

The regular meeting of the Mason County Board of Commissioners was held at 9:00 a.m. in the Mason County Airport Conference Room.

The meeting was called to order by Chair Andersen

Roll call was taken. Present: Krieger, Johnson, Hartley, Squires, Hull, Andersen, Bacon.
Absent: NONE

Invocation was given by Bacon. Pledge of Allegiance to the flag of the United States of America followed.

Motion by Hull and seconded by Bacon to approve the agenda with the addition of the closed session minutes. Motion carried.

Motion by Squires and seconded by Hull to approve the minutes of the October 10, 2023 Regular Meeting, the October 24, 2023 Special Meeting, and the October 24, 2023 Closed Meeting minutes. Motion carried.

Correspondence: Chair Andersen read a letter of resignation from Joyce deJong from Western Michigan University Homer Stryker M.D. School of Medicine (WMed).

Public Comment: Aldon Maleckas, Custer Township, handed out paperwork for the Board regarding solar wind farms and expressed his concerns should this be allowed in Mason County. He also voiced his concerns regarding the Pledge of Allegiance.

Reports: Dan Rohde, Mason County Drain Commissioner, reviewed in detail the 2023 Special Assessment Levy and Annual Reports.

Dani McGarry, Director, Mason-Lake Conservation District reviewed the Conservation Districts 2023 Fiscal Year Summary Report in detail. In addition, she introduced Bri Jaskinski, Hemlock Project Manager, who reviewed the status of the Hemlock Woolly Adelgid that is impacting areas of Mason County. Commissioners addressed questions and thanked Ms. McGarry regarding the programs the Conservation District is offering.

Erin Kuhn, Western Michigan Shoreline Regional Development Commission Executive Director, provided an update for the 2023 Calendar year.

Before moving into the Committee reports, Chair Andersen welcomed newly appointed District #2 Commissioner Les Johnson.

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

HONORABLE COMMISSIONERS

WHEREAS, the Western Michigan Fair Association is seeking authorization to dispose of the Quonset hut at the Mason County Fairgrounds; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending board approval of this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason authorizes the Western Michigan Fair Association to dispose of the Quonset hut at the Mason County Fairgrounds.

Moved for your approval.

Motion carried. (Signed) Krieger.

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

HONORABLE COMMISSIONERS

WHEREAS; Section 17.70 Subsection 16.a.i. of the Mason County Zoning Ordinance requires a performance bond or letter of credit in an amount determined by the Planning Commission to be sufficient to cover the entire cost of removal of an abandoned wind energy system; and

WHEREAS; the Mason County Planning Commission & Zoning & Building Director Sanders are recommending a \$14,587,579.00 performance guarantee for the Lake Winds Energy Park Project; and

WHEREAS; the Buildings, Planning, Drains, and Airport Committee is recommending approval of this performance guarantee.

THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Mason approves a \$14,587,579.00 performance guarantee for the Lake Winds Energy Park Project.

Moved for your approval.

Motion carried. (Signed) Krieger.

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

HONORABLE COMMISSIONERS

WHEREAS, the Federal Aviation Administration (FAA) requires Airports receiving federal funding to periodically undergo an airport consultant procurement process; and

WHEREAS, the Michigan Office of Aeronautics has advised the County of the need to perform this process; and

WHEREAS, the Board of Commissioners of the County of Mason established the Airport Consultant Selection Committee to advertise for and interview candidates before making a recommendation to the full Board; and

WHEREAS, Prein&Newhof was the only candidate to submit a proposal and the County has been satisfied with their performance.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the selection of Prein&Newhof as airport consultant.

Moved for your approval.

Motion carried. (Signed) Krieger.

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

HONORABLE COMMISSIONERS

WHEREAS, the Cooper’s Lawn Care has agreed to provide sidewalk snow removal services for the 2023/24 winter season; and

WHEREAS, the County has been satisfied with the services provided by Cooper’s Lawn Care; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee recommends the attached proposal with Cooper’s Lawn Care for one year.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the proposal with Cooper’s Lawn Care for one year to provide sidewalk snow removal services.

Moved for your approval.

Motion carried. (Signed) Krieger.

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

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan and the County of Mason have historically worked together to provide for Emergency Management Programs.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves an amendment to the Emergency Management Performance Grant (EMPG) Agreement for FY 2021 between the State of Michigan and the County of Mason for the performance period of October 1, 2022 to September 30, 2023 and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) Hartley.

Motion by Squires and seconded by Hull to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Prosecuting Attorney Kreinbrink is recommending the approval of a Crime Victim Rights Funding Agreement with the Michigan Department of Health and Human Services.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached agreement between the Michigan Department of Health and Human Services and the County of Mason and the Prosecutor and authorizes the Prosecutor to sign it on its behalf.

Moved for your approval.

Motion carried. (Signed) Squires.

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

HONORABLE COMMISSIONERS

WHEREAS, the State of Michigan and the County of Mason have historically worked together to provide for Emergency Management Programs.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the Emergency Management Performance Grant (EMPG) Agreement for FY 2023 between the State of Michigan and the County of Mason for the fiscal year of October 1, 2022 to September 30, 2023 and further directs the County Chair to sign said agreement.

Moved for your approval.

Motion carried. (Signed) Squires.

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

HONORABLE COMMISSIONERS

The Finance, Personnel, and Rules Committee has audited the County’s claims dated

October 12, 2023 totaling \$520,511.54; and
October 26, 2023 totaling \$616,315.99; 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) Andersen, Bacon, Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, Michigan State University Extension has proposed the attached Agreement for Extension Services to facilitate the staffing and services of the extension office in the County of Mason; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending that the Board approve it.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Agreement for Extension Services to facilitate the staffing and services of the extension office in the County of Mason and further directs the Board Chair to sign said agreement on its behalf.

Moved for your approval.

Motion carried. (Signed) Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, cybercrime is increasing dramatically throughout the world; and

WHEREAS, training is one way of reducing the possibility of our computer network being compromised; and

WHEREAS, the Mason County Computer Network Advisory Board has developed the attached amendment to the Mason County Use of Internet and Online Services Policy to address training; and

WHEREAS, the Finance, Personnel, and Rules Committee is recommending approval of this policy.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached amendment to the Mason County Use of Internet and Online Services Policy.

Moved for your approval.

Motion carried. (Signed) Hull.

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

HONORABLE COMMISSIONERS

WHEREAS; Section 17.70 Subsection 16.a.i. of the Mason County Zoning Ordinance requires a performance bond or letter of credit in an amount determined by the Planning Commission to be sufficient to cover the entire cost of removal of an abandoned wind energy system; and

WHEREAS; the Mason County Planning Commission & Zoning & Building Director Sanders are recommending a \$670,692.00 performance guarantee for the sub-station related to the Lake Winds Energy Park Project; and

WHEREAS; the Buildings, Planning, Drains, and Airport Committee is recommending approval of this performance guarantee.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves a \$670,692.00 performance guarantee for the sub-station for the Lake Winds Energy Park Project.

Moved for your approval.

Motion carried. (Signed) Hull.

Motion by Buildings, Planning, Drains, and Airport Committee Chair Hull and seconded by Squires to approve the following resolution:

HONORABLE COMMISSIONERS

WHEREAS, Mason County Clerk Kelly is seeking authorization to dispose of the attached surplus election boxes; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending board approval of this request.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason authorizes Mason County Clerk Kelly to dispose of the attached surplus election boxes.

Moved for your approval.

Motion carried. (Signed) Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, the Planning Commission is recommending the following amendment to the Mason County Zoning Map:

The following parcel of land currently zoned Single Family Residential (R), be changed to Agricultural (A):

1621 E. US 10, Custer Township, parcel 003-016-018-01

WHEREAS, the Buildings, Planning, Drains, & Airport Committee is recommending the approval of this proposed amendment.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves this amendment to the Mason County Zoning Map.

Moved for your approval.

Questions arose regarding whether or not this was considered spot zoning and if the landowner declared how the land was to be used, which it was noted it was to be used for agriculture purposes.

Roll call vote was requested by Commissioner Squires.

AYES: Johnson, Hartley, Squires, Hull, Bacon, Andersen

NAYS: Krieger

Motion carried. (Signed) Hull.

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

HONORABLE COMMISSIONERS

WHEREAS, Mason County Sheriff Cole has received authorization to buy a boat to replace the damaged Boston Whaler; and

WHEREAS, the Finance, Personnel, & Rules Committee is recommending selling the Boston Whaler and related motors.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason authorizes Mason County Administrator Knizacky to dispose of the Boston Whaler and related motors.

Moved for your approval.

Questions were asked regarding insurance coverage through MMRMA and Commissioners were informed this was not covered under the insurance.

Motion carried. (Signed) Bacon.

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

HONORABLE COMMISSIONERS

WHEREAS, in the early 1990's, a Citizen's Advisory Committee was appointed by the Board of Commissioners of the County of Mason to examine the County's financial situation and to make recommendations for improving it; and

WHEREAS, one of the recommendations made was that the County Board of Commissioners should evaluate fees and charges controlled by the County Board of Commissioners at least annually and adjust them as needed; and

WHEREAS, the Finance, Personnel, & Rules Committee has evaluated the Clerk's Fees and is recommending the attached fee schedule for emailed copies.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached fee schedule for emailed copies; effective November 15, 2023.

Moved for your adoption.

Commissioner Krieger inquired what the copies were and was informed by Clerk Kelly that these documents were generally court related documents, not vital records.

Motion carried. (Signed) Bacon.

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

HONORABLE COMMISSIONERS

WHEREAS, the Finance, Personnel, & Rules Committee has reviewed the transfers for November 14, 2023.

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

Road Patrol	\$188,456.25
Jail Operations	\$168,250.00
Law Library	\$ 2,500.00
Airport Improvement	\$ 55,000.00
Airport Operations	\$ 44,800.00

Moved for your approval.

Motion carried. (Signed) Bacon.

Chair Andersen reported that on Saturday-Commissioners Hull, Bacon, Krieger, Johnson, and Andersen, along with Township Supervisors went on a tour hosted by the Mason County Road Commission to view all of the road projects they had been working on.

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

HONORABLE COMMISSIONERS

WHEREAS, the Consolidated Appropriations Act Gag Clause provision prohibits health insurance issuers and group health plans from entering into contracts that include language restricting access to healthcare provider price, quality data, deidentified claims and encounter information; and

WHEREAS, issuers and group health plans must annually attest to compliance with these requirements; and

WHEREAS, the Blue Cross and Blue Care Network has offered to submit the attestation on behalf of the County; and

WHEREAS, the Finance, Personnel, and Rules Committee is recommending approval of having the Blue Cross and Blue Care Network attest on behalf of the County.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves having the Blue Cross and Blue Care Network attest on behalf of the County and directs County Administrator Knizacky to complete the Gag Clause Attestation Questionnaire on their behalf.

Moved for your approval.

Motion carried. (Signed) Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children, and;

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent, and;

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence and child abuse, including emotional, psychological, physical, and sexual abuse, as well as childhood trauma, coercive control, and post separation abuse for judges and all professionals working on cases within the family court system, and;

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value, and;

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice), and;

NOW, THEREFORE, Mason County hereby declares the Month of NOVEMBER, to be FAMILY COURT AWARENESS MONTH; I encourage all residents to support their local communities' efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

Moved for your approval.

Motion carried. (Signed) Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS, the Mason County Drain Commissioner Dan Rohde has reviewed the 2023 Special Assessment Levy Report for the various special assessment districts for the Board.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Special Assessment Levy Report for the various special assessment districts under the jurisdiction of the Mason County Drain Commissioner and the Mason County Board of Public Works; and

BE IT FURTHER RESOLVED, that the supporting special assessment tax rolls be levied and collected on the 2023 winter tax bills as provided by Michigan law.

Moved for your approval.

Motion carried. (Signed) Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS; Section 17.70 Subsection 16.a.i. of the Mason County Zoning Ordinance requires a performance bond or letter of credit in an amount determined by the Planning Commission to be sufficient to cover the entire cost of removal of an abandoned wind energy system; and

WHEREAS; the Mason County Planning Commission & Zoning & Building Director Sanders are recommending a \$25,023.00 performance guarantee for the MET Tower related to the Lake Winds Energy Park Project; and

WHEREAS; the Buildings, Planning, Drains, and Airport Committee is recommending approval of this performance guarantee.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves a \$25,023.00 performance guarantee for the MET Tower for the Lake Winds Energy Park Project.

Moved for your approval.

Motion carried. (Signed) Andersen.

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

HONORABLE COMMISSIONERS

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

WHEREAS, snow plowing and removal are areas where contracting can be effectively utilized.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the snow plowing and removal contract with CIS for the 2023/24 winter season and directs the Board Chair to sign said contract.

Moved for your approval.

Motion carried. (Signed) Andersen.

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

HONORABLE COMMISSIONERS

WHEREAS, it is necessary to appoint John O'Connor as Airport Manager and authorize him to exercise complete authority of the Rules and Regulations pertaining to the Mason County Airport and to take such action as may be required in the interest of safety to the public and to aircraft and pilots or as authorized under the Michigan Aeronautics Code section 259.86b and c; and

WHEREAS, the Buildings, Planning, Drains, and Airport Committee is recommending the approval of the attached Aeronautical Facility and Manager License Application 2024.

THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Mason approves the attached Aeronautical Facility and Manager License Application 2024 and further directs its Chair to sign the application on its behalf.

Moved for your approval.

Motion carried. (Signed) Andersen.

Treasurer Kmetz emailed the Treasurer's report. He noted that requests for proposals has been sent for the Landbank. The Tax Foreclosure hearing had been postponed and the hearing is scheduled within the next month or so.

Clerk Kelly emailed the Clerk's report. She noted that the office is currently finishing up the November 7, 2023 Election and are already working on the upcoming February 2024 Presidential Primary. She noted that City of Ludington hosted an Early Voting Trial Site for nine days. This went well and will assist in preparing for next year. Petition packets will be available after the first of the year for those wishing to run for elected offices.

Administrator Knizacky noted that he has submitted four Risk Avoidance Grant applications to the Michigan Municipal Risk Management Authority. Three applications funded body cameras, security cameras, and bumper guards. He informed the Board of the new Materials Management Plan that the State is requiring. Surrounding regional communities met recently and a proposal is coming soon.

Motion by Krieger and seconded by Hartley to recess until 11 a.m. Motion carried.

11 a.m. Return to session.

Interviews for the County Administrator position started with Jason Schlicht from 11 until 11:45 a.m.; Timothy Dolehanty from 11:45 a.m. until 12:35 p.m.

12:39 p.m. Chair Andersen called for a break with a return to meeting at 1 p.m.

1:05 p.m. Return to session with continued interviews of Mark Justin from 1:05 p.m. until 1:50 p.m., Kaitlyn Szczypka from 1:55 p.m. until 2:40 p.m. Candidates were asked the same seventeen questions and were able to ask questions of the Board.

At 2:50 p.m. Chair Andersen requested for discussion and the Board entered into full discussion of all candidates. Commissioners inquired of the three elected officials present and of Administrator Knizacky what their thoughts were of the candidates. Further discussion ensued.

Decision was made to offer the position to Ms. Kaitlyn Szczypka, but as a Deputy Administrator with the conditions that current Administrator Knizacky would stay until February 1, 2025. If Administrator Knizacky agreed to mentor Ms. Szczypka, the following terms and conditions would need to be met in order for him to stay on as mentor:

1. He requested that with the upcoming salary schedule to offer all employees some type of raise in 2024, and that he wanted the same salary increase as the non-union employees.
2. Acknowledgement and understanding that he would work remotely as he has trips planned in 2024.
3. That the County would pledge \$5 million towards housing projects.

Administrator Knizacky wished for whomever filled the position to be successful for Mason County.

Further discussion with a show of hands regarding offering the position to any of the other candidates. No one raised a hand.

Motion was made by Squires and seconded by Johnson to offer the position to Kaitlyn Szczypka but as a Deputy Administrator, with the provisions outlined above for Administrator Knizacky, with the wages advertised starting at the low end. Roll Call vote was requested.

AYES: Johnson, Hartley, Squires, Hull, Bacon, Krieger, Andersen

NAYS: None

Motion carried. A start date was discussed as January 2, 2024.

Public comment: Bill Kerans, Scottville Senior Center Director, invited everyone to a Thanksgiving Dinner this Sunday at the Mason County Central High School from 12-2 p.m.

Gary Castonia, Ludington, previous District #2 Commissioner, thanked the Board for all the help they have given him on the Board and the comraderies. He noted that Mr. Johnson will do a great job.

Randy Belair, Ludington, noted that this has been an excellent meeting, and he wished there were more citizens in the room. He hoped that the Board would consider a hybrid process in the future.

Other business: Chair Andersen, Vice Chair Hull, and Administrator Knizacky will call and offer Ms. Szczypka the position. If she accepts, the two other Special Board Meetings will be cancelled. Should she decline, the Board will meet at 9 a.m. on November 16, 2023 to further discuss options.

Commissioners expressed their thanks and appreciation to Administrator Knizacky for what he had offered.

With no other business the meeting was adjourned at 3:47 p.m.

CHERYL KELLY, COUNTY CLERK

JANET S. ANDERSEN, BOARD CHAIR