

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, March 12, 2024
Approved Minutes 3/19/2024

Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link:
<https://www.leelanau.gov/meetingdetails.asp?MAId=2702#video>

Meeting called to order by Chairman Ty Wessell at 9:30 a.m. Today's meeting is being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan.

Pledge of Allegiance/Moment of Silence:

The Pledge of Allegiance to the Flag of the United States of America was recited, followed by a moment of silence.

<u>Roll Call:</u>	District #1	Jamie Kramer	PRESENT
	#2	James O'Rourke	PRESENT
	#3	Doug Rexroat	PRESENT
	#4	Ty Wessell	PRESENT
	#5	Kama Ross	PRESENT
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Guests present.

Approval of Agenda / Late Additions or Deletions:

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA. SECONDED BY ROSS.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner)

NO – 0

MOTION CARRIED.

Communications, Proclamations, Presentations –

Administrator Update:

► Administrator Allen stated that in regards to the Lower-Level buildout that the Benzie-Leelanau Health Department there is a final construction meeting tomorrow on the project. The furniture is scheduled to be installed at the end of this month and staff will be onsite to onboard, so they are aware of the building setup. She continued that there is a plan to have an Open House on April 9, 2024, which does coincide with the Executive Session in April.

Administrator Allen commented that in regards to Bay Area Transportation Authority (BATA) there will be closed session to discuss litigation between noon and 2 p.m. today. She reminded the Board there is a study session with the Northwest Regional Airport Authority tomorrow, which is open to the public, and is being held regarding discussion about the Airport Zoning Act. Allen said she has received a request from the Northwest Regional Airport Authority for letters of support, which she has shared with Chairman Wessell. She described that the letters are for an upcoming expansion project and they have been requested by the end of this week. Allen commented that she hopes the letters of support could be agreed by consensus to allow the Chairman of the Board to sign on behalf of the County. She stated that if any Board member

would like to see the letters of support that she does have them and said they are very benign. Allen requested that if there could be a motion of consensus that would be great.

Administrator Allen commented that Point Broadband has been sending out postcards to county residents that state the construction project will continue and that they are reinitiating the efforts in the county to finish the proposed project. She informed the Board there will be a Special Session for the Annual Statutory Equalization Hearing on April 9, 2024, immediately following the Executive Session, for the Equalization Department. She said she will be asking three Board members today for signatures so that the Special Session can take place.

Chairman Wessell clarified the letters to the Airport are related to grant requests for special infrastructure funds available from the Federal Government and they are due by the end of the week. He stated that normally the Board Chairman is unable to sign unless the Board takes action to do such. He commented there is not a meeting scheduled to approve the action for the Chairman to officially sign the letters of support, so he is looking for consensus from the Board to move forward and allow him to sign.

Commissioner consensus received for Board of Commissioners Chairman Wessell to be allowed to sign letters of support for the Northwest Regional Airport Authority on behalf of Leelanau County.

Commissioner Lautner requested that the letters and communication be forwarded to all of the Board members.

Leelanau County Road Commission Update:

Leelanau County Road Commission Manager Brendan Mullane and Chairman Robert Joyce were present and gave an update via a PowerPoint.

The PowerPoint can be viewed at the following link:

https://www.leelanau.gov/downloads/lc_road_commission_presentation_03122024.pdf

Mullane and Joyce answered Commissioner questions and Board members thanked Mullane and Joyce for the update.

Benzie-Leelanau Health Department Update:

Benzie-Leelanau District Health Department Director of Personal Health Michelle Klein, RN, MA, was present and gave an update.

The handout can be viewed at the following link: (pages 2 – 13)

https://www.leelanau.gov/downloads/03_12_1.pdf

Klein answered Commissioner questions and Board members thanked Klein for the update.

Building Safety Update:

Building Safety Building Official Amber Weber was present and gave an update. Weber answered Commissioner questions and Board members thanked Weber for the update.

Public Comment:

The following individuals spoke in person: Keith Ashley; Tim McCalley; Gary Hosking; Kathy Dawkins; Dana Getsinger; Scott Richards; Jean Peterson; Renee Wyler, and Bill Wiesner.

The written comments can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2702#handouts>

Commissioner Comments:

- Commissioner Ross stated that she volunteers for parenting communities once a month and described the experience.
- Commissioner Lautner commented that she did not support the change to the Public Comment policy and she is not in favor of it because it stiffens the public and is censoring them.
- Commissioner Wessell stated that it is always a balancing act and there is a lot of business that needs to be done, as well as listen to the public, and the job of a Board member is to balance that. He continued that the change in the rules regarding public comment was an attempt to find balance and this Board will continue to review it to see if we are all comfortable with how it is being done. Wessell commented he would like to give a chance.
- Commissioner Allgaier said she agrees with Chairman Wessell's comments. She stated she would appreciate everyone honoring the guidelines that have been set so that business can run smoothly.

Chairman Wessell called for a break at 11:07 a.m. and called the meeting back to order at 11:17 a.m.

Action Items:

Leelanau County Road Commission – Road Millage Approval Resolution:

Leelanau County Road Commission Manager Brendan Mullane was present for the Agenda Item.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE LEELANAU COUNTY RESOLUTION DRAFTED BY THE LEELANAU COUNTY ROAD COMMISSION TO APPROVE THE LEELANAU COUNTY ROAD COMMISSION REQUEST FOR A ROADS AND HIGHWAYS MAINTENANCE AND REPAIR MILLAGE RENEWAL PROPOSAL TO BE PLACED ON THE AUGUST PRIMARY BALLOT, AS PRESENTED. SECONDED BY O'ROURKE.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

RECOMMENDATION PASSES.

Benzie-Leelanau District Health Department – Early Childhood Millage Resolution:

Benzie-Leelanau District Health Department Director of Personal Health Michelle Klein, RN, MA, was present for the Agenda Item.

Administrator Allen stated she believes that the focus for today was on the proposed budget submitted by the Benzie-Leelanau District Health Department and can be found within the Board packet on page 17. She continued the 2024 budget shows for Early Childhood is set for \$671,488.00 and that a millage calculation was created and supplied from Equalization Director

Andrew Giguere to the Board. Allen further explained that with the proposed budget and millage calculation and by looking at what that falls in will identify what that percentage number is for the Board to consider. She continued that a resolution would need to be created and that the County Clerk was willing to help do that.

Chairman Wessell confirmed that the Board of Commissioners does not always collect the full amount of the levy percentage but that the levy is asked for so enough funds for future needs is taken into account.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT REQUEST TO APPROVE EARLY CHILDHOOD SERVICES MILLAGE RENEWAL PROPOSAL TO BE PLACED ON THE AUGUST 2024 PRIMARY BALLOT. SECONDED BY KRAMER.

Discussion – Chairman Wessell stated there will need to be a resolution passed at the Regular Session with the language regarding the millage rate and the ballot language. Commissioner discussion ensued.

AYES – 7 (Allgaier, Kramer, Lautner, O'Rourke, Rexroat, Ross, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Sheriff's Office – Sheriff's Employee Recruit/Sponsorship Grant Program:

Sheriff Michael Borkovich and Undersheriff James Kiessel were present for the Agenda Item.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ALLOW THE SHERIFF'S OFFICE TO DEVELOP AND IMPLEMENT A SPONSORED EMPLOYED RECRUIT PROGRAM IN CONJUNCTION WITH THE HUMAN RESOURCES DIRECTOR AND NORTHWESTERN COMMUNITY COLLEGE TO SPONSOR AND EMPLOY INDIVIDUALS FOR LAW ENFORCEMENT EMPLOYMENT. SECONDED BY REXROAT.

Discussion – Commissioner discussion ensued.

AYES – 6 (Allgaier, Kramer, O'Rourke, Rexroat, Ross, Wessell)
NO – 1 (Lautner) **RECOMMENDATION PASSES.**

Sheriff's Office – Corrections Restraint Chair MMRMA Rap Grant Request:

Sheriff Michael Borkovich, Undersheriff James Kiessel, and Lt. Todd Roush were present for the Agenda Item. Lt. Roush answered questions from Commissioners.

MOTION BY O'ROURKE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE SHERIFF'S OFFICE TO APPLY FOR A RAP GRANT THROUGH MMRMA FOR REIMBURSEMENT OF THE RECENTLY PURCHASED SAFETY RESTRAINT CHAIR. SECONDED BY ROSS.

Discussion – none.

AYES – 7 (O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner)
NO – 0 **RECOMMENDATION PASSES.**

Information Technology – Safety Net Contract Review:

IT Director Liana Wilson and Safety Net Account Executive Greg Harrand were present for the Agenda Item.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE CONTRACT AMENDMENT WITH SAFETY NET TO INCLUDE AN ADDITIONAL MONTHLY COST OF \$2,200.00 WITH FUNDS TO COME FROM DATA PROCESSING FUND #636 AND TO BE EFFECTIVE JANUARY 1, 2024. SECONDED BY ALLGAIER.

Discussion – Commissioner discussion ensued.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

RECOMMENDATION PASSES.

Information Technology – Audio Upgrade for BOC Meeting Room:

IT Director Liana Wilson was present for the Agenda Item.

MOTION BY ROSS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE BIS DIGITAL QUOTE TO REPLACE THE NINE (9) MICROPHONES AT THE COMMISSIONERS TABLES, INSTALL ADDITIONAL SPEAKERS AND REPLACE THE AMPLIFIER. SECONDED BY REXROAT.

Discussion – none.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat)

NO – 0

RECOMMENDATION PASSES.

Emergency Management/911 – Emergency 911 Service Plan Resolution:

Emergency Management/911 Director Matt Ansonge was present for the Agenda Item. Ansonge answered questions from Commissioners.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE LEELANAU COUNTY E-911 SERVICE PLAN, AND TO APPROVE THE LEELANAU COUNTY E-911 SERVICE PLAN ADOPTION RESOLUTION, AS PRESENTED. SECONDED BY O'ROURKE/LAUTNER.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

RECOMMENDATION PASSES.

Emergency Management/911 – Leelanau County 911 Advisory Board By-Laws:

Emergency Management/911 Director Matt Ansonge was present for the Agenda Item and answered questions from Commissioners.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE BY-LAWS OF LEELANAU COUNTY 9-1-1 ADVISORY BOARD, AS PRESENTED. SECONDED BY O'ROURKE.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

RECOMMENDATION PASSES.

Emergency Management/911 – Leelanau Township Tower Discussion:

Emergency Management/911 Director Matt Ansorge was present for the Agenda Item and updated the Board on how the project is progressing.

MOTION BY ROSS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE AGENDA ITEM – EMERGENCY MANAGEMENT/911 – LEELANAU TOWNSHIP TOWER DISCUSSION FORWARD TO THE REGULAR SESSION ON TUESDAY, MARCH 19, 2024. SECONDED BY ALLGAIER/REXROAT.

Discussion – Commissioner discussion ensued.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat)

NO – 0

RECOMMENDATION PASSES.

Chairman Wessell stated he would like to adjust the agenda and move up Agenda Item – Administration – MLI Administrator Search Process/Proposed Action Plan and the Board agreed.

Administration – MLI Administrator Search Process/Proposed Action Plan:

Michigan Leadership Institute Consultant Chet Janik was present for the Agenda Item. Janik provided the Board with a packet of handouts to review the following items: Job Description, Salary Range, Marketing Overview of Leelanau County, Media Advertising Plan, Proposed timeline, and Selection Process.

The handouts can be found at the following link:

https://www.leelanau.gov/downloads/mli_administration_selection_handout_03122024.pdf

Janik explained the handouts and the process of hiring a County Administrator/Chief Financial Officer. He also commented on the difference in regards to using the State of Michigan Controller Act and having a CFO. Janik answered questions from Commissioners and discussion ensued.

Commissioner Rexroat asked if there is a recommended salary range that Janik has in mind? Janik replied the wage could be set between \$110,000.00 and \$140,000.00.

Chairman Wessell stated that he has talked with Janik about scheduling a meeting prior to next week's Regular Session Board meeting held on March 19, 2024. He commented that at a Special Session Janik would present and the Board could also discuss everything from today, along with the Interim Administrator position role.

MOTION BY O'ROURKE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SET THE SALARY RANGE FOR THE COUNTY ADMINISTRATOR AT \$120,000.00 TO \$140,000.00. SECONDED BY ALLGAIER.

Discussion – Commissioner discussion ensued.

MOTION BY ROSS TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SET THE SALARY RANGE FOR THE COUNTY ADMINISTRATOR AT \$110,000.00 TO \$140,000.00. SECONDED BY LAUTNER.

Discussion – none.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat)

NO – 0

RECOMMENDATION PASSES.

MOTION BY O'ROURKE AMENDED TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SET THE SALARY RANGE FOR THE COUNTY ADMINISTRATOR AT \$110,000.00 TO \$140,000.00. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 7 (O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner)

NO – 0

RECOMMENDATION PASSES.

Chairman Wessell restated that he would like a Special Session scheduled with Janik next week prior to the Regular Session so that the Board can discuss and take action on packet details handed out today and take action on the Interim Administrator position.

Janik further explained the County Administrator/CFO position and the handouts provided. He covered the timeline he put together and stated it is a guideline to accelerate the process.

Chairman Wessell said he is hopeful that at the Special Session next week an Interim Administrator will be hired because they too need to be able to attend the meetings to be scheduled according to Janik's timeline.

Commissioner discussion ensued regarding the Special Session and the timing and length of the meeting. Chairman Wessell stated the meeting would be one week from today and Board members can speak with Human Resources Director Heather Cade and also review the packet provided by Janik.

Janik continued to describe what he put together regarding the County Administrator/CFO job description for the Board to review. He covered with the Board the marketing packet, and the benefits that would be advertised that are available to County employees.

Commissioner Rexroat said that later in this meeting there is an Agenda Item is the possibility of promoting the Interim Finance Director to Finance Director and asked Janik if he could comment on how this might impact the search process or anything about that topic.

Janik replied saying that he has thought about that question and has made some notes. He said that obviously it is the choice of the Board but from an outside perspective the fact that the Board has had a rough couple of years here when trying to come up with this type of plan. Janik commented that if the Board is "truly" going to go with a new structure, new leadership style and a new position and because you have heard input from staff, along with Elected Officials and Department Heads then the search the Board is doing for the Administrator/CFO is the most important thing that gets done. He stated the second most important thing to really get this plan going is the Finance Director position. Janik said that out of the fairness to the staff, fairness to the Clerk's Office, fairness to the person selected to be the Interim County Administrator that the Board looks at it from the perspective that you should be hiring the Administrator/CFO first and have that person in position. Janik said the "why" is, to the best of his knowledge, the Finance Director position has not been posted and that "you" as the Commissioners should only hire one person and that is the Administrator/CFO. He continued that the new person coming in, who are doing their research on it, that probably the most critical person that the new Administrator/CFO will be working with is the Finance Director. Janik explained that the Board has to make sure that person feels comfortable with whoever is in that position and out of fairness to the Interim person here also. He said the Interim person has to also make sure they are comfortable with

whomever the Board selects as the Administrator/CFO and it has to be a good fit in terms of technical skills, but also personality wise. Janik stated he thinks there is a lot of concern internally with the staff of how the Board proceeds with this and he thinks that if the Board hired the Administrator/CFO first then the Board can let that person post the job and let that person pick who the Finance Director is. He said that even if it is the Board's current Interim person that he thinks that person would be well respected and the staff would accept it but; if, the Board names someone the Finance Director now, before going through the search, it would go against the grain of what the Board said they were going to do instead of "truly" having an open process. Janik reiterated that the Board should not be hiring the new Finance Director because the job of the Board is to hire one (1) person and if you remember the governance workshop the Board hires one employee. He stated he does think it would be a concern of some candidates that they are coming into a situation and the ones that are calling him about the job, knowing about all the controversy and it that one of the questions they are asking him, "Is who is going to hire the Finance Director."

Janik continued that he thinks out of fairness to the process, out of the respect of the person coming in, and out of the respect of the Interim Finance Director, that the Board would want whomever is in the Finance Director position to be well respected by the staff and you want that person to work well with the new Administrator/CFO and that it is critical to allow the new person once you hire this person to have him or her pick the Finance Director position. Janik stated that if you don't wait, then the Board is going to go back to the same controversy and the rumors that you (the Board) are hearing now.

Commissioner Lautner asked Janik if he has helped other places hire Administrator/CFO's where you already have a Finance Director in place? Janik replied, yes, except for in Kalkaska County because they are going through a complete restructuring. He confirmed that yes, in Missaukee County, there was already a staff in place.

Commissioner Lautner stated her thoughts on the subject of having a Finance Director in place that it would be better to the new Administrator/CFO come here and have the structure already in place giving the County more stability. She said that ultimately it will be up to the Administrator/CFO to either keep or dismiss the Finance Director as that position is at-will. Lautner commented if the mentality is that this Board doesn't hire the Finance Director position now and have that person securely in place then why would the current Administrator be hiring the Executive Assistant for the same reason because we should be waiting until they come on and is comfortable with that person as well.

Janik replied that he thinks a support staff is different but that the challenge could be that if you were to hire an Administrator/CFO and that person does not get along with the Finance Director. In this situation the Finance Director was hired by the Board and would put the Administrator/CFO in an awkward position; but, under normal circumstances he said he would agree with Commissioner Lautner. He reiterated it has been a rough couple of years and a lot of controversy surrounding these positions. Janik gave examples of the controversy being who is even in the positions, who is calling the shots, and he thinks that if you (the Board) let the process go through where you hire the Administrator/CFO, who then hires the Finance Director, and it could very well be the Interim Finance Director now, but he said he thinks that if that happens then that person would receive the respect of all of the staff. He continued that he thinks if you (the Board) hire a Finance Director now and it is an internal person that with all the controversy and

rumors out there it will send a message to the person applying that they will not have the ability or that you (the Board) will get rid of all the controversy internally with all the staff here. Janik said that he himself has gone through it and he also knows that Administrator Allen has gone through it and it is a very difficult situation. He commented that if you truly want to start from scratch and have a fresh start that you need to hire an Administrator/CFO and let that person hire and post the job as a Finance Director and it could very well be the current Interim person. If you follow the schedule provided, you could have someone on board in either June or July to start the hiring process for the Finance Director position. Janik stated that he understands that the Interim person is doing a great job and everything is going well but that he thinks that if he was the Interim person he would want to know who the new boss is going to be before making a commitment to stay on and would you even want to be in that position.

Commissioner Rexroat thanked Janik for his comments.

Janik's Process for the Interim Administrator Candidates/Interviews:

Janik said that he has four people that have either approached him or he has approached, and it is a good idea to have someone for the transition. He stated with the salary range of the current Administrator that he is proposing a stipend of \$700.00 per day and he said he thinks that is reasonable based on the benefits offered at the County. Janik explained that the Interim Administrator would be available three (3) days per week, but if the Board decides to do more than three (3) days a week that it is possible to move to an hourly rate of pay, but that is a Board decision.

Commissioner Allgaier asked Administrator Allen and Janik if they felt that three (3) days a week is do able? Administrator Allen replied that it has been very difficult in these last few weeks without having an Executive Assistant. Allen explained that there may be need to be some concessions by the Board because for scheduling purposes that three (3) days is tight.

Commissioner Lautner stated she is absolutely struggling with this because as Janik alluded to this Board is acting on issues that "Others" are making. She said this Board is being asked to make a decision based on the politics in this courthouse and ideas of the people that don't sit at this table as a Board member, who are the members elected to do this job. Lautner commented that decisions seem to be made based on feelings or atmosphere so therefore the Board should act in a certain way and all of this that is being heard is being said because the "Others" say the Board needs to get rid of stipends. She continued that it appears the Board members are going to act on all of this because they are afraid of stipends to the tune of small amounts to do the work of the County. Lautner stated it would appear now the Board members are going to decide to pay someone \$700.00 a day to come in and be the Interim Administrator. She said the daily stipend alarms her and that in fact all of this alarms her and it doesn't happen often but that she thinks she is finally speechless.

Janik stated that the stipend of \$700.00 a day does not include any compensation in terms of County benefits or sick or vacation days and is strictly a straight dollar amount.

Commissioner Lautner agreed with Janik that typically stipends don't include benefits; but, that she said she thinks there is a real problem here because there are Board members hearing and willing to listen from the "Others" that the Board needs to stop the stipends. Lautner stated that

now today there will be a stipend at a minimum of \$2,100.00 a week for an Interim Administrator.

Commissioner Rexroat stated that he would like to try to get back to the decision if the Interim Administrator is going to be either a three (3) or five (5) days per week. He said he thinks that during this interim period we are going to be lucky to maintain and he doesn't think there are any expectations on this Board that until we get someone in place that we are just going to, for lack of a better word, tread water. Rexroat continued we are going to try to take care of the minimum functions of the County government that is needed to operate on a daily basis and that the next larger issues are going to come after there is a team in place.

Janik said from his own personal experience that the Interim Administrator that is hired will be reactive here try to keep the ship afloat. He stated he doesn't see that person coming in and making changes and that isn't something this Board would want either.

Commissioner Rexroat stated he believes the Interim Administrator can be here three (3) days per week with lowered expectations to run as we are currently.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU BOARD OF COMMISSIONERS TO SEARCH FOR AN INTERIM ADMINISTRATOR ON THE BASIS FOR THREE (3) DAYS PER WEEK WITH A STIPEND RANGE OF APPROXIMATELY \$700.00 PER DAY. SECONDED BY ALLGAIER.

Discussion – Commissioner O'Rourke said depending on how much water we get out of the boat to keep it afloat that we may need to readjust that rate if he or she is here for just three (3) days and it may come back to the Board that more days are needed.

AYES – 6 (Rexroat, Ross, Wessell, Allgaier, Kramer, O'Rourke)

No – 1 (Lautner)

RECOMMENDATION PASSES.

Chairman Wessell stated there will be a Special Session on Tuesday, March 19, 2024 at 4 p.m. for Interim Administrator interviews. Janik confirmed with the Board that interviews via Zoom will be appropriate.

Wessell called for a break at 1:10 p.m. and called the meeting back to order at 1:16 p.m.

Potential Closed Session – Attorney Client Privilege – BATA Litigation Update:

Clerk Crocker read the proposed motion to enter into Closed Session.

MOTION BY ALLGAIER TO MOVE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS GO INTO CLOSED SESSION UNDER MCL 15.268 (1)€ TO CONSULT WITH ITS ATTORNEY REGARDING PENDING LITIGATION WHICH IF DISCUSSED IN OPEN SESSION WOULD HAVE A DETRIMENTAL EFFECT ON THE LITIGATION OR SETTLEMENT POSITION OF THE COUNTY IN THE MATTER OF BAY AREA TRANSPORTATION AUTHORITY VS GRAND TRAVERSE COUNTY AND LEELANAU COUNTY (NECESSARY PARTY DEFENDANT), CIRCUIT COURT CASE #24-36928-CZ. SECONDED BY Ross.

Discussion – none.

ROLL CALL – Allgaier – YES; Lautner – YES; O'Rourke – YES; Rexroat – YES;

Ross – YES; Wessell – YES.

AYES – 6 NO – 0 ABSENT – 1 (Kramer)

MOTION CARRIED.

The Board of Commissioners moved into closed session at 1:18 p.m.

MOTION BY REXROAT TO MOVE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS RESUME IN OPEN SESSION. SECONDED BY ROSS.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

MOTION CARRIED.

Open session resumed at approximately 2:30 p.m.

MOTION BY REXROAT TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS THE RESPONSE AS DRAFTED IN THE BATA (BAY AREA TRANSPORTATION AUTHORITY VS GRAND TRAVERSE COUNTY AND LEELANAU COUNTY (NECESSARY PARTY DEFENDANT), CIRCUIT COURT CASE #24-36928-CZ) LAWSUIT BE APPROVED. SECONDED BY LAUTNER.

Discussion – none.

AYES – 6 (Rexroat, Ross, Wessell, Kramer, Lautner, O'Rourke)

NO – 1 (Allgaier)

RECOMMENDATION PASSES.

Chairman Wessell stated he would like to request a motion to set aside the Rules of Order and Procedure regarding to commencement by 2:00 p.m. and to move Agenda Items #7, #8, and #10 forward to the Regular Session without discussion.

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS EXTEND BEYOND THE 2:00 P.M. DEADLINE OUTLINED WITHIN THE RULES OF ORDER AND PROCEDURE. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

MOTION CARRIED.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD AGENDA ITEM #7A, #7B, #8A, #8B, #10A, #10B, AND #12 TO THE REGULAR SESSION ON TUESDAY, MARCH 19, 2024:

Treasurer – Treasurer Principal Residence Exemption Election;

Finance Department/Treasurer – Land Bank – Resolution #24-002 Amendment to Fund Number;

Planning – EGLE Scrap Tire Clean Up Grant;

Planning/Parks & Recreation – Savin Lake Services for Weed Control at Veronica Valley Park;

Building & Grounds – Apex Engineering Quote for SOW Façade Repairs;

Building & Grounds/Parks & Recreation – Staffing Request;

County Policy No. 1.02 – Assessing Corporate Council;

SECONDED BY REXROAT.

Discussion – none.

AYES – 6 (Allgaier, Kramer, O'Rourke, Rexroat, Ross, Wessell)

NO – 1 (Lautner)

RECOMMENDATION PASSES.

Senior Services – RFP for 2024 Contract for In-Home Services:

Senior Services Director Lena Van Meulen was present for the Agenda Item.

MOTION BY ROSS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD THIS REQUEST FOR PROPOSAL ISSUANCE FOR THE SERVICES OUTLINED IN THE PROPOSED DOCUMENT. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat)

NO – 0

RECOMMENDATION PASSES.

Dam Authority – Request for Scope of Work from Machin Engineering for Hydraulic Upgrades:

Drain Commissioner Steve Christensen was present for the Agenda Item.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE BID REQUIREMENTS AND ENTER INTO AN AGREEMENT WITH MACHIN ENGINEERING TO WRITE THE SPECIFICATIONS AND SCOPE OF WORK FOR THE UPGRADE AND MAINTENANCE OF AND THE REDESIGN OF THE HYDRAULIC SYSTEM FOR THE LELAND DAM NOT TO EXCEED \$7,000.00 AND FUNDS TO COME FROM #805. SECONDED BY REXROAT.

Discussion – none.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

RECOMMENDATION PASSES.

Finance Department – Promotion of Interim Finance Director to Finance Director:

Commissioner Lautner stated at this time she will be withdrawing the Agenda Item. She said she would like everyone to consider the option of scheduling a Committee-of-the-Whole meeting, study session, so that the Board could better understand exactly all the duties of the County Clerk, County Treasurer, and the Board of Commissioners when it comes to State statutes. Lautner continued that she feels the Board is due for a workshop session on the topic of statutory duties.

Commissioner Allgaier said she wanted to make a statement that she understands the explanation given earlier by MLI Consultant Chet Janik in regards to waiting for the Administrator/CFO to be hired to move forward and that she would like to commend the incredible work of Interim Finance Director Catherine Hartesvelt.

Administration – 2% Grant Contract Approval:

Administrator Allen was present for the Agenda Item.

MOTION BY ROSS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE GRANT AGREEMENTS AS SET FORTH BY THE COUNTY'S LEGAL COUNSEL TO SUPPORT THE 2% TRIBAL GRANTS AS PREVIOUSLY APPROVED BY THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SPECIFICALLY SUPPORT CHILD AND FAMILY SERVICES OF NW MICHIGAN, LEELANAU CHRISTIAN NEIGHBORS, AND PENINSULA HOUSING. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat)

NO – 0

RECOMMENDATION PASSES.

Commissioner O'Rourke left the meeting at 2:50 p.m.

Review Of Financials:

Interim Finance Director Hartesvelt was present and there were no Commissioner questions.

Chairman Wessell asked for an update from Interim Finance Director Hartesvelt regarding how the County's Audit and Hartesvelt gave a brief explanation on the status and stated the audit was progressing better than last year as there wasn't any clean ups that needed attention.

Commissioner Lautner thanked Hartesvelt for her efforts in maintaining excellent financials.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

None.

Commissioner Kramer left the meeting at 2:59 p.m.

Public Comment:

The following individuals spoke in person: Bill Wiesner and John Popa.

The written comments can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2702#handouts>

Commissioner Comment:

None.

Approval of Financials —
Amendments & Transfers:

None.

Miscellaneous Fund Transfers and Amendments:

None.

Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$107,673.21. SECONDED BY REXROAT.

Discussion – none.

AYES – 5 (Lautner, Rexroat, Ross, Wessell, Allgaier)

NO – 0 ABSENT – 2 (Kramer, O'Rourke)

RECOMMENDATION PASSES.

Post Audit Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$2,595,908.63. SECONDED BY REXROAT.

Discussion – none.

AYES – 5 (Lautner, Rexroat, Ross, Wessell, Allgaier)

NO – 0 ABSENT – 2 (Kramer, O'Rourke)

RECOMMENDATION PASSES.

Adjournment:

Chairman Wessell adjourned the meeting at 3:12 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

Jennifer L. Zywicki, Chief Deputy Clerk for
Michelle L. Crocker, Leelanau County Clerk