

The regular meeting of the Mason County Board of Commissioners was held at 7:00 p.m. in the conference room of the Mason County Airport.

The meeting was called to order by Chair J. Andersen.

Roll call was taken. Present: N. Krieger, G. Castonia, J. Hartley,
S. Hull, J. Andersen, R. Bacon.
Absent: L. Squires.

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

Motion made by N. Krieger and seconded by S. Hull to approve the agenda with the addition of the Closed Session meeting minutes to be reviewed and added to item D. Motion carried.

Motion by N. Krieger and seconded by S. Hull to approve the minutes of the November 1, 2022 Regular meeting, the November 22, 2022 Work Session meeting, and the November 22, 2022 Closed Session meeting minutes. Motion carried.

No correspondence was read.

Public comment: Annette Quillan, Ludington, noted that the Ludington Senior Center had a Christmas dinner that was provided by the Nancy Hasting Fund Grant and she wished to thank all that assisted.

Deb Del Zoppo- Mason County Conservation District, informed the Board that the Conservation District will be sending representatives to future meetings.

Tom Rotta, Ludington, informed the County Board that the City of Ludington's newly appointed Brownfield Authority will be meeting next Monday night. He encouraged the Board to attend the meeting and object to what this newly appointed Brownfield Authority was going to offer the developer. Additionally, he wished to express that Prosecutor Kreinbrink is a public servant and that the contract with the City of Ludington each year is for civil actions and not for representation of Ludington Police Department and that this is a breach of her contract.

John Lammi, President of the Western Michigan Fair Association thanked the County Board for their continued support. A full report was supplied to the Board for their review and questions were answered. Compliments were given on the restoration of the barns and the grounds by Chair Andersen.

Motion by N. Krieger and seconded by R. Bacon 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 consult with the County attorney about trial or settlement strategy in pending litigation.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves going into closed session to discuss with our attorney trial and/or settlement strategy in the tax-foreclosure litigation including the pending lawsuits in Grainger v County of Ottawa et al Case No:19-cv-501, Calkins v Kent County No:21-cv-00062, and Sattler v Kent County No:22-cv-316 pursuant to MCL 15.268(e), because discussion on the open record will have a detrimental financial effect on the litigation or settlement position of Mason County and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g), pursuant to MCL 15.268(h)."

Moved for your approval.

Motion carried. (Signed) N. Krieger.

Roll Call vote was taken to move into Closed Session:

AYES: Krieger, Castonia, Hartley, Hull, Bacon, Andersen.
NAYS: None.
Absent: Squires.

The public was requested to leave the meeting at 7:15 p.m.

7:37 p.m. the Board then returned to Regular Session. Commissioner Krieger provided the public with a brief explanation of the Supreme Court Real Estate Tax Foreclosure Statute that Mason County was minutely involved in.

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

HONORABLE COMMISSIONERS

Minutes of a regular meeting of the Board of Commissioners of Mason County, Michigan, held in the Mason County Airport Terminal, Ludington, Michigan, on December 13, 2022, at 7:00 p.m., local time.

PRESENT: Commissioners Krieger, Castonia, Hartley, Hull, Bacon, Andersen.

ABSENT: Commissioners Squires

The following resolution was offered by Commissioner Krieger and supported by Commissioner: Bacon.

WHEREAS, Wayside Church, *et al*, filed a class action complaint against a number of counties in the United States District Court for the Western District of Michigan in Civil Action No. 1:14-cv-01274 (“Complaint”); and

WHEREAS, Parties have been exploring and preparing defenses and participating in settlement negotiations under the oversight of the 6th Circuit Court of Appeals Mediation process; and,

WHEREAS, the parties are desirous of avoiding future litigation and controversy and after extensive negotiations, have agreed to certain terms and conditions set forth in the Settlement and Release Agreement, subject to approval by the Court, and as outlined by counsel; and

WHEREAS, the County understands that the Settlement and Release Agreement is a compromise of a disputed claim and that payment(s) made and conditions state therein are not to be construed as an admission of liability on the part of the parties being released by who all liability is expressly denied; and,

WHEREAS, after consultation with legal counsel, and the County Treasurer and upon the recommendation and endorsement of the Settlement by each, the County believes it is in the best interests of the citizens of Mason County to resolve the litigation in accordance with the Settlement and Release Agreement, subject to approval by the Court.

THEREFORE, BE IT RESOLVED, that the Mason County Board of Commissioners approves entering into the Settlement and Release Agreement in connection with Civil Action No. 1:14-cv-01274, subject to approval by the Court. 2 269148119v1; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners and County Clerk are hereby authorized to sign the Settlement and Release Agreement on behalf of Mason County, and the County Treasurer is encouraged to execute the Settlement and Release, subject to approval by the Court, after approval as to form by the County Attorney.

YEAS: Commissioners Krieger, Castonia, Hartley, Hull, Bacon, Andersen.

NAYS: Commissioners None.

ABSTAIN: Commissioners None.

RESOLUTION DECLARED ADOPTED.

Cheryl Kelly, Clerk
County of Mason

STATE OF MICHIGAN)

) SS

COUNTY OF MASON)

I, Cheryl Kelly, the duly qualified and acting Clerk of Mason County, Michigan (the “County”) does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners at a meeting held on December 13, 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 13TH day of December 2022.

Cheryl Kelly, Clerk County of Mason

Moved for your approval.

Motion carried. (Signed) N. Krieger.

Motion by N. Krieger and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there are three (3) positions on the Mason County Council on Aging with terms ending December 31, 2022 from District #1, District #5 and District #7; and

WHEREAS, there were three eligible responses to the advertisement notice that was published in the Ludington Daily News and the Mason County Press from Mr. Wallace Cain representing District #1, Ms. Mary Bedker representing District #5 and Mr. Lyle Hanson representing District #7.

THEREFORE BE IT RESOLVED, that Mr. Wallace Cain representing District #1, Ms. Mary Bedker representing District #5 and Mr. Lyle Hanson representing District #7 be appointed for the terms on Mason County Council on Aging expiring on December 31, 2024.

Moved for your approval.

Motion carried. (Signed) N. Krieger.

Commissioner Krieger wished to amend the resolution noting that the appointment of Wallace Cain would be in District #1 not District #2.

Commissioner Krieger also noted that in review of the submitted letters, two of the letters were received after the date due. Administrator Knizacky referred back to the Board Rules which state that applications can be accepted after the allowable time-frame if open seats still remained.

Motion by N. Krieger and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there are three (3) vacancies on the Mason County Planning Commission with a term expiring on December 31, 2022; and

WHEREAS, there were four (4) responses to the advertisement that was published in the Ludington Daily News and the Mason County Press from Mr. Dennis Dunlap, Mr. Colin DeHaan, Mr. Alan Neushwander, and Mr. Michael Shaw.

THEREFORE BE IT RESOLVED, that Mr. Dennis Dunlap, Mr. Colin DeHaan, Mr. Alan Neushwander, and Mr. Michael Shaw be considered for the three (3) positions on the Mason County Planning Commission for terms expiring on December 31, 2025.

Moved for your approval.

Appointments to the Mason County Planning Commission: Four Candidates applied to fill three positions:

	Dunlap	DeHaan	Neushwander	Shaw
Hartley	x	x		x
Hull	x		x	x
Bacon	x		x	x
Krieger	x		x	x
Castonia	x		x	x
Andersen	x		x	x

Appointed: Dunlap, Neushwander, and Shaw.

Motion carried. (Signed) N. Krieger.

Motion by N. Krieger and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners has approved 2023 appropriations for senior services; and

WHEREAS, the Finance, Personnel, and Rules Committee has negotiated the attached contract with the City of Ludington for senior services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached contract with the City of Ludington for senior services and directs the Board Chair to sign said contract.

Moved for your approval.

Motion carried. (Signed) N. Krieger.

Motion by Public Safety and Courts Committee Chair G. Castonia and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is requesting authorization to purchase a vehicle, a radio, and an in-car camera from the Equipment Replacement Fund; and

WHEREAS, the Public Safety and Courts Committee is recommending the approval of these purchases from the Equipment Replacement Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of a vehicle, a radio, and an in-car camera; funds to come from the Equipment Replacement Fund 402.

Moved for your approval.

Motion carried. (Signed) G. Castonia.

Motion by Public Safety and Courts Committee Chair G. Castonia and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is one (1) position on the Area Agency on Aging of Western Michigan Inc. Board of Directors with a term expiring on December 31, 2022; and

WHEREAS, there was one (1) response to the advertisement notice that was published in the Ludington Daily News and the Mason County Press from Dr. Kim Halladay.

THEREFORE BE IT RESOLVED, that Dr. Kim Halladay be appointed to the one position on the Area Agency on Aging of Western Michigan Inc. for a term to expire on December 31, 2023.

Moved for your approval.

Motion carried. (Signed) G. Castonia.

Motion by Public Safety and Courts Committee Chair G. Castonia and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there are three (3) positions on the Mason County Parks and Recreation Commission with terms expiring December 31, 2022; and

WHEREAS, there were three (3) responses to the advertisement notice published in the Ludington Daily News and the Mason County Press from Mr. Wayne Andersen, Mr. Michael Genter and Mr. Brian Koblinski.

THEREFORE BE IT RESOLVED, that Mr. Wayne Andersen, Mr. Michael Genter and Mr. Brian Koblinski be appointed for the three (3) positions on the Mason County Parks and Recreation Commission with terms expiring December 31, 2025.

Moved for your approval.

All in favor: Krieger, Castonia, Hartley, Hull, Andersen.

Opposed: Bacon

Motion carried. (Signed) G. Castonia.

Motion by Public Safety and Courts Committee Chair G. Castonia and seconded by J. Hartley to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan awarded a 2022 CESF Grant Contract to the Mason County Courts; and

WHEREAS, the State of Michigan has offered to extend the grant to September 30, 2023; and

WHEREAS, the Public Safety and Courts Committee is recommending that the County approve the attached extension of the Contract.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached extension to the 2022 CESF Contract with the State of Michigan and directs the Board Chair to sign said agreement on their behalf.

Moved for your approval.

Motion carried. (Signed) G. Castonia.

Motion by Public Safety and Courts Committee Chair G. Castonia and seconded by S. Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Prosecuting Attorney Kreinbrink has reached an agreement with the City of Ludington to provide misdemeanor ordinance prosecution services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the agreement with the City of Ludington to provide misdemeanor ordinance prosecution services.

Moved for your approval.

Motion seconded by S. Hull. All in favor: Castonia, Hartley, Hull, Bacon, Andersen.

Opposed: Krieger.

Motion carried. (Signed) G. Castonia.

Motion by J. Hartley and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Mason County Animal Control Officer Colbrook is recommending the installation of fencing at the Mason County Animal Control Building; and

WHEREAS, Great Lakes Pet Fencing has agreed to donate the fencing.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the installation of fencing at the Mason County Animal Control Building.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

Motion by J. Hartley and seconded by N. Krieger to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is one position on the Mason County District Library Board with a term expiring on December 31, 2022; and

WHEREAS, this position must be filled by a candidate who resides in the County of Mason exclusive of the City of Ludington, Hamlin Township, or Pere Marquette Charter Township; and

WHEREAS, there were two (2) eligible responses to the advertisement notice published in the Ludington Daily News and the Mason County Press from Ms. Natalie Grochowski and Ms. Mary Ann Hagemeyer.

THEREFORE BE IT RESOLVED, that Ms. Natalie Grochowski and Ms. Mary Ann Hagemeyer be considered for the one (1) position on the Mason County District Library Board that must be filled by a candidate who resides in the County of Mason exclusive of the City of Ludington, Hamlin Township, or Pere Marquette Charter Township for a term expiring on December 31, 2026.

Moved for your approval.

Roll call vote was taken for the Library Board Appointment:

Natalie Grochowski: Hull, Bacon, Krieger, Castonia, Hartley, Andersen.

Mary Ann Hagemeyer: None.

Ms. Grochowski was appointed via unanimous vote.

Motion carried. (Signed) J. Hartley.

Motion by J. Hartley and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there is one (1) vacancy on the Mason County EDC Board with a term expiring on December 31, 2022; and

WHEREAS, members of the Mason County EDC Board also serve on the Mason County Brownfield Redevelopment Authority Board; and

WHEREAS, there was one (1) response to 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 to the Mason County EDC Board and the Mason County Brownfield Redevelopment Authority Board for a term ending December 31, 2028.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

Motion by J. Hartley and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners approved funds from the Equipment Replacement Fund 402 to purchase a radio for the F250 Truck; and

WHEREAS, the order for this radio was cancelled; and

WHEREAS, the Sheriff is requesting an additional \$1,027.95 from the Equipment Replacement Fund 402 to purchase a different radio; 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 an additional \$1,027.95 from the Equipment Replacement Fund 402 to purchase a radio for the F250 Truck; funds to come from the Equipment Replacement Fund 402.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

Motion by J. Hartley and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan has restructured the substance abuse coordinating agency functions around the state; and

WHEREAS, Lakeshore Regional Entity serves that role for Mason County; and

WHEREAS, an intergovernmental agreement is necessary between Lakeshore Regional Entity and Mason County.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached intergovernmental agreement between Lakeshore Regional Entity and Mason County and directs County Board Chair Andersen to sign it on their behalf.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

Motion by J. Hartley and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Public Safety and Courts Committee is recommending approval of the attached amendment to the Standard Operating Procedures for the Mason County Animal Control Shelter.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached amendment to the Standard Operating Procedures for the Mason County Animal Control Shelter.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

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

HONORABLE COMMISSIONERS

WHEREAS, the Board of Commissioners of the County of Mason approved the establishment of the Mason County Computer Network Advisory Board.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason appoints County Clerk Cheryl Kelly, Register of Deeds Diane Englebrecht, County Treasurer Andrew Kmetz, Sheriff Kim Cole, County Administrator Fabian Knizacky, Emergency Management Coordinator Liz Reimink, Zoning & Building Director Cayla Sanders, Airport Manager John O'Connor, Drain Commissioner Dan Rohde, and Magistrate Glenn Jackson as voting members of the Mason County Computer Network Advisory Board for terms expiring on December 31, 2024.

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, 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 2023-2027; 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 2023-2027 and further directs County Administrator Fabian Knizacky and Airport Manager John O'Connor to present the plan to the Michigan Office of Aeronautics.

Moved for your approval.

Motion carried. (Signed) S. Hull.

Commissioner Castonia had left the meeting at 8:07 p.m. and was not present for the reading or vote on this resolution.

8:10 p.m. Commissioner Hull called for a break in order to allow Commissioner Castonia to return to the meeting, he returned at 8:11 p.m.

Motion by Buildings, Planning, Drains, and Airport Committee Chair 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 December 13, 2022.

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

Road Patrol	\$181,950.00
Jail Operations	\$162,000.00
Landfill Post Closure	\$ 40,000.00
Employees Vacation & Sick Leave	\$ 40,000.00
Law Library	\$ 2,500.00

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, Mark Niemeyer has served the citizens of Mason County for 29 years, having been a Friend of the Court Enforcement Officer for one year before being promoted to the Friend of the Court position; and

WHEREAS, Mark has managed hundreds of difficult and complex family situations regarding custody, parenting time and child support with sound judgment and judicial perspective; and

WHEREAS, despite the serious nature of the position, Mark has always managed to maintain a sense of humor; and

WHEREAS, Mark’s expertise and insight will be missed by his colleagues, the Judges, and the community of the Courthouse; and

WHEREAS, Mark implemented many ideas that made the Friend of the Court office more efficient and cost effective; and

WHEREAS, Mark is retiring from his position as the Mason County Friend of the Court to spend more time doing things he enjoys like traveling and woodworking.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason, does hereby, acknowledge with regret Mark’s decision to retire 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 December 13, 2022 Mason County Commissioners proceedings. Moved for your approval.

Janet Andersen, Board Chair

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 December 13, 2022.

Cheryl Kelly, Mason County Clerk

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, there are two vacant positions on the Mason County Zoning Board of Appeals; and

WHEREAS, there were two (2) responses to the advertisement notice published in the Ludington Daily News and the Mason County Press from Ms. Lisa Hoffman and Mr. Jerry Jensen.

THEREFORE BE IT RESOLVED, that Ms. Lisa Hoffman be appointed to the Zoning Board of Appeals with a term ending December 31, 2024 and Mr. Jerry Jensen be appointed to the Mason County Zoning Board of Appeals for a term ending December 31, 2025.

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, the Mason County Board of Commissioners has approved 2023 appropriations for senior services; and

WHEREAS, the Finance, Personnel, and Rules Committee has negotiated the attached contract with the Scottville Senior Center for senior services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached contract with the Scottville Senior Center for senior services and directs the Board Chair to sign said contract.

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, the Western Michigan Fair Association is exploring a project to develop the Mason County Fairgrounds by adding a covered riding arena structure; and

WHEREAS, the Western Michigan Fair Association has requested assistance from the County of Mason to secure a Michigan Department of Natural Resources (MDNR) Michigan Sparks Grant for the project; and

WHEREAS, the Finance, Personnel, and Rules Committee is recommending that the County Board of Commissioners approve assisting the Western Michigan Fair Association by approving the hiring of MCSA Group, Inc. to provide the first \$5,840.00 of services outlined in the attached proposal; and

WHEREAS, the Western Michigan Fair Association has agreed to reimburse the county for the cost of these services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the hiring of MCSA Group, Inc. to provide the first \$5,840.00 of services outlined in the attached proposal.

Moved for your approval.

Motion carried. (Signed) S. Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, there is one position on the Mason County Tax Allocation Board with a term expiring on December 31, 2022; and

WHEREAS, there was one response to the advertisement notice published in the Ludington Daily News and the Mason County Press from Mr. Tom Posma.

THEREFORE BE IT RESOLVED, that Mr. Tom Posma be appointed for the one (1) position on the Mason County Tax Allocation Board with a term expiring December 31, 2023.

Moved for your approval.

Motion carried. (Signed) R. Bacon.

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

HONORABLE COMMISSIONERS

WHEREAS, it is in the best interests of the County of Mason and the Mason County District Library and the citizens they serve, that the County continue to provide accounting services for the Library.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Accounting Services Agreement with the Mason County District Library for 2023 and further directs the Board Chair to sign on behalf of the County.

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

WHEREAS, it is necessary to set a date for the annual Budget Amendment Meeting.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason establishes, December 28, 2022 at 7:00 PM as the date and the time for the annual Budget Amendment Meeting.

Moved for your approval.

Motion carried. (Signed) R. Bacon.

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

HONORABLE COMMISSIONERS

WHEREAS, Mary Sulak works for the both the Friend of the Court and the Zoning & Building Department; and

WHEREAS, Friend of the Court Henrickson has requested that Ms. Sulak be reassigned to be full time in her office; and

WHEREAS, Building & Zoning Director Sanders has requested additional hours for her office; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the Board approve this request and authorize the Zoning Department to hire a part-time employee to replace Ms. Sulak.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves assigning Mary Sulak for 35 hours a week to the Friend of the Court office, effective on the date that the new zoning employee starts; and

BE IT FURTHER RESOLVED, that Building and Zoning Director Sanders is authorized to hire a part-time employee for 25 hours a week at a wage and fringe benefits consistent with the adopted salary schedule for a part-time clerical position and the employee handbook; funds to come from contingency.

Moved for your approval.

Commissioner Krieger requested clarification with regards to the hours associated with this position and was informed that the full time employee of the County, whose position is currently split between both the Friend of the Court and Zoning, is now being asked to work full time in the Friend of the Court office. Thus

leaving an open position in the Building/Zoning office of 15 hours, with which the Finance, Personnel and Rules Committee have decided via this resolution to increase to 25 hours per week with applicable retirement benefits. This would result in a 25 hour per week increase in the County’s final 2023 budget.

It was further noted that the funding for the increase of hours for both the Friend of the Court office and the Zoning/Building office would be coming from the 2023 contingency leaving a balance for 2023 of \$50,000.00 in contingency for the full year.

Motion carried. (Signed) R. Bacon.

Motion by R. Bacon and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, there are four (4) positions on the Mason County Construction Code Board of Appeals with terms expiring on December 31, 2022; and

WHEREAS, there was one (1) response, to the advertisement notice that was published in the Ludington Daily News and the Mason County Press from Mr. Wallace Cain.

THEREFORE BE IT RESOLVED, that Mr. Wallace Cain be appointed for one (1) of the four (4) positions on the Mason County Construction Code Board of Appeals with term to expire on December 31, 2025.

Moved for your approval.

Motion carried. (Signed) R. Bacon.

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners has approved 2023 appropriations for senior services; and

WHEREAS, the Finance, Personnel, and Rules Committee has negotiated the attached contract with the Tallman Lake Senior Center for senior services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached contract with the Tallman Lake Senior Center for senior services and directs the Board Chair to sign said contract.

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

WHEREAS, the County’s excess reinsurance contract for its Worker’s Compensation program expires December 31, 2022; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending the approval of Midwest Employers Casualty Company’s two year quote of \$65,697.00 a year with a specific retention of \$650,000 for law enforcement and \$450,000 for all other employee classifications.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the two year contract with Midwest Employers Casualty Company beginning January 1, 2023 and further directs the County Chair to sign said contract.

Moved for your approval.

Motion carried. (Signed) R. Bacon.

Motion by Board Chair J. Andersen 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

November 10, 2022 totaling \$211,459.88; and
November 24, 2022 totaling \$685,030.42; 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, J. Andersen, S. Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, Tom Posma has served the citizens of Mason County for over 28 years with the Mason County Sheriff’s Office; and

WHEREAS, Tom started his career as a Road Patrol Deputy and achieved the rank of Detective Sergeant; and

WHEREAS, Tom has been honored with numerous Commendations and Citations and has directed many investigations that have concluded with several arrests and successful convictions; and

WHEREAS, Tom received a Distinguished Service Award in 2016 for leadership and overseeing the investigation and successful conviction in the death of “Baby Kate”; and

WHEREAS, Tom received recognition through the Ludington Rotary Club as Mason County Deputy of the Year in 2017; and

WHEREAS, Tom was also the recipient of the Michigan Sheriff’s Association Presidential Citation and Medal for lifelong commitment to public safety in 2022; and

WHEREAS, Tom has also been the Commander of the Sheriff’s Emergency Response Team (S.E.R.T) for several years; and

WHEREAS, Tom is retiring from his position with the Mason County Sheriff’s Office to spend more time with his family and his passions of fishing and hunting.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason, does hereby, acknowledge with regret Tom’s decision to retire 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 December 13, 2022 Mason County Commissioners proceedings. Moved for your approval.

Janet Andersen, Board Chair

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 December 13, 2022.

Cheryl Kelly, Mason County Clerk

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Commissioner Hartley noted that Tom Posma had been his partner for six years, had been a member of the tactical team for 24 years, and that it was a privilege to serve as his supervisor when he was Undersheriff. His service to the Community, especially the Baby Kate case, will not be forgotten.

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

HONORABLE COMMISSIONERS

WHEREAS, there is one (1) position on the Mason County Road Commission Board with a term expiring on December 31, 2022; and

WHEREAS, there was one response to the advertisement notice that was published in the Ludington Daily News and the Mason County Press from Ms. Deb Del Zoppo.

THEREFORE BE IT RESOLVED, that Ms. Deb Del Zoppo be appointed to the one (1) position on the Mason County Road Commission Board for a term ending December 31, 2028.

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Commissioner Krieger wished to disclose prior to the vote that he is the Attorney for Free Soil Township and that he did not charge the Township for his services with regards to this contract; and not having any financial stake did not feel it would be a conflict of interest if he voted.

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners has approved 2023 appropriations for senior services; and

WHEREAS, the Finance, Personnel, and Rules Committee has negotiated the attached contract with the Free Soil Area Senior Center, Inc. for senior services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached contract with the Free Soil Area Senior Center, Inc. for senior services and directs the Board Chair to sign said contract.

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Motion by Board Chair J. Andersen and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Free Soil Township Board of Election Commissioners (“Township Election Commission”) is charged with the possession and control of voting equipment owned and used by the township under the provisions of the Michigan Election Law, 1954 P.A. 116, MCL 168.1 *et seq.*; and

WHEREAS, the Township Election Commission does not have adequate storage space for all of its electronic voting equipment and has asked the County Clerk to store some equipment on its behalf; and

WHEREAS, Mason County Clerk Kelly has offered to store these items for the Township Election Commission and is willing to hold the equipment in safekeeping in a locked, secure area; and

WHEREAS, it is in the best interests of the people of Mason County for the County Clerk to store this electronic voting equipment in a safe, secure facility where it will be protected from damage and available for the statutorily required public tests; now

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Agreement to Store Voting Equipment between the County of Mason and the Township Election Commission and directs the Mason County Clerk and Chairperson of the Mason County Board of Commissioners to sign said agreement on its behalf.

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, Mason County has received grant funding under the American Rescue Plan Act; and

WHEREAS, one of the approved uses of these funds is the replacement of lost revenues and payroll costs.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves using their American Rescue Plan Act funds as lost revenue and using payroll costs as eligible expenses for audit purposes.

Moved for your approval.

Roll Call vote was taken for the ARPA funds:

AYES: Bacon, Krieger, Castonia, Hartley, Hull, Andersen.

NAYES: None.

ABSENT: Squires.

Motion carried. (Signed) J. Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County supports the submission of an application titled, “Mason County Fairgrounds Arena Building” to the Spark grant program for the development of a covered horse arena at the Mason County Fairgrounds; and

WHEREAS, Mason County is hereby making a financial commitment to the project in the amount of \$1,045,300.00 matching funds, in cash and/or force account.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Mason hereby authorizes submission of a Spark Application for \$1,000,000.00, and further resolves to make available its financial obligation amount of \$1,045,300.00 (51.1%) of a total \$2,045,300.00 project cost, during the 2022-2023 fiscal year.

Commissioner Bacon requested clarity on this resolution prior to the vote and was informed by Administrator Knizacky that this was a new grant that the State of Michigan announced last month with \$65 million in funding which will be available in January and the Board wanted to apply for it.

AYES: Krieger, Castonia, Hartley, Hull, Bacon, Andersen.

NAYES: None.

ABSENT: Squires.

MOTION APPROVED.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by the Mason County Board of Commissioners at their regular meeting held on December 13, 2022, at 9:00 a.m. in Ludington, Michigan, with a quorum present.

Dated: _____

Clerk Cheryl Kelly

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Motion by Board Chair J. Andersen and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Michigan Municipal Risk Management Authority provides liability, vehicle physical damage, property and crime insurance coverage to the County of Mason; and

WHEREAS, the County’s agreement with the Michigan Municipal Risk Management Authority expires on January 1, 2023; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending approval of extending the agreement with the Michigan Municipal Risk Management Authority.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves extending the agreement with the Michigan Municipal Risk Management Authority and further directs the County Administrator to sign said agreement.

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Motion by Board Chair J. Andersen and seconded by R. Bacon to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the Board of Commissioners made the decision to eliminate two custodial positions in the Maintenance Department and to use contracting to offset some of the workload; and

WHEREAS, maintenance services is one area where contracting can be effectively used.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached agreements from Cummins Inc. to provide planned equipment maintenance services for the generator at the Mason County Courthouse, the generator at the Health Department, and the Cell Radio Tower and directs the Board Chair to sign said agreements.

Moved for your approval.

Motion carried. (Signed) J. Andersen.

Treasurer Kmetz had emailed the report and will answer any questions. He thanked the Board for their support on the Foreclosure Tax issue.

Clerk Kelly had emailed the Clerk’s report and will answer any questions. She noted that with the passing of Proposal 22-2 there are currently a lot of unknowns to the nine-days of early voting and the impact this will have on Elections in the future. The financial impact was of concern and brought to the attention of the Board due to the 2023 Budget already being approved prior to the passing of this State proposal.

Commissioner Krieger wished to note that in his review of the language of proposal 22-2 the State was to appropriate funding for any needs and that he felt that the comments of the Clerk were Republican slanted.

Administrator Knizacky did not have a report and wished everyone a Merry Christmas.

There was no public comment:

Any other unfinished business:

- 1) Organizational meeting was scheduled for January 10, 2023. Commissioners were instructed to get Senior Services job position expectations to the Administrator as soon as possible.
- 2) Chair Andersen noted that there has been a great deal of discussion regarding the broad band project. Decisions need to be made on how to proceed. Motion by N. Krieger and seconded by J. Hartley to place the broad band initiative on the agenda of the Building, Planning, Drains, and Airport meeting to develop final wishes of the Board. Motion carried.
- 3) Recommendation was also made to have Administrator Knizacky circulate an email to County staff related to the FCC Maps regarding broad band.

In closing, Chair Andersen noted that the County has lots to be thankful for, dedicated Elected Officials, Department Heads, and Employees. A big project for next year will be to find a suitable candidate to fill the Administrators position.

Commissioner Castonia wished to acknowledge that Commissioner Steve Hull was recognized and inducted into the Mason County Sports Hall of Fame.

With no other business the meeting was adjourned at 8:55 P.M.

CHERYL KELLY, COUNTY CLERK

JANET S. ANDERSEN, BOARD CHAIR