

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, December 6, 2022
Approved 12/13/2022

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=2420#video>

Meeting called to order by Chairman Ty Wessell at 9:00 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	Rick Robbins	ABSENT (w/prior notice)
	#2	Debra L. Rushton	PRESENT
	#3	Lois Bahle	PRESENT
	#4	Ty Wessell	PRESENT
	#5	Patricia Soutas-Little	PRESENT
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Chairman Wessell acknowledged new County Administrator Debra Allen.

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell stated that he is looking to postpone Agenda Item #13g, Finance Department Update/Proposed Resolution on Clarification of Administrator's Rights and table the discussion and action until January. The reason he stated is because since we came forward with the resolution, we have had a resignation in the Finance Department and that we are up in the air on it for a little bit. He would like to give Administrator Allen an opportunity to come back to us in January. We know we need to have a resolution and we know we need to assign rights and it seems like the timing would be better to do that when we come back together with a plan for Finance.

Commissioner Rushton stated that she is not quite sure what the process is but she does believe that the October 11, 2022, minutes were approved at the November Regular Session meeting and there is a minor discrepancy with the end time. She asked how do those minutes get rectified?

Chief Deputy Clerk Jennifer Zywicki replied that an email is sufficient to the Clerk's Office to notify them of a discrepancy. Commissioner Rushton said that on those minutes it is stated that it is an evening meeting that started at 7:00 p.m. and it that the meeting ends at 12:59 p.m.

MOTION BY ALLGAIER THAT THE AGENDA BE APPROVED AS AMENDED. SECONDED BY BAHLE.

Discussion – none.

AYES – 6 (Allgaier, Bahle, Lautner, Rushton, Soutas-Little, Wessell)

NO – 0 ABSENT – 1 (Robbins)

MOTION CARRIED.

Public Comment:

The following individuals spoke in person: Bill Wiesner and Steve Mikowski.

The written comments can be found at the following link:

<http://leelanau.gov/meetingdetails.asp?MAId=2420#handouts>

Commissioner Comment:

None.

Communications, Proclamations, Presentations –
Administrator Update:

- Administrator Janik and Administrator Allen were present and Allen thanked Commissioners for this opportunity and her first day was spent touring the facilities. She thanked the staff for such a great welcome. Janik congratulated Commissioner Lautner on celebrating 40 years of marriage this past week and also recognized Senior Services Director April Missias on celebrating 10 years with Leelanau County. Janik reminded the Board that the end of the year meeting will be held on December 30, 2022, at 10:00 a.m.

Administrator Janik stated that the Northern Lake Community Mental Health Authority met and he said his concern is that he feels the search for an Executive Director may be paused because a new director may not agree with the changes within the Authority. He said that he is working very closely with Cherryland Electric and Leelanau Township on the proposed new tower and is hoping that it will be a combined effort. Janik stated that he hopes an agreement can be proposed and brought to the December 30, 2022, meeting for approval. He announced that this is his last Executive meeting and recognized that the Board members will all have birthdays he will miss next year and presented all of the Commissioners with a pie. He wished Administrator Allen best of luck and presented her with a pie.

Networks Northwest Update:

Networks Northwest Chief Executive Officer Terry Vandercook gave an update with a PowerPoint and answered questions from Commissioners.

The PowerPoint can be viewed at the following link: (2-29)

https://www.leelanau.gov/downloads/12062022_executive_board_pkt_opt.pdf

Early Childhood Update:

Benzie-Leelanau District Health Department Director of Personal Health Michelle Klein, RN, MA, PH-C gave an update with a PowerPoint and answered Commissioner questions.

The PowerPoint can be viewed at the following link: (30-34)

https://www.leelanau.gov/downloads/12062022_executive_board_pkt_opt.pdf

Planning/Community Development Department Updates:

Planning Director Trudy Galla present for an update and answered Commissioner questions.

The PowerPoint can be viewed at the following link:

https://www.leelanau.gov/downloads/presentation_planning_update_to_county_board_12062022.pdf

Administrator Janik thanked Galla for her work on all the many projects he has assigned her to take care of over the years.

Action Items:

Eighty-Sixth District Court – Proposed Staffing Plan Change:

Judge Robert Cooney and District Court Administrator Dawn Wagoner present.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE 86TH DISTRICT COURT PROPOSED STAFFING PLAN CHANGE REQUEST, AS PRESENTED. SECONDED BY RUSHTON.

Discussion – Wagoner answered Commissioner questions.

AYES – 6 (Allgaier, Bahle, Lautner, Rushton, Soutas-Little, Wessell)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Sheriff's Office – Law Enforcement Agreement Renewal, Leelanau Township:

Undersheriff James Kiessel present.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS ALLOW THE LEELANAU COUNTY SHERIFF'S OFFICE TO ENTER INTO A 4-YEAR AGREEMENT WITH LEELANAU TOWNSHIP TO SUPPLY A FULL-TIME DEPUTY FOR THE CALENDAR YEARS 2023-2026 AND FURTHER AUTHORIZE THE SHERIFF AND THE BOARD CHAIRMAN TO SIGN THE AGREEMENT. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Chairman Wessell requested Agenda Item #5., FY 2023 Recommendations to Boards and Commissions be moved up the agenda to be addressed before Agenda Item #3, Benzie/Leelanau District Health Department.

FY 2023 Recommendations to Boards and Commissions:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE COMMITTEE OF THE WHOLE RECOMMENDATIONS FOR VARIOUS BOARDS AND COMMISSIONS AS PRESENTED FOR FY 2023. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Chairman Wessell called for a break at 10:25 a.m. and resumed the meeting at 10:59 a.m.

Benzie/Leelanau District Health Department – Government Center Lower-Level Options Update:

Benzie/Leelanau District Health Department Environmental Health Director Eric Johnston present. Health Officer Dan Thorell present via Zoom for Commissioner questions. Administrator Janik updated Commissioners with a handout of the proposal/agreement from FAH Architecture, PLLC, and stated that this project is ready for bids if the Board decides to proceed.

The FAH proposal/agreement can be found at the following link:

http://leelanau.gov/downloads/hackl_proposal_12062022.pdf

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO PROCEED WITH THE DESIGN OF ARCHITECTURAL, MECHANICAL ENGINEERING, ELECTRICAL ENGINEERING, PLUMBING ENGINEERING, AND STRUCTURAL ENGINEERING AND ACCEPT THE PROPOSAL/AGREEMENT BID WITH FAH ARCHITECTURE, PLLC, AND NOT TO EXCEED \$36,628.00. SECONDED BY ALLGAIER.

Discussion – Administrator Janik will bring forward a funding option as this project has not been budgeted in 2022 or the upcoming 2023 budget.

AYES – 4 (Soutas-Little, Wessell, Allgaier, Bahle)

NO – 2 (Lautner, Rushton) ABSENT – 1 (Robbins) RECOMMENDATION PASSES.

Benzie/Leelanau District Health Department – District Sanitary Code/Septic Ordinance:

Benzie/Leelanau District Health Department Environmental Health Director Eric Johnston present, and Health Officer Dan Thorell present via Zoom and gave a brief overview of the process in incorporating a uniformed code. Chairman Wessell gave an update on the public hearings that were held at both the Benzie and Leelanau County buildings.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ADOPT THE BENZIE/LEELANAU DISTRICT HEALTH DEPARTMENT DISTRICT SANITARY CODE/SEPTIC ORDINANCE AS PRESENTED. SECONDED BY BAHLE.

Discussion – Commissioner Lautner and Commissioner Rushton both stated they opposed the motion. Commissioner Allgaier thanked everyone involved in the process for all of their hard work.

AYES – 4 (Allgaier, Bahle, Soutas-Little, Wessell)

NO – 2 (Lautner, Rushton) ABSENT – 1 (Robbins) RECOMMENDATION PASSES.

Planning/Community Development – Solon Recycling Update:

Planning Director Trudy Galla gave an update and stated that she communicated with Solon Township, the Solid Waste members, and the Board of Commissioners through email regarding the site location and contract soon to be expiring. She stated that no action was taken at the Solon Township meeting regarding the contract and that the current contract ends at the end of 2022. Galla said that the overall plan within Solon Township for their Parks and Recreation structures does not include the recycling site. She stated that Solon Township would agree to a different contract than all of the other recycling sites, which would include for paying for all the expenses to upkeep the site to be paid by the County.

Galla continued and said that Solon Township is being paid a lease payment of \$3,600.00 a year and that Solon Township is stating they are investing more than that to maintain the current site. She stated that there are other sites for a possible location; however, it will take approximately six months or so to get one up and running. Galla said that without a new contract in place the containers will be pulled from the location at the end of the year.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT THE SOLON TOWNSHIP PROPOSAL FOR THE RECYCLING SITE, WHICH IS \$3,600.00 A YEAR TO KEEP THE SITE THERE AND TO PAY FOR ALL ROAD GRADING AND SNOW PLOWING. Motion failed for lack of a second.

said that is a fair statement. Janik continued and stated that he and Human Resources Director Darcy Weaver are recommending that the pay be adjusted from the starting rate of \$56,036.10 to \$64,618.87. The new increase moves the salary to the same level as the Human Resource Director and he stated that this really should have been done years ago and he and Weaver feel that this amount is a fair compromise.

Commissioner Allgaier said that she is grateful that this is being looked at and the citizens of this County renew the Senior Services millage each time and it is important to us. She would like to have this position paid as the same as the other County Department Heads.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$69,599.81 TO BE EFFECTIVE JANUARY 1, 2023. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Rushton stated that her question is that she would suggest that there be another position included.

MOTION BY RUSHTON TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR AND THE MAINTENANCE DIRECTOR BEGINNING SALARY TO \$69,599.81 EFFECTIVE JANUARY 1, 2023. SECONDED BY LAUTNER.

Discussion – Commissioner Rushton said that her other question is that you want to reset the salary then how does that impact the Director today? She stated that she sees the four-year rate is at \$68,112.36; however, that is not the wage today, correct?

Director Missias answered, correct. Missias said that she is at the top of her scale since she has been here 10 years.

Commissioner Rushton asked Administrator Janik how does changing the starting salary impact the current Director?

Administrator Janik replied that the Director would be at \$77,065.00 because she would continue to be paid at the last step of the schedule.

Commissioner Lautner said that she doesn't think the Board is being realistic and instead are being emotional about this. She stated that it is really important that we have to look at what we require for a person to fill the position. Currently there is a recommendation from the Administrator and the Human Resources Director to raise the base salary to \$64,618.00, which is the same as the Human Resources Director. If she remembers correctly, the position requests the Director to have a Bachelor's Degree or experience.

Administrator Janik stated that there is no State guideline or standard.

Director Missias said that the current job description states a minimum of a Bachelor's Degree and that it says preferably a Master's Degree. Administrator Janik said that there is no State of Michigan standard like the positions of Building Official and Equalization Director.

Commissioner Lautner said that she reached out to other organizations and that the package the County has with benefits and the wage set at the same of the Human Resources is a good wage.

Commissioner Soutas-Little said that she wants to deal with the position, and that this should not be based on time and grade. She stated for instance, if the employee has been here 20 years or 5 years let us look at the positions. The Human Resource Director position starts at \$64,618.87 and caps at \$71,605.90, and if it was up to her that she would have placed the Senior Services Director position at the same as the Building Safety Building Official position and that range is \$71,114.97 to \$77,442.26. Soutas-Little said that her reason for wanting to place the position is because the Human Resources Director position has no supervision and it is 100% funded by the County and there is a Bachelor's preferred in any field. The Building Safety Official does supervise staff and they have oversight over consulting contractual staff, along with the responsibility of having to raise operational funds and adhere to the State of Michigan Building Code regulations. The Senior Services Director position oversees staff, has oversight of consulting contractual staff, has to raise to raise 100% of the operational funds through a millage, has to adhere to the Older Americans Act and related regulations and in addition this position also seeks out donations and grants to support special programs and the job description does ask for a Master's Degree. She said that despite what has been said here today, she has sources and data that states the Social Service position is in very high demand, and difficult to acquire. The arguments that are being used that a Master's Degree is not required she wants to point out that it might not be required but that it has been pretty darn essential in the success of the program. She stated that having the position have a Master's Degree and understand the needs of the community as it relates to the responsibility and functions of that department has been very important. It is a high demand position and she said that she has been harping since August about looking at a wage study and it didn't go anywhere. The Senior Services Director position fits right along with the Building Official position and even though this position is a social service position shame on us for not acting sooner.

Chairman Wessell stated that he uncomfortable with this conversation and uncomfortable with the Board negotiating with the employee who is sitting at the table. He reminded the Board that the Administrator was tasked with coming up with a recommendation and that he agrees with it. He said that he has entertained this idea because an adjustment was deserved and he is pleased with the recommendation that came forward. Wessell stated that he spent a lot of time over the weekend because he knew there was going to be this discussion and he read a lot about market-based salary decisions. He said that whether we like it or not what we are paying with this recommendation if supported is consistent with the market pays in most similar jobs. He stated that he thinks we are going down a rabbit hole that will never end because next month there will be another employee here saying that they would like to be adjusted. He will not support the amendment and he will not support the motion and he just wants to get back to a motion that supports the recommendation from the Administrator.

Commissioner Allgaier said that when the citizens pay for it then they should get the most qualified person.

MOTION BY RUSHTON TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR AND THE MAINTENANCE DIRECTOR BEGINNING SALARY TO \$69,599.81 EFFECTIVE JANUARY 1, 2023. SECONDED BY LAUTNER.

Discussion – Chairman Wessell said that if the amendment were to be approved that it would be irresponsible because there has been no prior discussion regarding the Maintenance Director's salary.

Commissioner Rushton stated that she wanted to speak on Chairman Wessell's comment. She said that when another Commissioner talks about raising all the Directors to the same rate then certainly if you raise one you can raise them all and not leave one below the recommendation.

AYES – 0

NO – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

ABSENT – 1 (Robbins)

RECOMMENDATION FAILS.

Chairman Wessell requested the original motion be read.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$69,599.81 TO BE EFFECTIVE JANUARY 1, 2023. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Lautner asked if there can be a second amendment to the first motion? Chairman Wessell answered, yes.

MOTION BY LAUTNER TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$64,618.87 TO BE EFFECTIVE JANUARY 1, 2023. SECONDED BY RUSHTON.

Discussion – Administrator Janik asked to confirm the dollar amount. Chief Deputy Zywicki stated the amount is \$64,618.87 from the 2022 Wage Schedule. Zywicki stated that she needed clarification because this motion is to start at this rate of pay on January 1, 2023, and the motion does not reflect the rate that is projected in the 2023 budget.

Administrator Janik said that we would need to adjust the wage because obviously it can't be adjusted without a motion.

Chief Deputy Clerk Zywicki asked if that is what you want in the original motion?

Administrator Janik said that let's see if the motion passes because we are talking about the starting rate here and if that passes then all of the steps will be adjusted.

Commissioner Allgaier asked for clarification.

Administrator Janik stated that he is requesting that the starting wage of \$64,618.87. If you approve the starting wage then obviously there will be increases to the other steps in the schedule. Janik said that the four-year step would be \$71,605.09.

Commissioner Allgaier asked, so the current Senior Services Director would be there right now?

Administrator Janik replied, yes, because the current Director is at the top step. Chief Deputy Clerk Zywicki said that as she hears the motion and it is being said that the wage starts on January 1, 2023. Administrator Janik said that no one said anything about January of 2023.

Chief Deputy Clerk Zywicki stated that within the motion made by Commissioner Allgaier the date of January 1, 2023, is stated as the effective date.

Administrator Janik stated that because there will be a 3.25% increase to wages that he is talking about adjusting the 2022 wage. He said that he gave the Board the 2022 Non-Union Wage Schedule and that obviously if you approve the increase there will be a 3.25% increase on top of the wage he is recommending.

Chief Deputy Clerk Zywicki clarified for Administrator Janik the that motion made by Commissioner Allgaier has in the proposed motion written the Board packet that the date is proposed as January 1, 2023.

Administrator Janik said that he is discussing adjusting the 2022 Wage scale and that if the Board approves this then obviously every position will be adjusted by the 3.25%.

Commissioner Rushton said that she would like to request to withdraw this motion and make another motion to set the beginning salary wage of the Department Head that will become the new beginning wage now.

Administrator Janik asked the Board to look at the 2022 Wage Schedule and said that if the salary number is approved next week, then in the 2023 Wage Schedule there will be a 3.25% increase for everyone and the new pay scale will coincide with the Human Resources Director and all of these pay scales will be adjusted.

Commissioner Soutas-Little asked Chief Deputy Clerk Zywicki is that consistent with what you are trying to say?

Chief Deputy Clerk Zywicki replied and said that what she would do is that she believes that the Human Resources Director Darcy Weaver has already prepared the 2023 Non-Union Wage Schedule and that would mean that Administrator Janik would be bringing to the Board of Commissioners a motion for approval of the amendment to the 2023 Wage Schedule to correctly reflect the Senior Services Director increase for January 1, 2023.

Administrator Janik stated that the Board would be approving the 2023 Wage Schedule as part of the budget. He said that he stands with his recommendation.

Chief Deputy Clerk Zywicki asked Administrator Janik for clarification on the motion date.

Administrator Janik said, "Excuse me, this is my recommendation." Janik continued and said that the Board should adjust the pay scale at the same pay rate as the Human Resources Director, and we are still in the year 2022. Every pay scale will be adjusted in 2023 and be completely new, which reflects the 3.25% increase. If you approve this next week, then even

the Senior Services Director will be adjusted up by the 3.25%, so all of these pay scales will be adjusted. Janik said that what he is talking about is adjusting the pay scale currently. Administrator Janik said that if you make this amount effective January 1, 2023, the position will not receive the 3.25% increase.

Chief Deputy Clerk Zywicki said that is what she was trying to say, which is that the current motion has the date of January 1, 2023.

Administrator Janik said the motion should be effective for next Tuesday, December 13, 2022. He clarified for the Board that his recommendation is to adjust the 2022 Non-Union Wage Schedule for the Senior Services Director.

Commissioner Lautner asked if she could remove date?

Chief Deputy Clerk Zywicki said that if the date is removed then the salary increase will go into effect for Wednesday, December 14, 2022.

Administrator Janik confirmed and said yes, and that it will also then be adjusted in 2023.

Commissioner Lautner said that she understands by removing the date that the Senior Services Director will see the increase within the salary in the last pay period of the year.

Chief Deputy Clerk Zywicki replied, yes. Zywicki said that she wanted to apologize to Janik if he thought she was out of line but that she wanted him to understand that the proposed motion in the Board packet states an effective date of January 1, 2023, and that is what the Board was reading from, which is not what Janik was requesting.

Administrator Janik said that he sees what Zywicki was saying. He stated that he can easily adjust it and give the Board the 2023 figure along with the 2022 figure. He said the difference is 3.25%.

Chairman Wessell asked for the amendment to be read.

MOTION BY LAUTNER TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$64,618.87 TO BE EFFECTIVE JANUARY 1, 2023. SECONDED BY RUSHTON.

Administrator Janik asked Commissioner Lautner if she would be willing to remove the date from the amendment. Commissioner Lautner replied, yes. Commissioner Rushton agreed to the date change as the second.

Chairman Wessell requested Zywicki to read the amendment.

MOTION BY LAUTNER TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$64,618.87. SECONDED BY RUSHTON.

Discussion – Commissioner Soutas-Little asked if the amendment fails can be offered again as a motion or does this preclude it?

Administrator Janik said the Board would have to vote on the motion first because it is the second amendment.

Commissioner Soutas-Little said that her real question is that she just heard you (Janik) say that if you offer it as a motion and the amendment fails then could it be offered as a motion?

Administrator Janik stated that if the motion fails then another motion could be made.

Chairman Wessell asked for a roll call vote.

MOTION BY LAUTNER TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$64,618.87. SECONDED BY RUSHTON.

Discussion – none.

ROLL CALL: Lautner – YES; Robbins – ABSENT; Rushton – YES; Soutas-Little – NO; Wessell – YES; Allgaier – NO; Bahle – YES.

AYES – 4 NO – 2 ABSENT – 1 RECOMMENDATION PASSES.

MOTION BY ALLGAIER AMENDED TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE INCREASING THE SENIOR SERVICES DIRECTOR'S BEGINNING SALARY TO \$64,618.87. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

ROLL CALL: Allgaier – NO, Bahle – NO; Lautner – YES; Robbins – ABSENT; Rushton – YES; Soutas-Little – YES; Wessell – YES.

AYES – 4 NO – 2 ABSENT – 1 RECOMMENDATION PASSES.

Administrator Janik said that he will provide the Board with both the 2022 and 2023 Non-Union Wage Schedules to the Regular Session and thanked Zywicki for clarifying the technical parts of the proposed motion.

Chairman Wessell called for a break at 12:37 p.m. and the meeting was called back to order at 12:45 p.m.

Chairman Wessell announced that he was moving Agenda Item #9, Leland Dam Lake Level Discussion before the Building Safety requests.

Leland Dam Lake Level Discussion:

Drain Commissioner Steve Christensen was present and gave an update to the Board on the process of how Maintenance Director Jerry Culman changes the Lake Leelanau water levels since 2006 when the Leland Dam was updated.

Chris Lund and Dawn Lund present and provided photos to the Commissioners of the gauges at the Leland Dam.

Commissioner discussion ensued regarding the reading of the gauges in the photos provided.

Christensen answered Commissioner questions, and no action was taken.

Building Safety – Tuition Reimbursement – Administrative Secretary Molly Steck:

Building Safety Official Amber Weber present.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE 50% TUITION REIMBURSEMENT FOR MOLLY STECK FOR CLASSES ATTENDED DURING THE SPRING, SUMMER AND FALL SEMESTERS AT NORTHWESTERN MICHIGAN COLLEGE AS OUTLINED IN THE TEAMSTER’S BARGAINING AGREEMENT. FUNDS TO COME FROM EDUCATION #542.000.000.960.000. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Building Safety – BS&A Software Training Request:

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE COST OF TRAINING NOT TO EXCEED THE AMOUNT OF \$2,400.00, WITH FUNDS TO COME FROM ACCOUNT #542.000.000.960.000. SECONDED BY LAUTNER.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Building Safety – Proposed Vehicle Purchase Request:

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE PURCHASE OF TWO 2022 FORD RANGERS SUPER CREW XL AT A COST OT TO EXCEED \$70,278.00 WITH FUNDS TO COME FROM ACCOUNT #542.000.000.970.000. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Probate Court Register Compensation Adjustment:

Administrator Janik and Human Resources Director Darcy Weaver present and gave a brief overview.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE TO MOVE THE PROBATE REGISTER POSITION TO THE SALARY OF \$70,870.80 FOR 2022 AND TO SIGN THE SALARY AGREEMENT WITH KRISTINA MATTIS FOR RETROACTIVE COMPENSATION IN THE AMOUNT OF \$32,964.15 FOR THE YEARS OF 2020, 2021 AND 2022. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Drain Commissioner – Proposed Contract Renewal, GEI Consultants, Inc.:

Drain Commissioner Steve Christensen present and answered Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE AS-NEEDED CONSULTING AND ENGINEERING SERVICES AGREEMENT FOR YEAR 2023 FOR GENERAL DRAIN CONSULTING BETWEEN THE COUNTY OF LEELANAU FOR THE LEELANAU COUNTY DRAIN COMMISSIONER AND GEI CONSULTANTS OF MICHIGAN, P.C., AS PRESENTED; FUNDS TO COME FROM #101.690.275.801.000, PENDING COUNSEL REVIEW/APPROVAL. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 5 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 1 (Lautner) ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Finance Department – Year End Adjustments:

Chairman Wessell congratulated Jared Prince on his new opportunity.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE/AUTHORIZE THE FINANCE DEPARTMENT TO MAKE ANY YEAR-END ADJUSTMENTS AND TRANSFERS DEEMED NECESSARY TO AVOID YEAR-END DEFICITS IN THE VARIOUS DEPARTMENT BUDGETS WITHIN THE GENERAL FUND. NO TRANSFERS/ADJUSTMENTSS TO GO BEYOND FUNDS IN CONTINGENCY. ALL TRANSFERES/ADJUSTMENTS REQUIRE THE SIGNATURE OF THE FINANCE DIRECTOR. SECONDED BY LAUTNER.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Human Resources – Municipal Employee Retirement System (MERS), Employee Service Credit Purchase, Liana Wilson:

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE BY RESOLUTION FOR LIANA WILSON TO PURCHASE 5 YEARS OF GENERIC SERVICE CREDIT FROM MERS, AS DESCRIBED IN THE APPLICATION FOR ADDITIONAL SERVICE CREDIT PURCHASE, AT A COST OF APPROXIMATELY \$61,905.00 TO BE PAID BY THE EMPLOYEE. SECONDED BY WESSELL.

Discussion – Chief Deputy Clerk Zywicki explained the process of an employee purchasing general service credit with MERS and how the service credit calculates into the employee's benefits.

AYES – 6 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Administration – Approval of FY 2023 Appropriations Act Resolution and 2023 Budget Rules:

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD THE APPROVAL OF FY 2023 APPROPRIATIONS ACT RESOLUTION AND 2023 BUDGET RULES FORWARD TO THE REGULAR SESSION ON TUESDAY, DECEMBER 13, 2022. SECONDED BY ALLGAIER.

Discussion – none.

Administration – Broadband Update:

Commissioner Soutas-Little said that Point Broadband is currently laying out all the routes to lay the fiber and determining where the equipment needs to be located so they know the supplies and design. Point Broadband will be working with Cherryland Electric and this allows them to concentrate on getting permits necessary to be ready for Spring.

Administrator Janik said that his sources are saying that there will be movement after the first of the year with ARPA funding.

Chairman Wessell asked for a motion to waive the Board rules to continue past 2:00 p.m.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE THE BOARD RULES. SECONDED BY RUSTHON:

Discussion – none.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins)

RECOMMENDATION PASSES.

Administration – Administrator's 90-day Goals/Proposal:

Administrator Allen said that obviously just being 30 hours in there have been several key issues and general planning within that time period that need to be handled. She stated that she has some ideas and she would like to present a concept for consideration. If her idea is agreeable, then she can put it in a formal format and is hoping for some latitude and grace from the stand point of process.

Administrator Allen stated that as the Board has heard about key issues going into next year and recognizing that it being end of year and with her being new to the position there may be a benefit from getting some support. Allen presented a verbal draft proposal for consideration to enter into agreement with the Michigan Leadership Institute to provide up to 120 days of consulting support to the County Administrator and to transition accountability over five critical Board of Commissioners approved projects. The proposal would be to assist with and coordinate with Phase II and Phase III of the HVAC project, Lower-Level Health Department project, Community Mental Health Re-structuring Task Force, Communication Tower in Leelanau Township and ARPA funding.

Administrator Allen continued and said the potential cost for this consulting service is \$65.00 an hour, plus mileage and not to exceed \$2,500.00 per month, which is January, February and March. The final transition of projects would be scheduled for April 2023, with no additional costs. She said that she wanted to share with the Board that it is Janik's intent to accept employment with the Michigan Leadership Institute and this proposal would be to allow him to provide guidance and counseling on some of these critical issues that have been initiated. Allen stated that it will not be more than 120 hours and 3 months so that there is a smooth transition. The understanding would be that this is training and truly getting her up to speed and if there are issues that she can accomplish in a shorter period of time than the whole amount would not be needed. The professional consulting services would include written reports to the County Administrator for distribution to the Board of Commissioners. If this concept has support, she will supply the proposal to the Board for approval next week.

Commissioner Allgaier asked Administrator Allen if this is a concept that Allen wants?

Administrator Allen replied that she sees the value in it and that when you look at the complexity of the issues that are being dealt with right now that it would give her comfort as well as everyone else. If there was a hard stop of December 30, 2022, there is a reality that on so many of these moving parts that there will be continuity.

Commissioner Lautner stated that this is all really new and that she has a lot of questions. She said she doesn't know what this Michigan Leadership Institute then is that we would be contracting with them? Administrator Allen replied, that is correct. Commissioner Lautner continued and said that this would be contractual and as for Janik's county employment after December 31, 2022, he is no longer a county employee? Administrator Allen answered, correct.

Administrator Janik said not technically because he has vacation and personal days. His last day in the office will be December 30, 2022.

Commissioner Lautner stated that she believes that Janik will be will be paid out as of December 31, 2022.

Administrator Janik said no and that for tax purposes he wanted to have it stretched out because other people have been able to use their leave.

Commissioner Lautner said that she knows for other employees but she said she doesn't think Janik can, can you?

Administrator Janik replied that we have in the past. He said that he is not applying for MERS retirement yet. He stated that when people have retired a lot of them have their last day in the office and then they use their vacation days.

Commissioner Lautner asked that of those people though they are employees, right? She said that they are employees who have retired?

Administrator Janik confirmed that those are his plans, which is to retire.

Commissioner Lautner stated that she thought that Janik is a contractual employee with the County.

Administrator Janik stated that he is an employee but he just has a contract but he is a full-fledged employee covered by County policy.

Commissioner Lautner said that this is new to her because when the Board of Commissioners accepted Janik's letter of resignation the date was set as December 31, 2022.

Administrator Janik clarified that he said his last day in the office would be December 31, 2022, in his letter. He stated that he is entitled to all his earned vacation time.

Commissioner Lautner stated that she knows Janik is entitled to his vacation time but that he has to be paid out within the last days of December.

Administrator Janik said that he can get clarification for the Board, and Commissioner Lautner agreed.

Administrator Janik stated that he is not pushing this and he is perfectly fine if the Board chooses to do this or not. He has chosen to join the Michigan Leadership Institute as a consultant in 2023.

Chairman Wessell said that he likes what is being proposed because we often offer transitional support for people coming in. We get new police officers and we assign them to a staff person and we have so much for Administrator Allen to do internally that he likes the idea of having a consultant help the Board with projects that if we had facilities manager, we would get many of those done. He said that personally he would encourage Administrator Allen to bring back a formal proposal for next week, but that is just him.

Commissioner Allgaier stated that she would support that idea.

Administrator Janik said that he can clarify the issue in regards to his employment and for him there are tax advantages if he stays.

Chairman Wessell asked if there needs to be a motion to move this agenda item forward?

Commissioner Lautner said that she is not prepared and has to think on this a little bit and is not prepared to vote on it right now. She stated that you can bring it Tuesday, and she has to get her head around it. She said that she sees the value that we have had a month for basically the two of you to work together, and personally she likes the idea of a clean break. Lautner said that she really doesn't see any fires under any of the issues in her mind that she thinks that as bright as Administrator Allen is that she will pick them up and it will go really quickly.

Commissioner Allen said that she just doesn't want to see anything get dropped.

Administrator Janik stated that he is fine either way and that he is not requesting any of this.

Administration – Labor Union Negotiation Update:

MOTION BY ALLGAIER TO MOVE INTO CLOSED SESSION TO DISCUSS WITH OUR ATTORNEY LABOR NEGOTIATIONS. SECONDED BAHLE.

Discussion – none.

ROLL CALL: Allgaier – YES; Bahle – YES; Lautner – YES; Robbins – ABSENT; Rushton – YES; Soutas-Little – YES; Wessell – YES.

AYES – 6 NO – 0 ABSENT – 1

MOTION CARRIED.

Moved into closed session at 2:19 p.m.

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE BACK INTO OPEN SESSION. SECONDED BY RUSHTON.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins)

MOTION CARRIED.

Open session resumed at 2:55 p.m.

Review Of Financials:

Commissioner Lautner asked regarding paint being purchased for touch ups. Finance Director Prince looked for invoices regarding paint being purchased and didn't have an answer. Janik replied that with the building being built in 2008 there have been many touch ups and also the Administrator's Office got a new coat.

Commissioner Lautner asked if there will be any transfers or amendments and Prince replied that there are not any.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

None.

Public Comment:

None.

Commissioner Comment:

- Commissioner Allgaier thanked Administrator Janik and welcomed Administrator Allen.

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 \$78,586.79. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins) 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 \$2,438,493.63. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Robbins) RECOMMENDATION PASSES.

Adjournment:

Chairman Wessell adjourned the meeting at 3:02 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

/s/ Jennifer L. Zywicki

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