

**Leelanau County Board of Commissioners**  
**Organization Session – Wednesday, January 3, 2024**  
Approved Minutes – Meeting Recorded – 3/19/2024

*Proceedings of the meeting are being recorded (audio and video) and can be found at the following link:*  
<https://leelanau.gov/meetingdetails.asp?MAId=2622#video>

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

Pledge of Allegiance/Moment of Silence:

Commissioner Lautner was requested to lead the Pledge of Allegiance to the Flag of the United States of America, followed by a moment of silence.

Roll Call:	District	#1	Jamie L. Kramer	PRESENT
		#2	James S. O'Rourke	PRESENT
		#3	Douglas G. Rexroat	PRESENT
		#4	Ty Wessell	PRESENT
		#5	Kama Ross	PRESENT
		#6	Gwenne Allgaier	PRESENT
		#7	Melinda C. Lautner	PRESENT

Public Comment:

The following individuals spoke in person:

Steve Stire; Register of Deeds Jennifer Grant; and Renee Wyler.

A brief recess was taken at 9:38 a.m. to set the YouTube. Meeting back in session at 9:43 a.m.

Continued with public Comment and the following individuals spoke in person: Kerry O'Non, and Steve Mikowski.

Written comments and handouts can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2622#handouts>

Commissioner Comment:

- Commissioner Rexroat read his email that he sent to his fellow Commissioners on January 1, 2024 at 4:43 p.m.

Subject: Organizational Meeting.

Please see below some thoughts I had about the committee structure. Please do not respond to this email per OMA.

I support the committee structure but think we need the following guidelines:

- 1) Committees should be given specific, well described tasks within their respective area at the direction of the whole board.

- 2) This should come as a motion from the board, example: “We authorize the building and grounds committee to research possible alternatives to the HVAC system, and make recommendations to the board”.
- 3) Any recommendations from the committee must go to the executive meeting for deliberation, before action (of inaction) at the regular meeting.
- 4) Any committee meeting recommendation that will have an impact on another committees' current specific tasks as authorized by the whole board, will need to allow the other committee to meet and review prior to presenting to the executive board. Example: If the personnel committee has been given a specific task to review, and that task has financial implications, it would not need to be run by the finance committee unless it impacts a specific task already given to the finance committee, and vice versa.

In short form, I think the committee structure has to be specific and narrow in focus. All committee research starts at the executive, is authorized at the regular, and returns to the executive. That way there is more trust, and committees clearly know their duties, and the board knows what to expect. I believe with this structure the committees can be very effective, without jeopardizing the integrity of the whole board.

Just one commissioners thoughts. Happy New Year!

Please do not reply, see you Wednesday.

[end of email]

No further comments.

Agenda Additions or Deletions:

Chairman Wessel said that the standard for a closed session for Action Item #7a has not been met, so there will only be discussion. Commissioner Lautner asked what is this about and why isn't the standard met. Wessell responded that they do not have a legal opinion. Lautner thanked him for the response because the opinion listed on the agenda is from 2020.

Approval of Agenda:

*#001-01032024 Organization Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS AMENDED. SECONDED BY O'ROURKE.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

Action Items:

Vice Chairman:

Chairman Wessell called for nominations and they require a second.

*#002-01032024 Organizational Session*

**Commissioner Ross nominates Commissioner Rexroat as Vice-Chairman for the one-year term. Seconded by O'Rourke.**

No further nominations received.

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

**NO – 0**

**MOTION CARRIED.**

2024 Rules of Order and Procedure:

Chairman Wessell said that some Commissioners have made some suggestions, which have been noted in the document. Wessell requested that Administrator Allen take the lead and explain the document. The paper copies do not show the redline, but the electronic version does. Discussion began and explanation requested as to who made the corrections and what do the initials mean.

Chairman Wessell would like to make this discussion informal.

Commissioner Allgaier proposed that Executive meetings be changed to 9:30 a.m. as was done years ago. Discussion ensued. Commissioner Ross asked if there are many hourly employees that have to come to the meeting? Commissioner Lautner said it is more than the Clerk's office that has to be here early to prepare for the meetings and she understands Commissioner Allgaier's request. It gives everyone a chance to get to work and get their feet on the ground. She opposed the change to 9:00 a.m. and there was no consideration of staff in the time change and it did create extra work. Commissioner Ross wants to clarify that we are paying overtime and wants to make sure that we are paying overtime and referenced all the positions that are salary and she is happy and she wants to know if the decision is based on convenience? Commissioner Allgaier said that there was no reason to make staff come in early, just because we want them to come in early, and doesn't see a reason. Lautner said the Clerk is Clerk to the Board and this is a snowball effect. There are multiple people that need to be here early, including IT. Although Lautner has tried to make the same argument, and it hasn't flown. Commissioner Lautner gave the history regarding the change and she would support the change back to 9:30 a.m.

*#003-01032024 Organizational Session*

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS BEGIN THE EXECUTIVE SESSION MEETINGS AT 9:30 A.M. SECONDED BY LAUTNER.**

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

**NO – 0**

**MOTION CARRIED.**

Discussion on December dates.

Discussion ensued on proposed changes in the draft and Administrator Allen commented on Committee discussions being moved to the Executive Session after the meeting. Commissioners moved to discussion on Commissioner Rexroat's suggestions.

Commissioner Allgaier commented that she is not comfortable with those discussions not being held with the full Board, and she really doesn't see why they can't be. Also, the Finance Committee, she thinks those discussions should be held with the full Board. She is not real comfortable and she knows why we decided to try it, but is not sure how helpful it has been.

Commissioner Ross commented it has only been 3-4 months, and she questioned if we have really tested it. Ross commented that she thinks we're just reacting and we need to think about the process.

Commissioner Allgaier replied that she does not think it's reactive, she thinks it's responsive.

Commissioner Ross continued that three months is not a long time to give a committee structure any leg room to work and figure out where it needs to go.

Commissioner Rexroat said his comment is really quick. He thinks maybe Commissioners need to, rather than try and sort this language all the way through is, have a full discussion about the Committee structure and some of the suggestions made whether it lives or not before we dissect every single sentence going through here and add language that maybe, if it's the Board's pleasure that the committee structure be dissolved then we've wasted a ton of time so Rexroat thinks we should have that discussion together and then if it's the pleasure of the Board to move forward then he would take the suggestions that he suggested, modified or added to, are agreed to at the next meeting, Commissioners can further modify our Board rules with those changes, if desired, rather than going around in a circle.

Commissioner Kramer is going to echo Commissioner Allgaier's statements about the committee structure. Kramer said she has felt blindsided in our meetings to which direction we are going, and not up to speed on them at all. She also thinks notoriously when you add meetings, to add meetings, it is a clear sign that things are not functioning the way they should be functioning, and as opposed to elected officials trying to tackle these difficult situations, we should, maybe, be looking at the root of the disfunction instead of just meeting to meet. Kramer continued that that is where she is sitting at with the committees. She hasn't been at them so she doesn't know what they are doing at them and that is also part of the problem.

Commissioner Lautner agrees with everything just said and Commissioner Rexroat has a good point. Her first hope would be that we just get away from the Committee system. The Committee system has created monsters, created chaos, created more work for the Clerk, staff and more work for Commissioners. For example, if Personnel Committee meets, she has to take more of her time to either drive up here and watch the meeting, so she can get the whole inflection of what's being said, or try and watch it on YouTube which is at best, bad – for several reasons – you cannot tell who is talking, quite often you can't hear what they're saying, and you certainly can't get the inflection of what's being said. That is her first, out of the shoot, let us go back to working as a full Board of Commissioners where we all get all of the same information at the same time. Second, if we are going to have a Committee System, Lautner's idea would be that we (all Commissioners) meet for these. Do something like the first Tuesday of the month – meeting as a full Board, cover Personnel and Finance issues that are more in depth we normally can't handle at Executive. Commissioner Lautner continued that the second Tuesday would be Executive and then Regular would be the third Tuesday. It adds one meeting a month for us and we would get all the same information at the identical time.

Commissioner Lautner continued her third choice would be, that if there is going to be Committees, follow Commissioner Rexroat's plan for spelling it out and follow it to a T. It is very well written and she gives Commissioner Rexroat a lot of credit and it says exactly what has to happen. It starts at Executive, if there is a need for it to go to Committee, this Board would then send it to Committee. If it's a personnel issue, Personnel Committee would look at it, if it has a financial implication, Finance would look at it, and then go to Executive the next month if there is anything that pressing. That is her hope and that is the least amount of heartache for everyone, but if we're going to do it, we have to do it right.

Commissioner Ross asked Chairman Wessell when was the idea for the Committee System brought to us?

Chairman Wessell replied it was put in place in August or September when we were struggling with Finance. Chairman Wessell stated he is assuming Commissioners are only talking about Finance and Personnel – not Buildings and Grounds, Safety, and Senior Services and some of our other standing committees. Wessell said he has heard three people say to dispense with the Committees, then Commissioner Rexroat suggested that we keep the Committee and restrict them. That is the first decision, we have to decide if we are going to do without Committees or have Committees. If we have Committees, we have to have the rules.

Commissioner Ross also wants to remind others within this room, the reason this happened was we were in a crisis and we still are not over that crisis. In a couple hours we are going to hear from the man who we hired to help us dig into the problem and it is all tied together. To make the decision to dismantle the committees before we go through the results of the survey, and had a chance to digest what is a more workable function of this Board and how do we support the staff better. It is too tied to what we're going to find out this afternoon to make a decision and she feels very strongly. The Committees have been a very good idea for the last 3-4 months and to throw it out is not the right use of our time.

Commissioner O'Rourke commented that the agenda says approval of 2024 Rules of Order and Procedure. Everyone has a lot of good points and he questioned if Commissioners are required to approve the rules at this meeting or can they be tabled?

Commissioner Kramer answered she would like to table it.

Commissioner O'Rourke asked if we are required by statute to pass the Rules and Procedures at this meeting today?

Chairman Wessell stated he would defer to the Clerk; however, it is his opinion we need rules to operate and can amend them at any time but we must have rules in place to have a meeting.

Commissioner O'Rourke asked so approve the rules, but not all of them, or change them?

Commissioner Lautner said it might be easier to amend with what you are saying but we kind a need to know because we are scheduling things out so we all need to know our schedule and the Public needs to know our schedule.

Commissioner Rexroat asked if there was a situation where the conflict lies around the committee structure, could we approve them as is and table the committee structure?

Commissioner Allgaier stated this meeting is where we do that. It takes as long as it takes sometimes. Allgaier said she does not like not being a part of full discussions, especially on Finance. She continued that part of the reason that we had a (Personnel) HR Committee was that we had a new Human Resources person and we were trying to support what she was doing, she is now gone. She supports Commissioner Lautner's idea – if we have an issue that needs special discussion, then we have a special meeting after our Executive to go in depth with a financial or human resources issue in depth as needed but that we are all in on that discussion and all can engage – even with the Committees. Allgaier continued that she can come to the Finance meeting but she cannot speak, it is just public comment and cannot engage in full discussion in a Committee structure as a whole group. Then you decide something and it comes to the Executive and have to start all over.

Commissioner Kramer said this is very much tied to the climate survey and how we should be moving forward. These Committees are formed to address the problems that previous Boards created and she is still not sure why we haven't come to the conclusion that this isn't functioning the way it should be and going back to when it was functional. The Climate Survey may give us some inside information into this. Putting Band-Aids on Band-Aids isn't addressing the root, this portion needs to be tabled, until we find out more.

Chairman Wessell is trying to think in his own mind what he has heard - three Commissioners want to do away, one Commissioner wants to restructure, and one Commissioner wants to table and one Commissioner wants to give it a chance. It is time to make a decision and move forward.

*#004-01032024 Organizational Session*

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AMEND THE COMMITTEE STRUCTURE TO THE ENTIRE BOARD THAT WOULD MEET IN SPECIAL SESSION TO ADDRESS SPECIAL ISSUES. SECONDED BY LAUTNER.**

Discussion – Commissioner Allgaier believes that she can attend a finance meeting and cannot speak and that is untenable and we all need to be present for a deep discussion and participate in that.

Commissioner Rexroat has the same problem with the other Committees like Buildings and Grounds that he can attend and not speak, why does this apply to one and not to all?

Commissioner Ross said it is logistics and we would have to get all seven of us to all these meetings and it doesn't lesson the number of meetings. This is preemptive and is not letting the process work.

Commissioner Allgaier said she would envision that we would meet as needed and the difference between the Finance Committee and the Buildings and Grounds and Senior Services is the primary job of all of us is to watch over the taxpayers' dollars and we need to all be involved in those discussions.

Commissioner Lautner said it is apples and oranges to look at the other committees. Where we might place a no smoking sign on the campus does not compare to the levity of what these two large committees have been doing. She agrees 100%, and does not like not being able to speak at these committee meetings when they are dealing with such heavy issues. The bigger problem is how they have been handled. She has been banging the tables since the Committees started because she asked the question if all recommendations would come back to Executive and she was told yes, that was the process. That has not happened in the last four or five months and we have been circumvented as the Board of Commissioners and ramming things through. This is not fair to us or the public. The process has not been followed. Lautner said she supports this motion, it would streamline meetings because it would only be what is absolutely necessary to go to a Committee-of-the-Whole, which is the way we have been operating for a number of years and has worked very well. If there is a really important speaker, such as the gentleman for the survey – we all could have been in on that meeting, instead of having to wait until we met and ask questions and repeatedly be shut down. It would really streamline and get back to the Executive Committee meeting. We wouldn't have to schedule a Committee-of-the-Whole meeting every first Tuesday so we all have time to gather more information, get off of home base here today and do a quick poll to see where your Board is at. Commissioner Lautner is for dissolving the Committee structure.

Commissioner Rexroat commented that he doesn't disagree with a lot of what Commissioner Lautner is saying. He doesn't think the committee had enough structure as it is and that is why he proposed the changes that he did. He talked with Interim Finance Director Cathy Hartesvelt and they agreed that general finance things should not come to the Finance Committee. It was formed to address a specific task – he thinks the language addresses that. He will defer to the whole Board with one scheduling question, if we make this motion and cancel this afternoons Finance Committee because there is no Finance Committee as soon as this motion is made. Then you would have to inform the gentleman from Michigan State University that he made this trip for nothing. Rexroat is okay with that, but wants to understand logistics and processes.

Commissioner Rexroat supports committee structure with restrictions; Commissioner Ross supports committee structure with restrictions; Commissioner Lautner said no committees, but will go with them as long as we follow with restrictions; Commissioner O'Rourke commented the standard is to have three Commissioners call a special meeting, O'Rourke agrees with Rexroat but doesn't think that we should overload the Committees. Commissioner O'Rourke continued that County Boards have been operating for years and let's give the Committee a little time to work. O'Rourke said he is between Commissioners Rexroat and Lautner; Commissioner Allgaier is not comfortable having a Finance Committee meeting without all Commissioners and cannot support. Allgaier would support a special meeting; Commissioner Kramer is in between the two spaces and thinks that that would be an appropriate way to handle this. Kramer continued however, she is not sure as she is not a part of either Committee and it feels like micromanaging a mistake that we continue to make – she will be moving forward to see if we can see any improvement and revisit it if it is not functioning in a few months.

Chairman Wessell commented he would like to give the Committee structure a longer trial and restrict how we do business and Commissioner Rexroat has given good suggestions – the only time Committees would consider something is if they were requested to consider it from the whole Board.

**AYES – 2 (Allgaier, Lautner)**

**NO – 5 (Kramer, O'Rourke, Rexroat, Ross, Wessell)**

**MOTION FAILS.**

Recess called at 10:36 a.m. and the meeting resumed at 10:46 a.m.

*#005-01032024 Organizational Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPLY THE GUIDELINES AS SUBMITTED TO THE EXISTING COMMITTEE STRUCTURE. SECONDED LAUTNER.**

Discussion – Commissioner Lautner said to insert the language on page 9 and then we can amend the rules at our next meeting. Chairman Wessell stated any further actions of Personnel and Finance Committees would be authorized by the Executive Board in future Executive Board meetings. Commissioner Kramer clarified this gives the Board the ability to steer the direction of the Committees. For instance, the gentleman coming today from MSU – she feels should come before the full Board because these are important discussions that affect the entire county. Commissioner Rexroat said if you don't tell the Committee to do something, they cannot do it and the language in there is specific. Commissioner Rexroat continued back to Amrhein, he spoke with him on the phone and he really is going to ask to go forward with some stuff today so the meeting today you're not going to miss anything and it can be presented at the back end of the public meeting. Commissioner Ross commented it is very similar to when "we" hired the MLI guy, he came in and spoke to you guys. John Scholten sat right there and you could ask him questions. Commissioner Lautner added we weren't allowed to ask questions.

Interim Finance Director Hartesvelt stated the MSU Extension was a recommendation from the full Board to the Administrative Board. Commissioners are following that recommendation from the full Board to have him come speak. If Commissioners continue with the committee structure the leadership of the full Board would be a vetting agent for anything to be assigned to the committee structure. If any Chair is approached before it has been vetted by the full Board they should put up a big stop sign and ask has it been vetted and assigned to the committee. This is a leadership issue as far as she is concerned and does agree that finance should be heard by Committee of the Whole and lets go to a smaller Committee, it doesn't have to be a named Committee. The Committees can be appointed, and you have latitude to be creative with your Committees. But for Hartesvelt, as Interim Finance Director, to make sure Commissioners all have what you need, this is like herding cats and, she would prefer Finance at Committee-of-the-Whole.

Commissioner Allgaier said at the meeting this afternoon, she will listen to Mr. Amrhein and not be able to speak or ask questions and that is not appropriate and she will be their unhappily.

Commissioner O'Rourke commented that this should go on page 8, 1A. Commissioner Lautner added that section D should be amended.

County Clerk Michelle Crocker stated that Section D would be amended because a portion of Section D should come out. The Administrator and Clerk can compare notes while she is putting this together because there is value in the rest of the sentences.

Chairman Wessell said that this will be incorporated in the Rules and brought back next month.

**Roll Call Vote: Rexroat – YES; Ross – YES; Wessell – YES; Allgaier – NO;  
Kramer – YES; Lautner – YES; O'Rourke – YES.  
AYES – 6      NO – 1**

**MOTION CARRIED.**

Discussion on Public Comment (page 15 of rules, 16 of packet, 4A, 4B)

Commissioner Allgaier would like the first public comment at Special Meetings to be agenda specific, but the Public Comment is not Agenda specific and would like the Regular Session to be Agenda Specific. Commissioner Lautner does not want to see the first public comment go away at any meeting and confirmed that the first public comment can be agenda specific for Special Meetings but does not want it to go away completely. Commissioner Rexroat said you would have to amend 4B for all meetings the first public comment would be 3 minutes and agenda specific and second public comment at THE end is 5 minutes.

*#006-01032024 Organizational Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT 4A WITH CHANGES AND AMEND 4B WILL BE FOR ALL OTHER MEETINGS ONE THREE-MINUTE COMMENT AGENDA SPECIFIC, ONE FOR FIVE-MINUTES NON-AGENDA SPECIFIC. SECONDED BY ALLGAIER.**

Discussion – none.

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

**MOTION CARRIED.**

*#007-01032024 Organizational Session*

**MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE 2024 RULES OF ORDER AND PROCEDURE AS AMENDED. SECONDED BY O'ROURKE.**

Discussion – none.

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

**MOTION CARRIED.**

Approval of 2024 Meeting Schedule:

Brief discussion.

*#008-01032024 Organizational Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AMEND THE 2024 MEETING SCHEDULE TO START THE EXECUTIVE MEETINGS AT 9:30 A.M. SECONDED BY ALLGAIER.**

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

**MOTION CARRIED.**

Regular Session	Tuesday, January 16, 2024 @ 7:00 p.m.
Regular Session	Tuesday, February 20, 2024 @ 7:00 p.m.
Regular Session	Tuesday, March 19, 2024 @ 7:00 p.m.
Regular Session	Tuesday, April 16, 2024 @ 7:00 p.m.
Regular Session	Tuesday, May 21, 2024 @ 7:00 p.m.
Regular Session	Tuesday, June 18, 2024 @ 7:00 p.m.
Regular Session	Tuesday, July 16, 2024 @ 7:00 p.m.
Regular Session	Tuesday, August 20, 2024 @ 7:00 p.m.

Regular Session	Tuesday, September 17, 2020 @ 7:00 p.m.
Annual Statutory Meeting	Tuesday, October 8, 2024 @ 7:00 p.m. (2 <sup>nd</sup> Tuesday of Oct.)
Regular Session	Tuesday, November 19, 2024 @ 7:00 p.m.
Regular Session	Tuesday, December 17, 2024 @ 7:00 p.m. (2 <sup>nd</sup> Tuesday of Dec.)
Organizational Meeting	Tuesday, January 7, 2025 @ 9:30 a.m. (1 <sup>st</sup> Tuesday of Jan. 2025)
Regular Session	Tuesday, January 21, 2025 @ 7:00 p.m.

Executive Board	Tuesday, January 9, 2024 @ 9:30 a.m.
Executive Board	Tuesday, February 13, 2024 @ 9:30 a.m.
Executive Board	Tuesday, March 12, 2024 @ 9:30 a.m.
Executive Board	Tuesday, April 9, 2024 @ 9:30 a.m.
Executive Board	Tuesday, May 14, 2024 @ 9:30 a.m.
Executive Board	Tuesday, June 11, 2024 @ 9:30 a.m.
Executive Board	Tuesday, July 9, 2024 @ 9:30 a.m.
Executive Board	Tuesday, August 13, 2024 @ 9:30 a.m.
Executive Board	Tuesday, September 10, 2024 @ 9:30 a.m.
Executive Board	Tuesday, October 1, 2024 @ 9:30 a.m. (1 <sup>st</sup> Tuesday of Oct.)
Executive Board	Tuesday, November 12, 2024 @ 9:30 a.m.
Executive Board	Tuesday, December 10, 2024 @ 9:30 a.m. (1 <sup>st</sup> Tuesday of Dec.)
Executive Board	Tuesday, January 14, 2025 @ 9:30 a.m.

Continuation of Monthly Update from Individual Departments and Agencies:

Administrator Allen gave an update on monthly updates from individual departments and agencies. They submit a report and Allen said she will also ask that they present for not more than a five-minute presentation and have a one-page summary. Allen would discourage people from going through the whole power point presentation for the essence of time because we have such full agendas.

Commissioner Rexroat appreciates the five-minute limit as it is our responsibility to receive these and review them.

Commissioner Allgaier commented that when people are coming to present, they are representing what they do for us all year long and it is important and she doesn't think that Commissioners do it justice or us justice to say five-minutes. Ten minutes would be fair, some of these people are driving a long distance and if she was driving to present what her group does for a five-minute presentation, she would say how about ZOOM. Commissioner Allgaier continued that benefit from that information.

Commissioner Lautner agrees with up to ten minutes. She also thinks that sometimes the value of the presentations is more for the general public and she knows the public has a lot of questions and can be recognized and would like to see the public get as much out of the presentations as us.

Chairman Wessell confirmed that Commissioner Allgaier suggested that it should be 5-10 minutes and the Board always has flexibility to extend that if they want to.

Commissioner Ross questioned why there are some things crossed out and why in yellow – Networks Northwest is crossed out and MERS is in yellow.

Administrator Allen replied they haven't had an ongoing MERS presentation and Networks Northwest haven't had representation on that Board in quite some time. Commissioner Rexroat said, "I am". Administrator Allen continued she would have to confirm. Chairman Wessell asked about a motion and County Clerk Michelle Crocker said it is really for information and more of a guideline.

Administrator Allen has agreement on concurrence of the 2024 Schedule of Monthly Department Updates

Commissioner Appointments to Boards, Commissions, Committees, and Authorities:

Chairman Wessell received one change and that is Community Action Agency and would like to approve the appointment to Community Action Agency.

MAC Active Ag and Tourism Board often meet on ZOOM. They put together their proposal to the Legislature and then they meet through the summer. Commissioner Allgaier offered comments and Commissioner Lautner will try to ZOOM in on that and see if it progressed with Agriculture and eminent domain is one. MAC Ag and Tourism to be added to the appointments.

#009-01032024 Organizational Session

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE COMMISSIONER APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES, AUTHORITIES AND STANDING COMMITTEES AS AMENDED. SECONDED BY ALLGAIER.**

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

**NO – 0**

**MOTION CARRIED.**

9-1-1 Advisory Board	Wessell
BATA (Bay Area Transportation Authority)	Kramer
BLDHD Board of Health	Allgaier & Wessell
BLDHD Board of Health	Wessell
BLDHD Environmental Health Board of Appeals	Rexroat
Brownfield Redevelopment Authority	Allgaier
Community Corrections	Rexroat
Networks NW	Rexroat
Land Bank Fast Track Authority	Allgaier
Leelanau Co. Family Coordinating Council	O'Rourke
Northern Lakes Comm. Mental Health Authority	Wessell
NMCAA (Northwest Mi Comm. Action Agency)	Kramer
Northwestern Regional Airport Comm.	O'Rourke
Parks and Recreation Commission	Lautner & Ross
Planning Commission	Lautner
Solid Waste Council	Ross
Substance Abuse Prevention Coalition	O'Rourke & Kramer
MAC Ag and Tourism	Lautner

Commissioner Appoints to Standing Committees:

Boards and Commissions Review	Committee of the Whole
Building & Grounds	Lautner & O'Rourke
Construction Codes Authority/Building Safety	Rexroat
Finance/Audit	Committee of the Whole
Senior Services Advisory	Allgaier & Kramer
Union Negotiations	Wessell & Lautner

Corporate Counsel Contract and Process:

Chairman Wessell asked Administrator Allen if she ever denied a Commissioner the opportunity to look at a bill and the answer was no.

Administrator Allen said in response to Commissioner Lautner that the reality is her staff is to educate her and inform her if Commissioners have made requests. She hopes requests would come to her as the Administrator, often times they do not. She doesn't often know if there is a question or an inquiry or if something has been raised. She has been totally circumvented on many different issues so this was just an acknowledgement by staff saying f.y.i. that a Commissioner has come in and made a request so she has the ability to follow-up. Allen can only be as effective as Commissioners, as a Board, allow her to be. In these situations, she would appreciate knowing these things so she can be helpful. It was not meant to be sneaky or whatever.

Administrator Allen went over the Cole Stoker invoices. All of this information has always been available to the Board and "we" always keep a complete document available. What is sometimes given to Accounting is a more redacted document. With that said, that has been the practice, we've had some obvious changes in how we're doing our accounting. Administrator Allen continued on page 6 of 9 more services, professional services rendered – page 7 and 8 more detail. The next section shows that page 3 of 4 is a redacted copy to Accounting by the County Clerk. Whatever the Boards pleasure on how we do this, past practice she believes was to preserve legal documents that are potential concern. She would assume the Clerk could speak to that as well.

Commissioner Ross questions if the Clerk made the redactions on page 3 of 4 or Cole Stocker. Administrator Allen replied she would have to defer to the Clerk because she (Allen) just saw these documents on Friday that were made available to me.

Chairman Wessell stated before we call on Commissioner Allgaier can we have the Clerk and the Finance Director respond to what the Administrator said.

County Clerk Michelle Crocker stated she wants to respond to one thing, this one invoice was from 2020 – we have two things going on – retainer invoices and non-retainer invoices. On page 8 of 9 of the handout, you will see it's the Anthony litigation, there were several counties that went after this but that's not the point. The bill itself doesn't say anything, but in 2020 finances were under my authority. Looking at this, whether or not it was redacted – she will go look at the file itself – she knows for a fact that the redacted copy provided to Accounting, and now the Board, was not placed on that document by her. It may be on there now, but it was not placed on there by her. Crocker has more in her office that are not redacted. Especially

when you look at outside retainer fees, because prior to this year, for different reasons, Elected Officials need representation in litigation. She referenced the Election Commission and it is not redacted, also spoke about Concealed Pistol License litigation. Crocker will look into this further because she would like to know how the stamp got on there. Invoices prior to litigation would be non-retainer. Brief comments continued.

Interim Finance Director Cathy Hartesvelt said to expand on this further, the previous Administration was Administrator Janek and County Clerk Michelle Crocker also acting as your Finance. They would receive the bills, and either redact or not redact - there are some redactions – the originals would be kept if they are redacted at that level. They were then given to the Account Clerk, who does not that information at that level. Hartesvelt can see how an Account Clerk would say they have always been redacted. So just to clarify, under this administration, she would be aware of what your non-retainer is so that your account numbers are vetted so she knows we're charging to the correct department for those bills or not. Until now Hartesvelt has gone on faith and that is why they were presented to claims and accounts, under protest, because she is not aware of those accounts and can't verify the account numbers. Hartesvelt continued that she brought this to Administrator Allen's attention early on in her employment and to Cowan's attention when he was Finance Director. Prior to Cowan's employment, Hartesvelt contacted another County, and he told her he would never sign off or bring a bill to the Board that was not vetted. Under protest Hartesvelt has told the Board and they can look at the bills. Commissioner Lautner and Commissioner Kramer have asked to see the file. The access the Interim Finance Director has is the redacted information from the Account Clerk – they are a copy of the redacted invoice and copy of the check with signatures on them. The last Claims and Accounts in Special Session, December 29, 2023, there were 235 invoices that the Board reviewed, and handled between herself, the Account Clerk, and the Department Head/Elected Official at least 5 or 6 times, they're vetted. She will not sit here and tell Commissioners something that is not true. She will not tell you she vetted those invoices.

Chairman Wessell asked what her recommendation would be.

Interim Finance Director Cathy Hartesvelt responded that she would recommend the Board understand they can see any invoice anytime they'd like and that she sees the unredacted non-retainer invoices so she can verify the account number, and assigning the correct account number, department and expense. She is bothered some people think she is untrustworthy.

*#010-01032024 Organizational Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS UNDERSTAND THEY CAN SEE ANY INVOICE ANYTIME THEY LIKE AND THAT THE INTERIM FINANCE DIRECTOR SEE ORIGINAL, UNREDACTED, INVOICES FOR PROPER CODING AND VETTING. SECONDED BY ALLGAIER.**

Discussion - Commissioner Lautner said she has been concerned because by looking at every single invoice and seeing some very large numbers of the non-retainer, and she does encourage every Commissioner to look at those, because \$31,000 is unprecedented for us. It is our duty to look at those. She is glad it came out, she made a comment a couple months ago being concerned about leaks coming out of Administration. Commissioner Lautner read from a handout – the third page #1 – it says "Deb, Commissioner Lautner arrived shortly after 3:00 p.m. and requested my copies of the October legal from Cohl Stoker for review and she is in the Director's office reviewing them". Commissioner Lautner asked did you (Allen) ask her to spy on

the Commissioners? It blows her away. That is one of three things that she has been attacked on out of that office. This is her (Lautner's) statutory duty, period.

**Commissioner Rexroat stated the matter at hand is a motion on the floor on how we redact copies, so let's call the vote.**

Commissioner Kramer would like to speak.

**Seconded by O'Rourke. Commissioner Rexroat Withdrew the called the question.**

Commissioner Kramer stated in the spirit of transparency, any Commissioner should be able to request/get any information without the permission or guidance of the Administrator, this is our Board. Commissioners, in fact, run the County. You (Administrator Allen) work for us and not vice versa. If we want to get legal documents, we should be able to do that at any time without preparation. I just want to keep that clear.

Commissioner O'Rourke states he completely agrees; but when someone wants to come in and look at something that is redacted it should be documented. It seems Leelanau's business is in the Enterprise or the Ticker before he gets it.

Commissioner Allgaier states she will support it; but, needs more time as this was just handed to us.

Chairman Wessell states we were sent that last week; but, you had a busy weekend.

Interim Finance Director Hartesvelt commented you (the Board) have given her the responsibility and authority over the general ledger and is comfortable putting claims and accounts together with a level of trust. The records are hers if she is in charge of your General Ledger.

Commissioner Rexroat stated besides reading if they go to the right account or not, with all the things that are included in a retainer, you will need to see if this is non-retainer or not. He continued that he trusts our legal, but he will assume Hartesvelt will be reviewing those also as there is a pretty big list.

Interim Finance Director Hartesvelt stated she has gone back and looked at non-retainer fees and there are zero within the last five years. So this is a concern that we are being charged.

Commissioner Allgaier asked if the fees will be followed up?

Chairman Wessell stated there is a copy of the contract in the packet for what is retainer.

Interim Finance Director Hartesvelt reviews and can even question as to why we are being charged.

Chairman Wessell stated just to be clear, any Commissioner or the Finance Director can ask any questions. We have a motion to approve the recommendation from the Finance Director.

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

**NO – 0**

**MOTION CARRIED.**

Commissioner Lautner stated she's glad we got this far. It hasn't been "oh sure, here are the documents". She has had to insist on seeing them. She disagrees 100% with the Administrator comments on keeping a tally on what we are doing as our job. As an Administrator you can't tell a Commissioner no you can't know that or ask a question or be involved in that, but then say we want to know everything you're doing. She is very disturbed, this is about good communication, in the past we've had good communication. She doesn't agree with blanket redacting, you can take out what is absolutely necessary. But honestly she cannot see what the general public would see what we are spending their money on.

Chairman Wessell said the issue of communication will be taken up when we have the Administrator's review.

Interim Finance Director Hartesvelt commented and wanted to clarify the Board of Commissioners has not had a line item in for legal services in many, many years.

Administrator Allen stated legal counsel is on the February agenda regarding their contract

Public Comment:

The following individual(s) offered public comment in person:

Linda Ackley-Eaker; Renee Wyler, Kathy Dawkins, Keith Beduhn, Eric Lind, and Kerry O'Non.

Written comments and handouts can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2622#handouts>

Commissioner Comments:

- Commissioner Ross stated she spoke to former Administrator Janek, as Chairman of the Personnel Committee, and gained some good information. She stated in June/July 2012 he performed a similar survey, SWOT, and good information came out of it. She read a quote out loud "strangely loyal to performing daily acts of trivia" – she thought about it all night and believes they struggled in 2012 with it as well as now. He (Janek) did put out some next steps, provide employees with results and share with the BOC. Ross continued that we are back in the same boat and she challenges us all and to take this information that we will get this afternoon to heart and action. Keep it honest and keep it simple.
- Commissioner Kramer responds to a comment from earlier. She feels as a Commissioner there are some inconsistencies happening, and it is Commissioners responsibility that there are checks and balances and absolute power does not sit with one person on this board and is evenly disbursed throughout. The redaction may not have been made public, if we would receive that redacted statement and Finance would still be doing it. It is important for Commissioners to do their job; however, we need to do it and keep it transparent.
- Chairman Wessell stated there are no limits to comments in Public Comment and any information in open session is available most of the time on the website.

- Commissioner Lautner has this to say. Lautner does not feel that she needs to inform our Administrator of every move the Board makes, but if that is the case when we come into the building to talk to a department head is a little bit bizarre. Lautner feels targeted. Her job is not the Administrator's job. This is not about an Administrator trying to learn her jobs. Lautner has worked with a few Administrators in this building and never once has any one of those Administrator's had to track her. If this is how we are going to do our business, please present to me, every email Administrator Allen has received telling her what any Commissioner is doing inside this building. It would be a quick search engine, Lautner is guessing it would be from Human Resources Director Darcy Weaver or Executive Assistant Laurel Evans. If Allen would get that to Lautner, she would appreciate it. When Lautner receives the information she will apologize for not understanding the new process of tracking Commissioners through this building doing our statutory duties.
- Commissioner O'Rourke stated if he requests information from our attorney he would hope it would be logged that he requested this information. Confidentiality with the closed meetings / attorneys do have rights. There are leaks here as things gets in the Ticker before he reads his email. He would love to know who is doing it.

Adjourn:

Motion by Rexroat to adjourn.

Meeting adjourned at 12:02 p.m. by Chairman Wessell.

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Ty Wessell, Chairman  
Leelanau County Board of Commissioners

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Michelle L. Crocker, Leelanau County Clerk  
Clerk-Leelanau County Board of Commissioner