for the upcoming year. Questions were asked by Administrator Knizacky regarding the Lakeshore Regional Entity and effects on Mason County. Dr. Williams elaborated on this issue.

Mason County Road Commission Manager/Director Wayne Schoonover presented the annual report for the Mason County Road Commission. In addition, he announced his resignation as he has taken a position in Grand Traverse County.

Motion by Finance, Personnel, & Rules Committee Chairman W. Taranko and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, & Rules Committee has reviewed the transfers for June 12, 2018.

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

Jail Operations	\$133,333.00
Employee Vacation & Sick Leave	\$ 25,000.00

Moved for your approval.

Motion carried. (Signed) W. Taranko

June 12, 2018

Motion by W. Taranko and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, an employee in the Register of Deeds' office will be on medical leave for up to eight weeks; and

WHEREAS, Register of Deeds Englebrecht and the Finance, Personnel, & Rules Committee is recommending approval of the hiring of temporary staff during this medical leave.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the hiring of temporary staff during this medical leave; funds to come from contingency.

Moved for your approval.

Motion carried. (Signed) W. Taranko

Motion by W. Taranko and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole and the Finance, Personnel, & Rules Committee is recommending approval of the purchase of a thermal camera from the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of a thermal camera for the Sheriff's Office; funds to come from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) W. Taranko

Commissioner Castonia thanked Commissioner Taranko for assisting in his place while he was out on medical leave.

Motion by G. Castonia and seconded by T. Pasma to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Janet Merriman has served the citizens of Mason County for over 21 years serving five years in the Circuit Court Office and over 16 years in the Prosecutor's Office; and

WHEREAS, Janet was the public's first impression of the Prosecutor's Office exhibiting an in depth knowledge of the office and professionally coordinating inquires from the public, attorneys, law enforcement, courts, and other county departments all while being a compassionate victim's advocate calming emotions and even drying tears when necessary; and

WHEREAS, Janet meticulously documented and maintained incoming warrant requests, citations, and follow up investigations; comprehensively managed all aspects of juvenile case files; handled accounts payable for the office in a timely manner; took the lead on renovating the victim's waiting area; and was the source of emergency chocolate for the office; and

WHEREAS, Janet has been dedicated to excellence in her work, displaying consideration and courtesy in working with the public, and cooperation and friendship with her fellow employees, court staff, attorneys, and law enforcement personnel; and

WHEREAS, Janet is very knowledgeable about antiques and works many weekends at Sunset Bay Antiques sharing her knowledge of history with customers and her home is beautifully decorated to showcase that love of antiques; and

WHEREAS, Janet's unique sense of fashion broke up the monotony of courthouse suits with her wardrobe of colorful apparel which was enjoyed by her coworkers; and

WHEREAS, Janet is retiring from her position in the Mason County Prosecutor's Office.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason, does hereby, acknowledge with regret Janet's decision to retire from her position in the Mason County Prosecutor's Office and offers her their best wishes in her future endeavors; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Mason, speaking for the citizens of the County of Mason and for themselves, offers their sincere thanks and gratitude for the dedication and professionalism that she has shown throughout her career; and

BE IT FURTHER RESOLVED, that this resolution become a permanent part of the minutes of the June 12, 2018 County Commission proceedings. Moved for your approval.

Charles Lange, Board Chairperson

I hereby certify that the foregoing is a true and correct statement taken from the proceedings of the Mason County Board of Commissioners' meeting of June 12, 2018.

Cheryl Kelly, Mason County Clerk

June 12, 2018

Motion by L. Squires and seconded by T. Posma to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Joe Marion has served the citizens of Mason County for over ten years serving ten years as the Mason County Animal Control Officer and two summers as the Marine Patrol Officer; and

WHEREAS, Joe served his country for 20 years in the United State Coast Guard with duties that included search and rescue and law enforcement missions in Michigan, Massachusetts and Oregon; managing financial records, inventory and personnel scheduling; overseeing all personnel training; and was instrumental in the development of the Ninth Coast Guard District Ice Center of Excellence and taught ice rescue techniques to stations throughout the Great Lakes; and

WHEREAS, Joe's responsibilities as a Marine Patrol Officer included enforcing state laws and regulations on the waters of Mason County, filing daily and monthly reports, conducting public relations for the Sheriff's Office, ensuring safe use by boaters of the local waters, and teaching boating safety to area Junior High Students; and

WHEREAS, Joe's responsibilities as Animal Control Officer included enforcement of Michigan Dog Laws, maintaining federal and state drug licenses, responding to and investigating complaints working in cooperation with the Mason County Prosecutor's Office; selling dog and kennel licenses, making kennel inspections, maintaining the ethical and humane treatment of animals at the shelter, and updating the Standard Operating Procedures; and

WHEREAS, Joe has been dedicated to excellence in his work, displaying consideration and courtesy in working with the public, and cooperation and friendship with his fellow employees, court staff, attorneys, other law enforcement personnel, and the many volunteers that help at the Animal Control Shelter; and

WHEREAS, Joe is an avid sportsman working fishing charters on Lake Michigan and spending many hours in the woods searching for that elusive big buck; and

WHEREAS, Joe is retiring from his position as the Mason County Animal Control Officer.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason, does hereby, acknowledge with regret Joe's decision to retire from his position as the Mason County Animal Control Officer and offers him their best wishes in his future endeavors; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Mason, speaking for the citizens of the County of Mason and for themselves, offers their sincere thanks and gratitude for the dedication and professionalism that he has shown throughout his career; and

BE IT FURTHER RESOLVED, that this resolution become a permanent part of the minutes of the June 12, 2018 County Commission proceedings. Moved for your approval.

Charles Lange, Board Chairperson

I hereby certify that the foregoing is a true and correct statement taken from the proceedings of the Mason County Board of Commissioners' meeting of June 12, 2018.

Cheryl Kelly, Mason County Clerk

Motion by Public Safety and Courts Committee Chairman S. Hull and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

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

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached 2018 Marine Safety Grant Agreement between the State of Michigan and the County of Mason and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) S. Hull

Motion by S. Hull and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is a vacancy on the Mason County Planning Commission with a term expiring on December 31, 2019; and

WHEREAS, there was one response to the advertisement that was published in the Ludington Daily News from Mr. Dennis Dunlap.

June 12, 2018

THEREFORE BE IT RESOLVED, that Mr. Dennis Dunlap be appointed to a position on the Mason County Planning Commission for a term that expires December 31, 2019.

Moved for your approval.

Motion carried. (Signed) S. Hull

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

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is recommending the replacement of the air conditioning controls at the Mason County Jail; and

WHEREAS, Rhoades Engineering is recommending the low bid from Trane.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the bid from Trane for the replacement of the air conditioning controls at the Mason County Jail; funds to come from the Public Improvement Fund.

Moved for your approval.

Motion carried. (Signed) S. Hull

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Planning Commission held a Public Hearing concerning the attached Update to the Mason County Zoning Ordinance; and

WHEREAS, the Mason County Planning Commission voted to approve the attached update to the Mason County Zoning Ordinance; and

WHEREAS, the Building, Planning, Drains, & Airport Committee is recommending approval of the Update to the Mason County Zoning Ordinance with the following changes: 1) Delete Section 20.14 and restore the original language related to electronic signs, 2) changing the footage to own animals near a public body of water, river, or stream from 150 feet to 300 feet from a public body of water, river or stream in Section 3.19.6.

THEREFORE BE IT RESOLVED, that the Mason County Board of Commissioners approves the attached update to the Mason County Zoning Ordinance; as amended seven days after its publication or seven days after the publication of a notice of adoption in a newspaper of general circulation in the County.

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, Sheriff Cole is recommending the replacement of a heater exchanger and six exhaust fans at the Mason County Jail; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending the bid from Premier Heating and Cooling Co.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the bid from Premier Heating and Cooling Co for the replacement of a heater exchanger and six exhaust fans at the Mason County Jail; funds to come from the Public Improvement Fund.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County's claims dated May 3, 2018 totaling \$134,094.06; May 17, 2018 totaling \$330,673.37; and May 31, 2018 totaling \$399,490.57; 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, W. Taranko, C. Lange

June 12, 2018

Motion by T. Posma and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, an employee is retiring from the Prosecutor's Office on June 29, 2018; and

WHEREAS, Prosecutor Spaniola is requesting that the replacement employee be hired early to allow the new employee to be trained by the retiring employee; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the board approve the early hiring of the new employee for training purposes.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the early hiring of the new employee for training purposes.

Moved for your approval.

Motion carried. (Signed) T. Posma

Motion by T. Posma and seconded by W. Taranko 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, 2018, 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 2018 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, 2018, 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.

A roll call vote was taken: Ayes: W. Taranko, G. Castonia, C. Lange, L. Squires, S. Hull, J. Andersen, T. Posma. Nays: none.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County houses a number of commercial real estate properties which are occupied by large retail chain stores, and

WHEREAS, Mason County, as well as municipal taxing authorities rely upon the tax valuations in establishing the tax revenue which is used to fund local governmental services, and

WHEREAS, the method by which the valuations of these so called "big box stores" are established is the subject of litigation involving the City of Escanaba, and

WHEREAS, the valuation of four commercial real estate properties situated in Mason County have recently been disputed with the landowners or tenants utilizing the so-called "dark store" method of valuation which is the subject of the City of Escanaba's litigation, and

WHEREAS the impact of the litigation involving the City of Escanaba upon the County of Mason would be significant, should the valuations of these properties be reduced, as could be the case if the City of Escanaba is unsuccessful in its opposition to the change in valuation method, and

WHEREAS, the Board of Commissioners of the County of Mason finds that it is in the best interests of the citizens of Mason County to support the City of Escanaba in its litigation regarding the valuation of commercial real property,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Mason expresses its support to the City of Escanaba and appropriates the sum of \$2,000.00 to assist it in defraying its costs of the litigation *Menard, Inc. v. City of Escanaba*, (#154062); funds to come from contingency.

Moved for your approval.

Commissioner Squires questioned whether or not the County has assisted financially in other areas. Chairman Lange deferred to Administrator Knizacky who stated, yes, the wind turbine issue and other related projects.

Motion carried. (Signed) T. Posma

June 12, 2018

Motion by T. Posma and seconded by L. Squires to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is one vacant position on the Zoning Board of Appeals with a term expiring on December 31, 2018; and

WHEREAS, state statute requires that a member of the Planning Commission be appointed to the Zoning Board of Appeals; and

WHEREAS, Planning Commission members Mr. Thomas Hooper and Mr. Doug Robidoux have expressed interest in being appointed to the Zoning Board of Appeals; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending the appointment of Mr. Doug Robidoux.

THEREFORE BE IT RESOLVED, that Mr. Thomas Hooper and Mr. Doug Robidoux, representing the Mason County Planning Commission, be considered for the one position on the Zoning Board of Appeals with the term ending December 31, 2018.

Moved for your approval.

A roll call vote was taken with Commissioners voting for one. Robidoux: W. Taranko, G. Castonia, C. Lange, L. Squires, S. Hull, J. Andersen, T. Posma. Hooper: No votes. Position to be filled by D. Robioux.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County uses first responders as part of our computer network administration; and

WHEREAS, the Mason County Computer Network Advisory Board and the Finance, Personnel, and Rules Committee is recommending approval of the appointment of Melissa Powell as the first responder for the Jail and Services Building.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the appointment of Melissa Powell as the first responder for the Jail and Services Building.

Moved for your approval.

Motion carried. (Signed) C. Lange

Motion by C. Lange and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there are two vacancies on the Mason County Computer Network Advisory Board; and

WHEREAS, the Mason County Computer Network Advisory Board is recommending the appointment of Melissa Powell and Brady Selner to fill the vacancies.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the appointment of Melissa Powell and Brady Selner to the Mason County Computer Network Advisory Board for terms expiring on December 31, 2018.

Moved for your approval.

Motion carried. (Signed) C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Computer Network Advisory Board is recommending the approval of the attached proposal to make the county website ADA compliant; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending the proposal be paid for out of the Computer Network Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached proposal to make the county website ADA compliant; funds to come from the Computer Network Fund.

Moved for your approval.

Motion carried. (Signed) C. Lange

June 12, 2018

Treasurer A. Kmetz presented the May 2018 Treasurer's Report. He reported on the 2017 Tax Foreclosure noting a decline in foreclosures due to the assistance of the Step Forward program through the Michigan State University Extension. He also noted on the investment report a 54.84 % increase due to the improving economy.

Clerk C. Kelly presented the May 2018 Clerk's Report. She noted that the office is currently working on the August primary election. Efforts continue to roll out the new election equipment with the most recent demonstration being performed at the Free Soil Senior Center. One hundred and forty election inspectors are anticipated to be trained for the upcoming August election.

Administrator Knizacky encouraged the Board of Commissioners to speak with State representatives regarding the following Bills that are being discussed at the State level: Assessing changes in the law moving them from the Township level to the County level without adequate funding at the County level; changes to the formula on Personal property tax resulting in a loss to the County totaling around \$200,000.00; new legislation allowing the distribution systems of utilities to become tax exempt; and changes involving assessment on the wind turbines.

Administrator Knizacky announced the hiring of Sarah Colbrook to replace retiring Animal Control Officer Joe Marion. She will begin her new position on Friday, June 15, 2018.

Commissioner Squires requested Administrator Knizacky to get the Board the bill numbers on the issues that he informed them about so he could speak with State representatives.

Public Comment:

- Doug Robidoux thanked the Board of Commissioners for his appointment to the Zoning Board of Appeals. As a member on the Mason County Road Commission Board, he informed the County Commissioners that they are currently looking for a replacement for Wayne Schoonover's position.

- Mike Krauch, MSU-E District 5 Coordinator, noted that the Step Forward program that Treasurer Kmetz spoke regarding was a pilot program that he had implemented with the assistance of the County Treasurer's office back in 2012. Mason County previously was one of nine counties that did not participate in this program. Through this cooperative participation with MSU-E and the Treasurer's office, many parcels have been saved from the foreclosure process. He encouraged the Board of Commissioners to continue their partnership with Michigan State University Extension for the future. He once again thanked the Board of Commissioner's for allowing him to serve the residents of Mason County.

With no other business the meeting was adjourned at 8:34 p.m.

CHERYL KELLY, COUNTY CLERK

CHARLES LANGE, BOARD CHAIRMAN