

August 13, 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 Treasurer Kmetz. Pledge of Allegiance to the flag of the United States of America followed.

Motion by C. Lange and seconded by W. Taranko to approve the agenda with the deletion of the update by Michigan Association of Counties Executive Director Stephan Currie and a correction on the date on page one of the agenda regarding the Mason-Oceana 911 Center millage changing the date from 2017 to 2018. Motion carried.

Motion by S. Hull and seconded by J. Andersen to approve the minutes of the July 10, 2018 Regular Meeting. Motion carried.

Correspondence: A letter was read from the Environmental Protection Agency.

Public comment:

- Oakview Board member Rev. Wayne Buskirk thanked the Board of Commissioners for moving the meeting date to meet the deadline to have the Oakview millage request on the November ballot.

Motion by Finance, Personnel, & Rules Committee Chairman W. Taranko and seconded by G. Castonia 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 2018 General Fund, Special Revenue Funds, and Debt Service Fund budget amendments as recommended by the Finance, Personnel, & Rules Committee.

Moved for your approval.

Motion carried. (Signed) W. Taranko

Motion by W. Taranko and seconded by T. Posma to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, & Rules Committee has reviewed the transfers for August 13, 2018.

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

Jail Operations	\$133,333.00
Public Improvement	\$398,442.00
Airport Operations	\$ 37,450.00

Moved for your approval.

Motion carried. (Signed) W. Taranko

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason-Oceana 911 Center received the support from the citizens of the County of Mason for a millage of up to 0.14 mill; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the Board of Commissioners levy 0.14 mill.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason instructs the County Clerk to certify the levy of 0.14 mill for the 2018 levy.

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, Probate Judge Nellis is recommending the attached County Child Care Budget Summary with the State of Michigan.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached County Child Care Budget Summary with the State of Michigan; match funds to come from General Fund appropriations and the fund balance in the Child Care Fund; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Mason authorizes the County Chair and County Administrator to sign the County Child Care Budget Summary on their behalf.

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

A regular meeting of the Board of County Commissioners of the County of Mason (the "County") was held in the Mason County Courthouse, 304 E. Ludington Avenue, Ludington, Michigan 49431, on August 13, 2018, at 7:00 p.m., local time.

PRESENT: Commissioner Taranko, Commissioner Castonia, Commissioner Lange, Commissioner Squires, Commissioner Hull, Commissioner Andersen, Commissioner Posma.

ABSENT: None.

The following preamble and resolution were offered by Commissioner Taranko and supported by Commissioner Castonia.

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of the County to provide for the operation, maintenance, and capital costs of the Oakview Medical Care Facility; and

WHEREAS, the Board of County Commissioners wishes to submit the question of levying a millage for these purposes to the voters at the election to be held on November 6, 2018.

NOW, THEREFORE, BE IT RESOLVED that:

1. The following proposition shall be submitted to the electors of the County at the November 6, 2018, Election:

OAKVIEW MEDICAL CARE FACILITY MILLAGE RENEWAL

This proposal is for the reauthorization of a millage, which expired with the 2017 tax levy.

Shall the limitation on taxes which may be assessed against all taxable real and personal property in Mason County be increased by not more than .9715 mill (\$0.9715 on each \$1,000.00 of taxable value) for a period of ten (10) years, December 1, 2018, to November 30, 2028, inclusive, to provide funds for the operation, maintenance and capital costs of the Oakview Medical Care Facility and shall Mason County levy the millage for this purpose thereby raising an estimated \$1,826,882 in the first year of the levy?

Yes

No

2. An election is called to be held on the November 6, 2018, election date, and the County Clerk is hereby further authorized and directed to cause all necessary notices to be posted and published in such a manner and at such times as required by law.

3. The County Clerk and all other County officials are authorized and directed to take any and all actions necessary to have the proposal placed on the ballot on November 6, 2018.

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4. All existing or previous resolutions and parts of resolutions, insofar as they may conflict with the provisions of this resolution, are hereby rescinded to the extent necessary to avoid such conflict.

AYES: Commissioner Taranko, Commissioner Castonia, Commissioner Lange, Commissioner Squires, Commissioner Hull, Commissioner Andersen, Commissioner Posma

NAYS: None.

ABSTAIN: None.

RESOLUTION DECLARED ADOPTED.

Debra Purtee, Chief Deputy Clerk

Commissioner Castonia commented that many people missed the error in the Oakview millage resolution and Administrator Knizacky should not be totally at fault.

Motion by G. Castonia and seconded by S. Hull 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; and

WHEREAS, the State of Michigan has offered the attached work agreement/quarterly report for Fiscal Year 2019.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the Emergency Management Performance Grant (EMPG) work agreement/quarterly report for Fiscal Year 2019 from the State of Michigan and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) G. Castonia

Motion by L. Squires and seconded by J. Andersen to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Mason County Emergency Management Coordinator Reimink is seeking authorization to dispose of the obsolete Go-Phones; and

WHEREAS, the Public Safety & Courts Committee is recommending board approval of this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason authorizes Mason County Emergency Management Coordinator Reimink to dispose of the obsolete Go-Phones.

Moved for your approval.

Motion carried. (Signed) L. Squires

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

HONORABLE COMMISSIONERS

WHEREAS, Life EMS, Inc. is requesting \$98,502.00 to purchase a new ambulance; and

WHEREAS, the Public Safety and Courts Committee is recommending the approval of this purchase from the Equipment Replacement Fund 402.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of an ambulance; funds to come from the Equipment Replacement Fund 402.

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, Emergency Management Coordinator Reimink and the Public Safety & Courts Committee are recommending the appointment of Ms. Melissa Alvarado, Mr. Jon Miller, Ms. Jamie VanDerZanden, and Mr. Derrek Wilson to the Mason County Local Emergency Planning Committee.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the appointment of Ms. Melissa Alvarado, Mr. Jon Miller, Ms. Jamie VanDerZanden, and Mr. Derrek Wilson to the Mason County Local Emergency Planning Committee.

Moved for your approval.

Motion carried. (Signed) S. Hull

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

HONORABLE COMMISSIONERS

WHEREAS, the Buildings, Planning, Drains, and Airport Committee has worked with Airport Manager John O'Connor and Airport Engineer Prein & Newhof to develop the attached proposed Airport Capital Improvement Plan for the Years 2019-2023; and

WHEREAS, the County must submit a proposal to the State of Michigan to be eligible for state and federal funding at the Mason County Airport.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached proposed Airport Capital Improvement Plan for the Years 2019-2023 and further directs County Administrator Fabian Knizacky and Airport Manager John O'Connor to sign said plan.

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 County of Mason has rescinded its Natural River Zoning District for the Pere Marquette River system effective April 20, 2005; and

WHEREAS, the state zoning rules provide for the appointment of a State Zoning Review Board to act on requests for variances from the Natural River zoning standards; and

WHEREAS, the County of Mason is afforded two regular and two alternate representatives on the State Zoning Review Board; and

WHEREAS, Mary Reilly has resigned from her position.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the appointment of Mr. Brady Selner as a representative on the State Zoning Review Board.

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, there is one vacancy on the Mason County Zoning Board of Appeals with a term that expires on December 31, 2019.

THEREFORE BE IT RESOLVED, that Mr. Cary Shindelcker be appointed to fill the vacancy on the Mason County Zoning Board of Appeals for a term ending December 31, 2019.

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 July 12, 2018 totaling \$297,788.89 and July 26, 2018 totaling \$544,083.77; 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

Motion by T. Posma and seconded by W. Taranko to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the 2017 Audit Report has been presented.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the receipt of the 2017 Audit Report.

Moved for your approval.

Administrator Knizacky reviewed the audit report.

Motion carried. (Signed) T. Posma, W. Taranko, C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, Maintenance Supervisor Enbody and the Buildings, Planning, Drains, and Airport Committee are recommending repairing the parking lot at the county building at 102 E. Fifth Street in Scottville.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves repairing the parking lot at the county building at 102 E. Fifth Street in Scottville; funds to come from the Public Improvement Fund.

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, state planning statutes call for the establishment of a five year capital improvement program; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending the attached five year capital improvement program.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached five year capital improvement program.

Moved for your approval.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Economic Development Corporation Board and Mason County Brownfield Redevelopment Authority Board has requested that Mason County provide services that include financial records, minutes, and dissemination of information, keeping of records, and other support duties necessary to keep both entities in order.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the Management Agreement with the Mason County Economic Development Corporation Board and Mason County Brownfield Redevelopment Authority Board; and

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes Chairman Lange to sign the attached service agreement.

Moved for your approval.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, 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, loss of personal property, and loss of life in hazardous circumstances; and

WHEREAS, the theme for 2018 is “Disasters Happen. Prepare Now. Learn How”; and

WHEREAS, week one focuses on Making and Practicing Your Family Emergency Plan by conducting a home fire drill at least twice a year and practicing two ways out of every room; and

WHEREAS, week two focuses on Learning Life Saving Skills by knowing basic home maintenance like how to turn off gas utilities and installing smoke and carbon monoxide detectors on every floor; and

WHEREAS, week three concentrates on Checking Your Insurance Coverage and preparing by snapping photos of important documents and belongings to help quickly file a claim after a disaster; and

WHEREAS, week four urges everyone to complete an Emergency Financial First Aid Kit (EFFAK) to know how to preserve important documents and how much money to have on hand for lodging, food, and gas after a disaster; and

WHEREAS, the devastating hurricanes, floods, and wildfires of 2017 and the first half of 2018 reminded us of the importance of preparing for disasters. Often, we will be the first ones in our communities to take action after a disaster strikes and before first responders arrive, so it is important to prepare in advance to help yourself and your community by visiting www.ready.gov/september or the Mason County Emergency Management web page for information and resources regarding the importance of emergency preparedness in Mason County.

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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 2018 as Preparedness Month in Mason County.

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, there are vacancies on the Mason County Solid Waste Management Committee, Mason County Department of Public Works, and the Mason County Economic Development Corporation/Brownfield Redevelopment Authority Board due to the resignation of Ludington City Manager John Shay; and

WHEREAS, these positions are mandated to be filled by a representative of the City of Ludington; and

WHEREAS, the City of Ludington has appointed Steve Brock as interim city manager and has indicated that he will replace Mr. Shay on various boards.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason appoints Steve Brock to the Mason County Solid Waste Management Committee for a term ending December 31, 2019, Mason County Department of Public Works for a term ending December 31, 2019, and the Mason County Economic Development Corporation/Brownfield Redevelopment Authority Board for a term ending December 31, 2023; and

BE IT FURTHER RESOLVED, that this individual will be automatically removed from the Mason County Solid Waste Management Committee, Mason County Department of Public Works, and the Mason County Economic Development Corporation/Brownfield Redevelopment Authority Board if he no longer holds his position as outlined above and his position replacement would require formal approval by the Mason County Board of Commissioners.

Moved for your approval.

Motion carried. (Signed) C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS, the United States Constitution and the amendments hereto, as well as the Michigan Constitution provide that people charged with criminal offenses are entitled the right to have an attorney represent them in court proceedings; and

WHEREAS, the judicial system recognizes the rights of persons without the ability to pay for an attorney and/or other legal services (such as hiring investigators or expert witnesses) have the same right of legal representation in the court system as a person who can afford to pay for an attorney and/or other legal services; and

WHEREAS, the State of Michigan ("State") has created the Michigan Indigent Defense Commission ("MIDC") within the Department of Licensing and Regulation; and

WHEREAS, the MIDC is purposed with creating more effective and equitable funding at the State and local level for persons who are charged with criminal offenses and do not have the financial ability to pay for an attorney and/or other legal services; and

WHEREAS, the State, through the MIDC, is separating the financial matters of court appointed cases away from the court system to local court funding units (i.e., in this case, the County of Mason on behalf of the 79th District Court and the 51st Circuit Court), which requires creation of a separate fund within the local chart of accounts; and

WHEREAS, the MIDC is receiving grant applications to fund court-appointed attorney and related legal services from local court funding units to provide funding by the State to the local court funding units beginning October 1, 2018; and

WHEREAS, the MIDC allows for grant applications to request funds for limited construction costs to allow for criminal defense attorneys and their clients to meet in a private and secure setting at or near a courtroom, in furtherance of protecting attorney-client confidentially; and

WHEREAS, this new fund within the local chart of accounts will accept all funds from the State through MIDC grants and will charge all MIDC-related costs to this fund; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year should remain in the newly created fund and not revert to the County's general fund so that funds are used exclusively for court appointed attorney and related legal services; and

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WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year shall remain in the fund to carryover to the next year to be used for future compliance expenditures; and

WHEREAS, the County acknowledges that a separate fund will allow for better management of the grant funds and monitoring by the local and state interested parties; and

WHEREAS, the Mason County Board of Commissioners determines that this is an important service and source of funding for defendants in criminal cases who do not have the ability to afford an attorney or legal services in the 79th District Court and the 51st Circuit Court.

NOW THEREFORE BE IT RESOLVED, that the Mason County Board of Commissioners hereby resolves that the Mason County Treasurer's Office shall create a separate fund within the local chart of accounts to accept all funds from the State through MIDC grants and to charge all MIDC-related costs to this fund; and

BE IT FURTHER RESOLVED, that all funds received through the MIDC grants will be placed in this fund and all MIDC-related costs shall be charged to this fund; any fund balance at the end of the County's fiscal year will remain in the fund and carryover to the next year to be used for future compliance expenditures.

Moved for your approval.

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

Motion carried. (Signed) C. Lange

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

HONORABLE COMMISSIONERS

WHEREAS; Blue Cross Blue Shield of Michigan has provided the attached Group Benefit and Rate Renewal Summary; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending approval of this renewal summary.

THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Mason approves the attached Group Benefit and Rate Renewal Summary and directs Mason County Administrator Fabian Knizacky to sign the appropriate documents.

Moved for your approval.

Motion carried. (Signed) C. Lange

Treasurer A. Kmetz presented the July 2018 Treasurer's Report and discussed the status of the delinquent tax collection.

Chief Deputy Clerk D. Purtee presented the July 2018 Clerk's Report.

Administrator Knizacky reminded Commissioners to submit any additions and/or deletions for the 2019 final budget to his office. He also noted that with the millage for the additional road patrol officers passing, a separate fund will be created.

Public Comment: There were no additional public comments.

Any other business: Commissioner Squires congratulated Ron Bacon for his election victory in the Seventh Commissioner District and stated he will make a great addition to the Commission.

With no other business the meeting was adjourned at 7:45 p.m.

DEBRA PURTEE, CHIEF DEPUTY CLERK

CHARLES LANGE, BOARD CHAIRMAN