

The regular meeting of the Mason County Board of Commissioners was held at 7:00 p.m. at the Mason County Airport terminal conference room 5300 W. US 10 Ludington, Michigan.

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 N. Krieger and followed by the pledge of allegiance to the American flag.

Approval of the agenda. Motion by R. Bacon and seconded by S. Hull. Motion carried.

Motion by N. Krieger and seconded by R. Bacon to approve the meeting minutes from July 11, 2023, the July 25, 2023 Work Session and the August 4, 2023 Special Meeting. Motion carried.

No correspondence was read.

Public comment:

Sheriff Cole was present on behalf of the Children's Advocate Center (CAC), noting he currently serves on their board. He provided updates of cases involving Mason County child abuse noting that in 2022 there were only six referrals to the CAC. In 2023 there have been 20 referrals.

Animal Control Officer Sarah Colbrook presented the 2022 Animal Control Report. Compliments were received from Commissioners Hartley and Andersen regarding her work.

Mike Ingison, Chair of the Mason County Road Commission Board presented the 2022 Road Commission Report. Highlights included the current brine issues, dead deer issues, completion of Jebavy drive and multiple bridge projects, and the retirement of Director Mary Samuels.

Megan McCarthy, Director Lakeshore Children's Advocacy Center, reviewed the information she presented in the Commissioner's packet. She stated that child abuse numbers were up in Mason County from 20 in 2022 to 64 already in 2023. She also noted the State allocation funding was dropped and the CAC is reaching out to local units of government for funding. Substance abuse issues, marijuana and/or opioid abuse, along with human trafficking were cited as problems for the increase in child abuse.

Motion by N. Krieger and seconded by L. Squires to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, the County of Mason hired Prein & Newhof to provide descriptions for parcels that we are seeking a federal release at the Mason County Airport; and

WHEREAS, Prein & Newhof has inquired if the County wants a sixty-six (66) foot right-of-way or an eighty (80) foot right-of-way included in the description; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending an eighty (80) foot right-of-way.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves an eighty (80) foot right-of-way on Property Numbers 53-001-018-054-00 and 53-001-018-055-00.

Moved for your approval.

Motion carried. (Signed) N. Krieger.

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

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole and the Public Safety and Courts Committee is recommending approval of the purchase of the attached boat.

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

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the sale of two motors from the old boat.

Moved for your approval.

Motion carried. (Signed) G. Castonia.

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Board of Commissioners and West Shore Educational Service District have agreed to fund a School Resource Officer; and

WHEREAS, the Public Safety & Courts Committee is recommending approving the attached agreement with West Shore Educational Service District related to services that this officer will be providing to the district.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached agreement with West Shore Educational Service District and authorizes Board Chair Andersen and Sheriff Cole to sign it on behalf of the County.

Moved for your approval.

Motion carried. (Signed) G. Castonia.

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

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole is requesting authorization to purchase a vehicle, up-fitting, graphics, radio, and a taser 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 a vehicle, up-fitting, graphics, radio, and a taser; funds to come from the Equipment Replacement Fund 402.

Moved for your approval.

Motion carried. (Signed) J. Hartley.

Motion by L. Squires and seconded by G. Castonia to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Sheriff Cole has requested the purchase of a computer for the Sheriff's Office; and

WHEREAS, the Public Safety and Courts Committee is recommending the purchase of the computer out of funds in the Equipment Replacement Fund.

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

Moved for your approval.

Motion carried. (Signed) L. Squires.

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

HONORABLE COMMISSIONERS

WHEREAS, Treasurer Kmetz is requesting authorization to purchase a scanner and monitor from the Equipment Replacement Fund and the Delinquent Tax Revolving Fund; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending the approval of this purchase from the Equipment Replacement Fund and the Delinquent Tax Revolving Fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of a scanner and monitor for the Treasurer's office, funds to come from the Equipment Replacement Fund and the Delinquent Tax Revolving Fund.

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 County of Mason participates in the Municipal Employees' Retirement System (MERS); and

WHEREAS, Act 427, Public Act of 1984, as amended, provides for the purchase of additional credited service by employees of governments participating in MERS; and

WHEREAS, Mason County employee Angela Hunter has requested permission to purchase of 4 years and 1 month of additional credited service and has agreed to pay both the member and employer cost related to this purchase of additional credited service.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the purchase of 4 years and 1 month of additional credited service by Mason County employee Angela Hunter and further directs Board Chair Janet Andersen to sign the appropriate paper work upon payment of all related costs.

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

The Finance, Personnel, and Rules Committee has audited the County’s claims dated
 July 06, 2023 totaling \$348,577.49; and
 July 20, 2023 totaling \$672,390.72; 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) S. Hull, R. Bacon & J. Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS, the 2022 Audit Report has been presented.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the receipt of the 2022 Audit Report.

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, Tri State Removals, LLC has been providing transportation of the deceased since 2017 without an increase in rates; and

WHEREAS, they are requesting the attached increase in their transportation rates; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending approval of the attached changes to the schedule of rates for transportation services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached changes to the schedule of rates for transportation services.

Moved for your approval. Question was asked regarding if this is to transport individuals to Kalamazoo, which was confirmed.

Motion carried. (Signed) R. Bacon.

Motion by R. Bacon and seconded by L. Squires 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 2023 General Fund and Special Revenue Funds budget amendments as recommended by the Finance, Personnel, & Rules Committee.

Moved for your approval.

Motion carried. (Signed) R. Bacon.

County of Mason							
2023 Budget Amendments							
General Fund Expenditures - Page 1 of 3							
				Current		Amended	
Description				Budget	Increase	Decrease	Budget
Board of Commissioners							
Contracted Services				1,000	12,000		13,000
Juvenile Court							
Conference Fees				200		(75)	125
Translation Services				200	75		275
Tax Allocation Board							
Social Security				100		(25)	75

Mileage reimbursement			75	25		100
<u>Clerk</u>						
Health Insurance Waiver			-	8,075		8,075
Health Insurance			-		(8,350)	(8,350)
Printing & Publishing			950	275		1,225
<u>Remonumentation Board</u>						
Postage			-	25	-	25
<u>Treasurer</u>						
Conference fees			350	50		400
Miscellaneous			100		(50)	50
<u>Equalization</u>						
Salaries & Wages: Full Time			151,800		(1,375)	150,425
Memberships & Subscriptions			1,275	1,375		2,650
<u>Maintenance</u>						
Health Insurance			24,400		(1,825)	22,575
Utilities			125	1,825		1,950
<u>Register of Deeds</u>						
Mileage Reimbursement			200	25		225
Office Equipment Repair & Maintenance			200		(25)	175
<u>Maintenance - Courthouse</u>						
Other Supplies			475		(50)	425
Grounds Maintenance			600	50		650
<u>Circuit Court</u>						
Appellate Attorney			5,000	5,000		10,000
Contracted Services			-	6,000		6,000

County of Mason						
2023 Budget Amendments						
General Fund Expenditures - Page 2 of 3						
			Current			Amended
<u>Description</u>			<u>Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Budget</u>
<u>Probate Court</u>						
Books & Educational Materials			300	400		700
Gasoline & Oil			1,000	1,400		2,400
Visiting Judge or Court Reporter			1,000	2,250		3,250
Printing & Publishing			500	250		750
<u>Jury Commission</u>						
Salaries & Wages - Part Time			4,500		(500)	4,000
Postage			7,500	500		8,000
<u>Courthouse Security</u>						
Shift Differential			-	50		50
Employee Physicals			1,750		(50)	1,700

Housing PILT: Glendale Apartments		1,575		(1,475)	100
Housing PILT: 200 W. Loomis		250	25		275
Housing PILT: 225 W. Ludington Avenue		200	100		300
PILT - Personal Property Tax Loss		411,000	75,150		486,150
Payment in Lieu of Taxes		127,625	7,900		135,525
Trailer Taxes: Ludington Mobile Home Park		-	175		175
Property Tax Administration Fees		10,000	1,550		11,550
Kennel Licenses		275	25		300
Other Federal Grants		-	3,400		3,400
Candidate Filing Fees		-	200		200
Recording Fees		160,000		(20,000)	140,000
Statutory Handling Fees		675	2,950		3,625
Reimbursements: Juror Fee Compensation		2,350	3,225		5,575
Reimbursements: County Services Brownfield		2,300	25		2,325
Juvenile Court 25% Collection Fee		800		(450)	350
Refunds & Rebates		-	300		300
			95,925	(21,925)	
	Net increase (decrease)	74,000			
					-

County of Mason						
2023 Budget Amendments						
Special Revenue Fund Types Expenditures - Page 1 of 2						
				Current		Amended
<u>Description</u>				<u>Budget</u>	<u>Increase</u>	<u>Decrease</u>
<u>Sheriff Road Patrol</u>						
<u>Road Patrol & Detectives</u>						
Other Supplies				1,100	8,000	9,100
Postage				-	725	725
Memberships & Subscriptions				850	4,950	5,800
Office Equipment Repair & Maintenance				3,700	1,850	5,550
Equipment Replacement				15,050	7,300	22,350
<u>Secondary Road Patrol</u>						
Shift Differential				50	200	250
Overtime				4,375	5,425	9,800
<u>Marine Law Enforcement</u>						
Salaries & Wages: Part Time				39,200		(3,300)
Overtime				1,975	3,300	5,275
<u>Senior Citizen Programs</u>						
<u>Council on Aging</u>						
Salaries & Wages: Part Time				23,950		(1,775)
Per Diem				-	550	550
Mileage Reimbursement				-	650	650
Printing & Publishing				-	575	575
<u>Junk Ordinance Administration</u>						
Legal Services				7,525		(250)

Property & Liability Insurance Premiums	1,775	250		2,025
<u>Brownfield Redevelopment Authority</u>				
<u>Brownfield Redevelopment Authority</u>				
Legal Services	500		(400)	100
Miscellaneous	100	400		500
<u>Bryant Woods Brownfield TIFD</u>				
Brownfield Redevelopment Reimbursement	54,300	307,000		361,300
<u>Building Inspection</u>				
Software Technical Support	3,300	250		3,550
Building Official Services	-	5,000		5,000
Plan Review Fees: Building Permits	4,700	12,300		17,000
Plan Review Fees: Electrical Permits	3,825	4,800		8,625
Plan Review Fees: Mechanical Permits	4,675	6,550		11,225
Refunds & Rebates	775	1,600		2,375
<u>Register of Deeds Automation</u>				
Software Technical Support	23,000		(325)	22,675
Computer & Printer Hardware	-	325		325

County of Mason						
2023 Budget Amendments						
Special Revenue Fund Types Expenditures - Page 2 of 2						
				Current		Amended
Description				Budget	Increase	Decrease
<u>Concealed Pistol Licensing Fund</u>						
Salaries & Wages: Full Time				6,825		(875)
Legal Services				-	875	
<u>Jail Operations</u>						
Other Supplies				5,700	8,000	
Uniforms & Accessories				13,500	1,500	
Conference Fees				2,000	1,200	
Employee Physicals				1,200	200	
Building Repairs & Maintenance				13,650	3,700	
Property & Liability Claims				-	70,000	
Office Equipment Repair & Maintenance				1,000	2,500	
Leases				3,600		(3,100)
<u>Emergency Management Grants</u>						
<u>2020 Homeland Security Grant</u>						
Miscellaneous				-	50	
Mileage Reimbursement				-	450	
<u>2021 Homeland Security Grant</u>						
Mileage Reimbursement				1,500		(500)
<u>Probate Child Care</u>						
Gasoline & Oil				100	17,900	
Network O&M Assessments				1,850	100	
Detention & Non-Secure: Non-scheduled				1,000	175	
<u>Child Care - Social Services</u>						
Institutional Care: Private				82,000		(25,900)
DHS Court State Ward Chargeback				17,100	25,900	

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

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, & Rules Committee has reviewed the transfers for August 15, 2023.

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

Road Patrol	\$187,100.00
Jail Operations	\$168,250.00
Equipment Replacement	\$221,775.00
Airport Operations	\$ 44,800.00

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, the Mason County Board of Commissioners approved the creation of the Mason County Land Bank Authority Board; and

WHEREAS, the Mason County Treasurer Kmetz advertised for applicants to be considered for appointment to the Board; and

WHEREAS, there were eleven (11) responses to the advertisement notice from Ms. Janet Andersen, Mayor Mark Barnett, Ms. Rita Copenhaver, Mr. Rick Deering, Ms. Jamie Healy, Mr. Fabian Knizacky, Mr. Jim Riffle, Ms. Monica Schuyler, Ms. Cynthia Tanner, Councilor John Terzano, and Mr. Steve Winczewski; and

WHEREAS, Treasurer Kmetz is recommending the appointment of Ms. Janet Andersen, Mayor Mark Barnett, Mr. Fabian Knizacky and Mr. Jim Riffle.

THEREFORE BE IT RESOLVED, that Ms. Janet Andersen, Mayor Mark Barnett, Ms. Rita Copenhaver, Mr. Rick Deering, Ms. Jamie Healy, Mr. Fabian Knizacky, Mr. Jim Riffle, Ms. Monica Schuyler, Ms. Cynthia Tanner, Councilor John Terzano, and Mr. Steve Winczewski be considered for appointment to the Mason County Land Bank Authority Board.

Moved for your approval.

Roll Call Vote was taken with a calculation error, but when completed, results confirmed the initial roll call vote with the following candidates appointed: Andersen, Barnett, Knizacky, Riffle.

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 Mason County Board of Commissioners created the position of Senior Services Coordinator; and

WHEREAS, Mason County received three applications for this position; and

WHEREAS, the Finance, Personnel, & Rules Committee interviewed the applicants and is recommending that Susan Evans be hired to fill this position.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the hiring of Susan Evans as the Mason County Senior Services Coordinator.

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:

Motion was made by N. Krieger and seconded by S. Hull to waive the reading of this resolution. Moved for your approval.

Motion carried. (Signed) J. Andersen.

HONORABLE COMMISSIONERS

WHEREAS, the County of Mason filed a lawsuit to address the public nuisance that is the Opioid Epidemic, which named, among other companies, Walgreens Co. (“Walgreens”);

AND WHEREAS Walgreens has negotiated a proposed national settlement agreement (“Proposed Settlement”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to County of Mason’s lawsuit;

AND WHEREAS the Proposed Settlement contains significant equitable and monetary relief, including an agreement to pay up to \$175.2 million for Michigan governments over the next 15 years;

AND WHEREAS the County of Mason previously executed Participation Agreements for the Distributor and Janssen Settlements, as well as the Teva, Allergan, CVS, and Walmart Settlements, which have conferred and continue to confer valuable benefits;

AND WHEREAS the Proposed Settlement contains a “default” allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlement enables the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above;

AND WHEREAS the County of Mason desires to enter into an alternative allocation method which allocates settlement funds (excluding the additional settlement secured by and on behalf of the State of Michigan) on a 50/50 basis to:

1. Participating Local Governments who have elected to participate in the Proposed Settlement; and
2. the State of Michigan.

AND WHEREAS the County of Mason previously executed the Michigan State-Subdivision Agreement for Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, which allocated funds attributed to the State of Michigan in a streamlined and equitable manner;

NOW THEREFORE, the Board of Commissioners of the County of Mason authorizes the execution of a Participation Agreement for the Master Settlement Agreement with Walgreens, which is available at <https://nationalopioidsettlement.com/>. A specimen copy of the material terms of the participation agreement is attached as Exhibit A to this resolution.

The Board of Commissioners of the County of Mason also authorizes the execution of an addendum to the Michigan State-Subdivision Agreement For Allocation of Allergan, Teva, CVS, and Walmart Settlement Agreements so as to add the Walgreens Settlement and distribute the funds derived therefrom in the same manner as the other settlements identified in that Agreement. The Board of Commissioners of the County of Mason also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

The Board of Commissioners of the County of Mason also authorizes the execution of an addendum to the Michigan State-Subdivision Agreement For Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement to correct a minor mathematical error in the allocations specified therein.

Moved for your approval.

Roll Call: Ayes: Hartley, Squires, Hull, Bacon, Krieger, Castonia, Hartley, Andersen.

Nays: None.

Absent: None.

Motion carried. (Signed) J. Andersen.

Chair Andersen noted that both the Treasurer and Clerk’s reports were emailed earlier for their review.

Treasurer Kmetz thanked the board for the purchase of the equipment out of the Equipment Replacement Fund and thanked the board for the thoughtful discussion regarding the Land Bank, noting several good candidates had applied.

Clerk Kelly reported that 4 p.m. today was the deadline for submission of proposals for the November Election. Voters will see proposals from Ludington Area School District and Mason County Central Schools; along with candidate races in the City of Scottville and a recall election for Pere Marquette Charter Township.

The new Apex On-Line Ordering has been going great, with increasing requests for records coming daily. She again thanked the Board for this system to assist residents.

Administrator Knizacky noted that his office is currently working on the five-year capital improvement plan. He thanked the Board for their vote of confidence with the appointment to the new Land Bank Board.

Public comment: None

Other business: Chair Andersen encouraged Board members to read the housing study that was sent as it provided a lot of information and could be something to consider.

She additionally thanked the Board for their vote of confidence in appointing her to the Land Bank Board.

With no other business the meeting was adjourned at 8:04 p.m.

August 15, 2023

CHERYL KELLY, COUNTY CLERK

JANET S. ANDERSEN, BOARD CHAIR