

The regular meeting of the Mason County Board of Commissioners was held at 7:00 p.m. in the Conference Room located in the Mason County Airport terminal.

The meeting was called to order by Chair J. Andersen

Roll call was taken. Present: N. Krieger, G. Castonia, J. Hartley, L. Squires,  
S. Hull, J. Andersen, R. Bacon  
Absent: NONE

Invocation was given by J. Hartley and Pledge of Allegiance to the flag of the United States of America followed.

Motion by S. Hull and seconded R. Bacon to approve the agenda with the addition of the Work-Based Learning Agreement Resolution with Ludington High School. Motion carried.

Motion by R. Bacon and seconded by N. Krieger to approve the minutes of the January 12, 2021 regular meeting. Motion carried.

Commissioner Hartley read a letter from Mr. Kenny Wilson who had attended the January Board meeting.

No public comments.

James Wincek, Veterans Affairs Officer for Mason County presented an update of the happenings in the office for the past year. Highlighted was the service provided for 178 Mason County Veterans. Additionally, he introduced Mr. John Cotten, who will be his replacement, due to Mr. Wincek's retirement at the end of this month. Mr. Wincek thanked the Board of Commissioners, and especially Administrator Knizacky for his support and guidance through the past year. Thanks were also given to Chuck Lange, past Board Chair and current Chair Janet Andersen. Mr. Wincek and Mr. Cotten left the meeting at 7:27 p.m.

Motion by N. Krieger and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Airport Manager O'Connor and the Buildings, Planning, Drains, and Airport Committee are recommending the attached 2021 Airport Maintenance Agreement for the Mason County Airport.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached 2021 Airport Maintenance Agreement with J. Ranck Electric, Inc. and directs the Board Chair to sign it on their behalf.

Moved for your approval.

Motion carried. (Signed) N. Krieger

Motion by L. Squires and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, there is one vacancy on the Mason County Hospital Finance Authority Board with a term that expires January 31, 2025; and

**WHEREAS**, there is one response from the advertisement notice that was published in the Ludington Daily News and the Mason County Press from Mr. Scott Biggs.

**THEREFORE BE IT RESOLVED**, that Mr. Scott Biggs be appointed for the vacant position on the Mason County Hospital Finance Authority Board for a term ending January 31, 2025.

Moved for your approval.

Motion carried. (Signed) L. Squires

Commissioner Squires noted that the Hospital Finance Authority Board will be having their first meeting of the year on February 16, 2021 at 3 p.m. All are invited to attend.

Motion by S. Hull and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Finance, Personnel, & Rules Committee has reviewed the transfers for February 09, 2021.

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

Road Patrol	\$179,400.00
Jail Operations	\$139,100.00
Airport Operations	\$ 38,200.00

Moved for your approval.

Motion carried. (Signed) S. Hull

Motion by Buildings, Planning, Drains, and Airport Committee Chair S. Hull and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Director of Information Technology Englebrecht requested authorization to purchase the attached phone system server; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending purchasing this equipment from the Equipment Replacement Fund.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the purchase the attached phone system server; funds to come from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) S. Hull.

Motion by Buildings, Planning, Drains, and Airport Committee Chair S. Hull and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, an employee in the Circuit Court's office will be on medical leave due to a serious illness; and

**WHEREAS**, Circuit Court Judge Sniegowski and the Finance, Personnel, & Rules Committee are 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) S. Hull.

Motion by Buildings, Planning, Drains, and Airport Committee Chair S. Hull and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Mason County has applied for a 2021 Medical Marihuana Operation and Oversight Grant; and

**WHEREAS**, the State of Michigan has awarded a grant in the amount of \$4,940.00 to the County of Mason.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves accepting a 2021 Medical Marihuana Operation and Oversight Grant and authorizes Mason County Administrator Knizacky to sign it on their behalf.

Moved for your approval.

Motion carried. (Signed) S. Hull.

Motion by Buildings, Planning, Drains, and Airport Committee Chair S. Hull and seconded by J. Hartley to approve the following resolution:

**WHEREAS**, there is one (1) vacancy on the Mason County Planning Commission with a term expiring on December 31, 2023 due to a resignation; and

**WHEREAS**, there were two (2) responses to the advertisement that was published in the Ludington Daily News and the Mason County Press from Mr. Charles Lange and Ms. Megan Tresnak.

**THEREFORE BE IT RESOLVED**, that Mr. Charles Lange and Ms. Megan Tresnak be considered for the one (1) position on the Mason County Planning Commission for a term that expires December 31, 2023.

Moved for your approval.

Motion carried. (Signed) S. Hull.

Roll call vote was taken:

Lange: Bacon, Hull, Squires, Castonia, Krieger, and Andersen

Tresnak: Hartley

Appointment goes to Mr. Charles Lange.

Motion by R. Bacon and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Mason County applied for a grant to be used for education, communication, and outreach regarding the Michigan Medical Marihuana Act; and

**WHEREAS**, the State of Michigan has awarded the county a grant for \$4,940.00; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending approval of the attached letter of agreement with the District Health Department #10 to provide the education, communication, and outreach services required under the grant.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the letter of agreement with the District Health Department #10 to provide the education, communication, and outreach services and directs the Board Chair to sign said letter on their behalf.

Moved for your approval.

Motion carried. (Signed) R. Bacon

Motion by R. Bacon and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County’s claims dated  
January 07, 2021 totaling \$529,534.36: and  
January 21, 2021 totaling \$178,764.39; 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) R. Bacon, S. Hull.

Motion by R. Bacon and seconded L. Squires to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Treasurer Kmetz is requesting authorization to purchase three (3) computer monitors; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending the approval of this purchase from the Equipment Replacement Fund.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the purchase three (3) computer monitors; funds to come from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) R. Bacon

Commissioner Squires appreciated Treasurer Kmetz’ support of local businesses within the community.

Motion by R. Bacon and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the file and print server is near its capacity and has reached its life expectancy; and

**WHEREAS**, Director of Information Technology Englebrecht and the Finance, Personnel, & Rules Committee are recommending the approval of the purchase of a new file and print server for the computer network.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the purchase of a new file and print server for the computer network; funds to come from the Computer Network O&M Fund.

Moved for your approval.

Motion carried. (Signed) R. Bacon

Motion by Board Chair J. Andersen and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, Airport Manager O’Connor is requesting that the county approve the attached Proposal for Professional Engineering Service to provide services in connection with the 2019 Airport Layout Plan Update Phase 2 Project; and

**WHEREAS**, the Buildings, Planning, Drains, and Airport Committee is recommending the approval of the attached proposal.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached Proposal for Professional Engineering Service from C&S Companies and directs the Board Chair to sign it on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

**WHEREAS**, Robert Allard was appointed to the Mason County Board of Public Works by the Mason County Board of Commissioners; and

**WHEREAS**, Mr. Allard was subsequently hired by Drain Commissioner Rohde as an employee of the Drain Commission; and

**WHEREAS**, Drain Commission employees perform work for the Department of Public Works; and

**WHEREAS**, Mr. Allard serving in these two positions constitutes an incompatibility under Section 2 of the Incompatible Offices Act; and

**WHEREAS**, under provisions of state statute, a County may have officers or employees serve in two or more positions that would otherwise create an incompatibility under Section 2 of the Incompatible Offices Act, if the population of the County is less than 40,000 persons; and

**WHEREAS**, Drain Commissioner Rohde is requesting that the County Board of Commissioners rely on Section 3(4) of the Incompatible Offices Act as a basis to conclude that the instance of Mr. Allard fulfilling two or more roles does not create an impermissible incompatibility under the Incompatible Offices Act.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the County of Mason approves relying on Section 3(4) of the Incompatible Offices Act as a basis to conclude that the instance of Mr. Allard fulfilling two or more roles does not create an impermissible incompatibility under the Incompatible Offices Act.

Moved for your adoption.

Motion carried. (Signed) J. Andersen

Commissioner Krieger noted that the appointment of Mr. Allard to the Department of Public Works Board would be a conflict of interest. He agreed with the legal opinion obtained and that the County was able to waive the incompatibility of offices due to the population but noted that Mr. Allard could not waive a conflict of interest and would need to abstain. Commissioner Krieger noted that he would be voting no because of the potential for conflicts in the future and it would look better to not allow or waive the incompatibility clause.

Commissioner Squires noted that he has worked with Mr. Allard and feels that Mr. Allard takes this position seriously and would look at the data. He was comfortable supporting this waiver and also notes that multiple people serve on the DPW board.

Commissioner Castonia noted that the section states that an individual cannot serve in two positions and was informed by Administrator Knizacky that this is the reason it is before the Board of Commissioners.

Commissioner Hartley reviewed the information presented and feels that Mr. Allard's ability to serve on the DPW Board would be an invaluable asset for Drain Commissioner Rohde.

Commissioner Andersen noted that Mr. Allard has a tremendous skill set and would hope that should a situation arise, that he would abstain from a vote.

Commissioner Squires requested a roll call vote regarding the Incompatibility of Offices Act and allow Mr. Allard to maintain being on the DPW Board.

AYES: Hull, Squires, Hartley, Bacon, Andersen

NAYS: Castonia, Krieger

Motion to waive the Incompatibility of Office Act passed 5 to 2.

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

HONORABLE COMMISSIONERS

**WHEREAS**, the Director of Information Technology Diane Englebrecht is recommending the purchase of switches for the computer network; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending the purchase be made out of the Computer Network Operation & Maintenance Fund.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the purchase of switches for the computer network; funds to come from the Computer Network Operation & Maintenance Fund.

Moved for your approval.

Motion carried. (Signed) J. Andersen

Motion by Board Chair J. Andersen and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

**WHEREAS**, the Mason/Ocean 911 Board of Directors has added alternate positions to their board; and

**WHEREAS**, the Finance, Personnel, & Rules Committee is recommending the appointment of Mason County Rural Fire Authority board member Tom Trenner as fire representative alternate.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason appoints Tom Trenner as fire representative alternate.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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

HONORABLE COMMISSIONERS

**WHEREAS**, Melanie Tomaski from Ludington Area Schools made a presentation to the Board of Commissioners about their Work-Based Learning Training Program; and

**WHEREAS**, the Board of Commissioners was supportive of the program; and

**WHEREAS**, Ms. Tomaski is proposing the attached agreement to place a student at the Mason County Animal Control office.

**THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the County of Mason approves the attached Work-Based Learning Training Program Agreement with Ludington Area Schools and directs the Board Chair to sign it on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Andersen

Treasurer Kmetz thanked the Board for their approval of the three new computer monitors. Treasurer Kmetz presented the monthly Treasurer's Reports for December 2020 and January 2021, then spoke on the changes to the Michigan General Property Tax Act implemented under PA 255 and PA 256 of 2020. These changes allow for the excess sales proceeds above and beyond any delinquent tax, fee, interest and penalty owed to be returned to former property owners. This will be conducted via a Circuit Court proceeding and will allow for other former lien holders to stake a claim against any potential proceeds as well. Treasurer Kmetz believes his first job is to work to prevent foreclosure, however, this helps provide former owners with equitable relief in the event that the foreclosure occurs.

Clerk Kelly passed out Clerk reports for the month of December 2020 and January 2021. She noted that today at 4 p.m. was the deadline for ballot proposals to be submitted to the Clerk's Office and that there would be a May Election.

Administrator Knizacky informed the Board that three candidates were interviewed for the Assistant Animal Control Officer Position, and he hopes to have the position filled in the next three weeks.

Public comment: Charles Lange thanked the Board for the appointment to the Planning Commission.

Megan Tresnak thanked the Board for reading her letter of interest. She noted that she is trying to get involved as much as possible and currently is involved with the City of Ludington and Pere Marquette Township.

Commissioner Hartley introduced his wife Linda, and Ben Bond of Bond Builders as his guests.

There was no other business:

With no other business the meeting was adjourned at 8:01 P.M.

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CHERYL KELLY, COUNTY CLERK

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JANET S. ANDERSEN, BOARD CHAIR