

May 14, 2013

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: J. Lenius, B. Carpenter, C. Lange, C. VanderWall,
M. Nichols, J. Andersen, T. Posma
Absent: None.

Invocation was given by M. Nichols. Pledge to the flag followed.

Motion by T. Posma and seconded by M. Nichols to approve the agenda with the addition of a resolution to go into closed session. Motion carried.

Motion by M. Nichols and seconded by B. Carpenter to approve the minutes of the April 9, 2013 regular meeting. Motion carried.

Correspondence: Administrator Knizacky presented copies to the County Board and then read a letter from Neil L. Kimball of Mika Meyers Beckett & Jones PLC stating his office had a client who wishes to pledge \$180,000 as a donation to complete the improvement project at the Mason County Fairgrounds. The donor wishes to remain anonymous and the pledge is contingent upon the County receiving the State grant money and other funds necessary to do all of the planned work. The Board expressed their gratitude for the generous donation.

Public Comment:

- Evelyn Bergaila of Riverton Township spoke in support of the funding of the requests from the sheriff's department to purchase new boat motors for the marine safety program. Ms. Bergaila also spoke of her disappointment of the management of the Road Commission and urged the County Board to assume control of the Road Commission through Public Act 14.
- Western Michigan Fair Association President Kirk Meyers expressed his appreciation for all of the fundraising efforts and donors for the current project including the generous anonymous donation just announced by Administrator Knizacky.

Emergency Manager Elizabeth Reimink offered to answer any questions about the annual report that was included in the agenda packet. The majority of the time and effort of the office was spent in providing training in the county and Manager Reimink was happy to report that there had not been any major incidents during the year which was a first during her tenure.

Drain Commissioner Dave Hasenbank gave a brief review of the annual report for his office and answered questions. Drain Commissioner Hasenbank discussed the fluctuations in leachate removed from the Mason County Landfill site and the design of the cells of the landfill.

Motion by Public Safety and Courts Committee Chairman J. Lenius and seconded by B. Carpenter to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Sheriff is requesting authorization to purchase the attached boat motors from the Equipment Replacement Fund; and

WHEREAS, the Public Safety & Courts 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 authorizes the purchase of the attached boat motors from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) J. Lenius

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County Sheriff Cole has requested authorization to purchase two radios from the Equipment Replacement Fund; and

WHEREAS, the Public Safety & Courts Committee is recommending approval of the radio purchase from the Equipment Replacement Fund.

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

Moved for your approval.

Motion carried. (Signed) J. Lenius

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

HONORABLE COMMISSIONERS

WHEREAS, there is a vacancy on the Jury Board with a term expiring on April 30, 2019; and

WHEREAS, Judge Cooper is recommending that the Board of Commissioners appoint Ms. Deanne Nordine to the Jury Board.

THEREFORE BE IT RESOLVED, that Ms. Deanne Nordine be appointed to the Jury Board for a term that expires on April 30, 2019.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

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

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is recommending the sale of a boat motor and per Marine Safety Fund guidelines the proceeds of the sale be put in the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves selling the old motor; proceeds of the sale to be put in the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) B. Carpenter

Motion by Building, Planning, Drains, and Airport Committee Chairman C. VanderWall and seconded by J. Andersen 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 Building, Planning, Drains, and Airport Committee is recommending approval of the appointment of 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. Dennis Dunlap as an alternate to the Remonumentation Peer Group and further directs the Board Chair to sign the related contracts on their behalf.

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, May is Mental Health Month; and

WHEREAS, stigma associated with Mental Illness and disability creates one of the primary barriers to individuals seeking needed services; and

WHEREAS, the Board of Commissioners of the County of Mason recognizes that stigma associated with Mental Illness creates one of the primary barriers to individuals seeking needed services; and

WHEREAS, citizens of Lake, Mason and Oceana County, in coordination with West Michigan Community Mental Health System and the Michigan Association of Community Mental Health Boards, represented their home counties in an event titled "Walk a Mile in My Shoes" at the State Capitol on May 8, 2013 to promote awareness and reduce stigma associated with Mental Illness.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason recognizes May as Mental Health Month and supports the efforts of the citizens of Mason County who participated in the "Walk a Mile in My Shoes" event to promote awareness of, and to reduce the stigma associated with, Mental Illness in Mason County.

Moved for your approval.

Motion carried. (Signed) C. VanderWall

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Motion by M. Nichols and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, and Rules Committee has reviewed the transfers for May 14, 2013.

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

Jail Operations	\$112,175.00
Budget Stabilization	\$ 55,000.00
Airport Operations	\$ 31,800.00
Property & Liability Insurance	\$ 40,000.00

Moved for your approval.

Motion carried. (Signed) M. Nichols

Motion by M. Nichols 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 April 11, 2013 totaling \$386,169.67, and April 25, 2013 totaling \$268,264.37; 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) M. Nichols, C. Lange, T. Posma

Motion by M. Nichols and seconded by C. VanderWall to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Michigan’s local public health departments support the provision of quality public health services mandated to be provided on a statewide basis; and

WHEREAS, the funding provided by the Michigan Departments of Agriculture, Community Health, and Environmental Quality to conduct these mandated services has not kept pace with inflation rates for the past ten years and has experienced several reductions; and

WHEREAS, Section 333.2475 of the Michigan Public Health Code of 1978 requires a 50-50 cost sharing of these mandated services; and

WHEREAS, local funds appropriated to support the delivery of these mandated services now comprise over 70% of the total funding for these services; and

WHEREAS, public health services have a documented return on investment of at least four dollars for every dollar spent on public health.

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Mason urges the Governor and Michigan Legislature to restore the \$2.7 million dollars cut from the Essential Local Public Health Services line item in 2010 and 2011 and appropriate sufficient dollars in the fiscal year 2014 budget to comply with PA 368 of 1978, and make a stronger financial commitment to protecting the population health outcomes of Michigan residents.

Moved for your approval.

A roll call vote was taken: Ayes: J. Lenius, B. Carpenter, C. Lange, C. VanderWall, M. Nichols, J. Andersen, T. Posma. Nays: None.

Motion carried. (Signed) J. Lenius, B. Carpenter, C. Lange, C. VanderWall, M. Nichols, J. Andersen, T. Posma.

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

HONORABLE COMMISSIONERS

WHEREAS, the Sheriff is requesting authorization to purchase the attached boat motor from the Equipment Replacement Fund; and

WHEREAS, the Public Safety & Courts 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 authorizes the purchase of the attached boat motor from the Equipment Replacement Fund.

Moved for your approval.

Motion carried. (Signed) J. Andersen

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Motion by J. Andersen and seconded by M. Nichols to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the following applications for Farmland (Act 116 of the Public Acts of 1974) has been filed with the County Clerk.

<u>Number</u>	<u>Name</u>	<u>Township</u>	<u>Section</u>
2013-02	Frederick & Cindy Gleason	Custer	8
2013-03	Frederick & Cindy Gleason	Custer	17
2013-04	Frederick & Cindy Gleason	Sherman	33

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) J. Andersen

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County Sheriff Cole has received notice that the County of Mason has been awarded funding for the purchase of twenty one (21) portable radios, one (1) mobile radio, and one (1) console radio from Homeland Security; and

WHEREAS, the County needs to provide matching funds of \$9,819.00; and

WHEREAS, the Public Safety & Courts Committee is recommending approval of a portion of the local match from the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves a local match for the Homeland Security Grant with funds coming from the Road Patrol/Detectives Budget (\$2,352.00) and the Equipment Replacement Fund (\$7,467.00).

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, 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 2013 General Fund budget amendments as recommended by the Finance, Personnel, & Rules Committee.

Moved for your approval.

Motion carried. (Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the following application for Farmland (Act 116 of the Public Acts of 1974) has been filed with the County Clerk.

<u>Number</u>	<u>Name</u>	<u>Township</u>	<u>Section</u>
2013-01	John R. Shafer	Eden	21

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the application for Farmland (Act 116 of the Public Acts of 1974), in the County of Mason.

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 that the Board of Commissioners accept the attached bid from Sani-Vac Service to provide duct cleaning services at the Mason County Jail.

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THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached bid from Sani-Vac Service to provide duct cleaning services at the Mason County Jail; funds to come from the Jail Construction Fund.

Moved for your approval.

Commissioner Nichols stated she had been contacted by Hankwitz Heating and Cooling communicating that he had been contacted by architect Bill Roy about the project and Hankwitz Heating and Cooling had supplied Bill Roy with an e-mail but had never received bid specifications from Mr. Roy. Commissioner Nichols suggested the board reopen the bid process in order to allow Mr. Hankwitz to bid. Commissioner Nichols asked Administrator Knizacky how the county handled the bid process and was told that the county had posted the bid specifications on two bidding exchanges for viewing and as is the case for other bids the county will notify local contractors if they are aware a local contractor is interested. Administrator Knizacky stated that because the sheriff had originally dealt with Mr. Hankwitz prior to the Finance, Personnel, & Rules Committee recommending and the full County Board approving an official bid specification process, Mr. Roy had contacted Mr. Hankwitz about the project and Mr. Roy had told Administrator Knizacky that Mr. Hankwitz did not supply him with an e-mail address. Administrator Knizacky also suggested that Mr. Hankwitz should have contacted himself or Mr. Roy if he felt there had been a miscommunication as he had been informed that the county was seeking bids. Commissioner Andersen stated she was very supportive of spending dollars with local contractors but felt re-opening the bidding process would not be appropriate as it could create problems for the county on any future bids. Commissioner Lenius stated there were five companies who expressed interest in the project with only one company submitting a bid.

Chairman Lange asked if there was any discussion regarding the voluntary alternates to the bid. A motion was made by Commissioner Posma and seconded by Commissioner Carpenter to amend the resolution to include all three alternates as presented in the quote. Motion carried with Commissioner Nichols voting no.

A motion was then made by Commissioner Posma and seconded by Commissioner Carpenter to approve the amended resolution. Motion carried with Commissioner Nichols voting no.

(Signed) T. Posma

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners has approved spending up to \$20,000.00 for legal costs related to the Michigan Renewable Energy Coalition’s activities; and

WHEREAS, the County has spent \$19,331.19 towards these legal costs; and

WHEREAS, the County has been reimbursed \$11,368.01 related to these legal costs; and

WHEREAS, Administrator Knizacky is seeking clarification on whether the spending cap applies to the total amount paid or to the net amount expended by the County; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the cap apply to the net amount expended by the County.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the Finance, Personnel, & Rules Committee’s recommendation that the cap apply to the net amount expended by the County.

Moved for your approval.

Motion carried with Commissioner Nichols abstaining due to a possible conflict of interest.

(Signed) C. Lange

Motion by Chairman Lange and seconded by J. Lenius to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the County of Mason has received a Michigan Natural Resources Trust Fund (MNRTF) development grant in the amount of \$320,000.00; and

WHEREAS, the County solicited bids for a contractor to perform the work on this project; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending approval of the low bid of \$633,327.67 submitted by Hallack Contracting, Inc.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the low bid of \$633,327.67 submitted by Hallack Contracting, Inc and directs the Board Chair to sign the appropriate contracts related to this project; local funds to come from the Public Improvement Fund, contingency, and donations.

Moved for your approval.

Motion carried. (Signed) C. Lange

May 14, 2013

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Sports Hall of Fame and Museum is a not-for-profit historical recognition institution dedicated to honoring those who have made outstanding contributions to our local sports and its Board of Directors has selected six former athletes and one former team who will be inducted into the Mason County Sports Hall of Fame at the ninth annual Induction Banquet held at Lincoln Hills Golf Club on June 22, 2013; and

WHEREAS, this year's inductees include **Dick Dennis** who began playing competitive soft ball in 1935 at the age of 11 and was still playing in the 1970s. One of the first great windmill pitchers in the area, Dennis helped the 1947 Abrahamson/Bannon team become the first team from Northern Michigan to capture a state championship. Dennis pitched a perfect game in his first outing. In the championship game against the Hazel Park Morticians he went all 16 innings, striking out 21 batters while allowing only one base hit and three base runners. The final score of both games was 1-0. Dennis was also an outstanding hitter and position player; **Jay Hansen** set five school records in his high school swimming career at Ludington High, four of which still stand. In 1987, Ludington finished second in the Class B state finals and third in 1988 and Hansen was a member of the state title-winning 400 freestyle relay teams in 1987 and 1988, in record times. Both relay teams were the 20 fastest in the country and his first-place time in the 100 butterfly was the 34th fastest in the country in 1988. Hansen and the Orioles earned All-American honors in all three events. He also won 11 Coastal Conference titles and set five league records. Hansen attended Western Kentucky where he earned four letters and helped his team compile a 34-5 record; **Fred Horstman** started Ludington High's soccer program and in 15 years as the coach of the boy's team compiled a record of 254 wins against 54 losses and 22 ties. He never had a losing season and in 2001, the Orioles won the state championship. They were state runnersup in 1994 and 1997. Horstman's teams won 11 conference, 10 district, and six regional championships and 15 of his players earned all-state honors. He ran cross country and track at the University of Findlay where he set numerous records in the middle and long distances and was named to their Hall of Fame; **Paul Spencer Peterson II** was the premier long distance runner in Michigan during his days at Saginaw Valley University. In 1980, he earned NAIA All-American honors in the 10,000 meters and in 1982, he earned NAIA All-American honors in the indoor two-mile and the 5,000 and 10,000 meter runs outdoors. He was also an NCAA Division 2 All-American in the 5,000 and 10,000 meter runs outdoors. Peterson captained the Saginaw Valley cross country teams in 1980 and 1982. At Ludington High, he finished second in the Class B two-mile race in 9 minutes, 26.1 seconds, a record that still stands; **Bonita Vasicek's** softball career spanned over 40 years and started at the age of 9. She could play any position and was an outstanding hitter who was blessed with great speed. She tried out for the Grand Rapids Chicks, a semi-pro team, but was unable to get a contract because she was only 15. A member of the 1959 state champion Carr's Rockets team, Vasicek also played on state title-winning teams in Baldwin in 1969 and 1971. In 1975, she bought the Michigan Roadrunners team which was a member of the Michigan-Ohio League and managed it to a league title and earned manager of the year honors. Vasicek played in the 1963 World tournament and once got a hit off Raybestos Brakettes ace Joan Joyce; **Bob Wolff** won a state archery championship in 1969, setting records for the highest score and margin of victory. He competed before the coming of the compound bow. It was one of 13 major state archery titles he won between 1969 and 1979 in field and target shooting. A dead shot with a rifle or shotgun, Wolff set a range record at Fort Knox, Kentucky, hitting 199 of 200 targets. In trap shooting, he broke 250 straight birds in 1974 and at the age of 65 was still able to break over 100 in a row. Wolff also hand-crafted duck decoys and for many years played the role of General George Custer in the re-enactment of the Battle of Little Big Horn in Montana; **the Abrahamson/Bannon softball team** compiled a record of 35-4, in 1947, en route to capturing the Michigan Amateur Softball Association Class B state championship, the first team from Northern Michigan to ever win a state title. Team members were Dan Allard, Frank Rockfall, Ward Abrahamson, Jack Yeck, Milt Anderson, Ralph Weinert, Bob VanDyke, Dick Dennis, John Czarnecki, Dave Horowski, Ken Hull, Russ Houk, player-manager Ray Dittmer, and sponsors Don Abrahamson and C. Dale Bannon. In the state tournament, the team allowed one run and eight hits in going 4-0.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason, does hereby, declare June 22, 2013 as Mason County Sports Hall of Fame Day and that this resolution become a permanent part of the minutes of the May 14, 2013 County Commission proceedings; 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 congratulations to the 2013 inductees to the Mason County Sports Hall of Fame. Moved for your approval.

Charles M. 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 May 14, 2013.

Jim Riffle, Mason County Clerk

May 14, 2013

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

HONORABLE COMMISSIONERS

WHEREAS, the Michigan Open Meetings Act provides for closed meetings in a few specified circumstances; and

WHEREAS, one of the specified circumstances is to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves going into closed session to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained as allowed by MCLA 15.268(8)(d).

Moved for your approval.

A roll call vote was taken. Ayes: J. Lenius, B. Carpenter, C. Lange, C. VanderWall, M. Nichols, J. Andersen, T. Poma. Nays: None.

Motion carried. (Signed) C. Lange

The Board went into closed session at 10:15 a.m. and returned to open session at 10:35 a.m.

Treasurer Shirley Smith reviewed the April 2013 Treasurer's report and answered questions.

Clerk Jim Riffle reviewed the April 2013 Clerk's Report and answered questions.

Administrator Knizacky reported that the audit had been completed and had gone well, the Mason County Campground welcome center project was progressing and should be completed by the end of June, the tuckpointing project at the courthouse has started and the jail renovation project will be going out for bid by the end of the current week.

Public comment:

- Mike Crouch of the Michigan State University Extension office in Scottville gave a brief update on his progress regarding helping residents who are facing financial hardship with their home ownership and also introduced Ben Werling. Mr. Werling is the West Michigan Vegetable Educator working out of the Hart office and he spoke of his credentials and gave a brief overview of some of his activity with growers in Mason County.

- Evelyn Bergaila of Riverton Township expressed her appreciation of the County Board's quick response in funding the marine equipment for the Mason County Sheriff's Office.

Any Unfinished Business: None.

With no other business, the meeting was adjourned at 10:50 a.m.

JIM RIFFLE, COUNTY CLERK

CHARLES LANGE, BOARD CHAIRMAN