

**Leelanau County Board of Commissioners**  
**Regular Session – Tuesday, November 15, 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=2408#video>

Meeting called to order by Chairman Ty Wessell at 7:00 p.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           | PRESENT |
|                   | #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 |

Approval of Minutes:

*#277-11152022 Regular Session*

**MOTION BY RUSHTON THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE EXECUTIVE SESSION MEETING MINUTES OF OCTOBER 4, 2022. SECONDED BY ALLGAIER.**

Discussion – none.

**AYES – 7 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner, Robbins)**  
**NO – 0** **MOTION CARRIED.**

No motion received regarding Regular Session of October 11, 2022, and Executive Session of November 9, 2022, they will be placed on next month's agenda.

Approval of Agenda / Late Additions or Deletions:

Administrator Janik noted the amended agenda was just a movement of items. Commissioner Rushton requested that the Chairman explain the changes, which he did.

*#278-11152022 Regular Session*

**MOTION BY RUSHTON THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS AMENDED. SECONDED BY LAUTNER.**

Discussion – none.

**AYES – 7 (Rushton, Soutas-Little, Wessell, Allgaier, Bahle, Lautner, Robbins)**  
**NO – 0** **MOTION CARRIED.**

Public Comment:

Keith Ashley; Steve Mikowski; Charles Knapp; Bill Wiesner; and Chris Lund.

The written comments can be found at the following link:  
<https://www.leelanau.gov/meetingdetails.asp?MAId=2408#handouts>

Commissioner Comments:

- Chairman Wessell applauded the Clerk's Office for another well-run election.
- Commissioner Soutas-Little commented on recounts and the use of paper ballots and that they are physically counted in that situation and she does not know of any time when the vote was overturned.

Communications, Proclamations, Presentations –  
None.

Consent Agenda Items:

Chairman Wessell read the following statement: The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with by one motion without discussion. Any Commissioner may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion. Such request(s) will be automatically respected and will not need a second.

*#279-11152022 Regular Session*

**MOTION BY SOUTAS-LITTLE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED BY ALLGAIER.**

Veterans Affairs – Grant Agreement Between Leelanau County, Michigan Department of Military and Veterans Affairs, and the Michigan Veterans Affairs Agency:

*#280-11152022 Regular Session*

**● ACCEPT THE GRANT AGREEMENT BETWEEN LEELANAU COUNTY, THE MICHIGAN DEPARTMENT OF MILITARY AND VETERAN'S AFFAIRS, AND THE MICHIGAN VETERANS AFFAIRS AGENCY, AS PRESENTED.**

Government Center – HVAC Issues and Options:

*#281-11152022 Regular Session*

**● TO APPROVE THE ENGINEERING FEES FOR PHASE TWO AND PHASE THREE FOR \$50,000.00, TO MOVE THE HVAC PROJECT FORWARD.**

Government Center – Lower-Level Options:

*#282-11152022 Regular Session*

**● TO AUTHORIZE THE COUNTY ADMINISTRATOR TO WORK ON A PLAN, CHECK ON THE FINANCING, AND COME BACK IN DECEMBER WITH A PROPOSAL.**

Government Center – Facilities Management – D&W Mechanical Contract Options:

*#283-11152022 Regular Session*

**● ACCEPT THE D&W MECHANICAL THREE-YEAR CONTRACT, OPTION #2, FOR SERVICING THE GOVERNMENT CENTER AND LAW ENFORCEMENT CENTER FOR LEELANAU COUNTY.**

Sheriff's Office – Annual Vehicle Purchase:

*#284-11152022 Regular Session*

- **ALLOW THE SHERIFF'S OFFICE TO ORDER THREE FORD INTERCEPTOR SUV'S AND ONE FORD F-150 PICK-UP FROM SIGNATURE FORD WITH THE AMOUNT NOT TO EXCEED \$178,843.00. UPON DELIVERY, THE SHERIFF'S OFFICE IS ALSO APPROVED TO OUTFIT THE VEHICLES WITH THE TOTAL COST NOT TO EXCEED \$37,311.63. FUNDS TO COME FROM THE 2023 MOTOR POOL FUND.**

Human Resources – Rehmann Robson, LLC, Renewal Agreement for ACA Forms Preparation:

*#285-11152022 Regular Session*

- **WAIVE BID POLICY AND APPROVE THE SERVICE AGREEMENT WITH REHMANN ROBSON, LLC FOR SERVICES AS OUTLINED IN THE AGREEMENT. FUNDS TO COME FROM ACCOUNTING CONTRACTUAL SERVICES #101.825.201.801.000.**

Senior Services – Michigan Medicare/Medicaid Assistance Program (MMAP, Inc.) Agreement:

*#286-11152022 Regular Session*

- **APPROVE THAT LEELANAU COUNTY SENIOR SERVICES ENTER INTO AN AGREEMENT WITH MMAP, INC., TO PROVIDE MIPPA BENEFICIARY OUTREACH AND ASSISTANCE SERVICES FOR SENIORS. THE CONTRACT AGREEMENT WILL BEGIN SEPTEMBER 1, 2022, THROUGH AUGUST 31, 2023.**

Senior Services – Area Agency on Aging of Northwest Michigan (AAANM) Agreement:

*#287-11152022 Regular Session*

- **APPROVE THAT LEELANAU COUNTY SENIOR SERVICES ENTER INTO AN AGREEMENT WITH AREA AGENCY ON AGING OF NORTHWEST MICHIGAN TO PROVIDE MIPPA BENEFICIARY OUTREACH AND ASSISTANCE SERVICES FOR SENIORS. THE CONTRACT AGREEMENT WILL BEGIN SEPTEMBER 1, 2022, AND CONTINUE THROUGH AUGUST 31, 2023.**

Information Technology – Furnishings Request:

*#288-11152022 Regular Session*

- **WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE PURCHASE OF OFFICE FURNISHINGS FOR THE IT OFFICE FROM CUSTER, INC., OF TRAVERSE CITY AND GRAND RAPIDS, IN THE AMOUNT OF \$2,347.99; WITH FUNDS TO COME FROM CAPITAL PROJECTS BUILDING FUND #470.**

Administration – Grand Traverse Band of Ottawa and Chippewa Indians 2% Allocation

Requests:

*#289-11152022 Regular Session*

**• APPROVE THE FOLLOWING SECOND CYCLE TWO PERCENT ALLOCATION REQUESTS FROM LEELANAU COUNTY TO THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS:**

- ▶ Senior Services/Leelanau Christian Neighbors (Neighborhood Assistance Ministry), \$18,040.00
- ▶ Board of Commissioners/Mnamaadiziwin, Inc., for Cultural Awareness Training, \$77,063.00
- ▶ Thirteenth Judicial Court/Child & Family Services (Safe Haven), \$5,000.00
- ▶ Parks & Recreation/Child & Family Services, Invasive Species Removal, \$22,000.00
- ▶ Planning/Community Development/Housing North, ADU Program Development, \$15,000.00
- ▶ Planning/Community Development/Habitat For Humanity-Grand Traverse Region, \$50,000.00
- ▶ Planning/Community Development, Tire Recycling, \$10,000.00
- ▶ Solid Waste Council, Mattress Recycling, \$5,000.00

Administration – Letters of Understanding – Fraternal Order Of Police Labor Council (FOPLC) – Leelanau Dispatchers:

*#290-11152022 Regular Session*

**• ACCEPT THE LETTER OF UNDERSTANDING BETWEEN LEELANAU COUNTY AND THE FRATERNAL ORDER OF POLICE LABOR COUNCIL – LEELANAU DISPATCHERS.**

Discussion – none.

(Voice vote on above consent agenda.)

**AYES – 7 (Soutas-Little, Wessell, Allgaier, Bahle, Lautner, Robbins, Rushton)**

**NO – 0**

**MOTION CARRIED.**

**Action Items:**

Equalization – L4402 Apportionment Report Update:

*#291-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE (REVISED) COUNTY APPORTIONMENT REPORT L-4402 AS PRESENTED. SECONDED BY ALLGAIER.**

Discussion – none.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Administration – Finance Department Training Options:

Administrator Janik presented a proposal from Rehmann for consultation services, not to exceed \$20,000.00 and it was moved forward.

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE FINANCE DEPARTMENT TRAINING OPTIONS AS PRESENTED. SECONDED BY RUSHTON.**

Discussion ensued about regrets for the calamity, the need for training, education opportunities that are offered for employees. Discussion on stipends that have been paid to employees and training wages that are paid to employees through union contracts.

Comments by Commissioner Allgaier regrets that the people – yet another step in this calamitous hill and the Finance Department needs training, so regrettably Commissioner pretty much destroyed any other options.

Commissioner Soutas-Little does not want to harbor any illusions to have this handled by the Clerk as it was the least expensive. There has been a lot of stipends – in the past and there have been a lot of stipends for people doing work outside of their normal roll. It was unfortunate, as Commissioner Allgaier stated that we need to move forward with training.

Janik expanded about training and stipends; Commissioner Soutas-Little responded to Administrator Janik and her point is that it has been done in the past.

Commissioner Rushton questioned if the County provides training for any other employees, ie, pay to go to seminars? Janik responded to questions. Rushton said she does not believe this is unusual.

*#292-11152022 Regular Session*

**MOTION BY LAUTNER AMENDED THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE FINANCE DEPARTMENT TRAINING OPTIONS AS PRESENTED – A SERVICE AGREEMENT BETWEEN LEELANAU COUNTY AND REHMANN ROBSON, LLC, WITH FUNDS TO COME FROM #101-100-101-967-000. SECONDED BY RUSHTON.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

Administration – Membership Proposals Leland Dam Authority:

Commissioner Lautner gave Commissioners an update on the Committee meeting.

*#293-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS FORM THE LELAND DAM AUTHORITY CONSISTING OF FIVE MEMBERS: A ROAD COMMISSIONER, A BOARD OF COMMISSIONERS MEMBER, THE DRAIN COMMISSIONER, AND TWO AT LARGE MEMBERS WITH PRIORITY GIVEN TO A MEMBER WITH AN ENGINEERING BACKGROUND, AND A LAKE LEELANAU RIPARIAN. SECONDED BY RUSHTON.**

Discussion – Chairman Wessell invited Mr. Lund representing the Lake Leelanau Lake Association to the table for discussion and questions on the motion with Commissioners and the Administrator. Discussion ensued with questions/answers regarding on the Court Order and whether or not it is being followed, where the readings are being taken, dredging, and other issues relative to the Dam.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Administration – Membership Proposals, Board of Public Works:

*#294-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THAT THE LEELANAU COUNTY BOARD OF PUBLIC WORKS CONSIST OF THE SEVEN LEELANAU COUNTY BOARD OF COMMISSIONERS, THE DRAIN COMMISSIONER AND THE COUNTY TREASURER. SECONDED BY RUSHTON.**

Discussion – brief comments by Commissioner Lautner.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Eighty-Sixth District Court – Intercounty District Court Operating Agreement:

86<sup>TH</sup> District Court Administrator Dawn Wagoner was present before Commissioners.

Wagoner responded to questions regarding the Agreement and the changes, i.e. liability, all three Counties wanted legal liability reviewed and to make it so if one County is being sued the other two Counties are not on the hook for the costs; the former Court Administrator position was a Leelanau County position and that position is now brought back to Grand Traverse County, the percentage changes for billings every year based on caseload; probation workers and commented on the legislation changes that occurred and how that impacts probation and probation terms that could be reduced to be fiscally responsible the court made cuts in the position and what they did was take all of the probation divisions and created one department instead of three different divisions; there has never been a specific male/female position for Probation, the Probation Officers are different than those that serve in community corrections, and other areas.

*#295-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU BOARD OF COMMISSIONERS APPROVE THE REVISED INTERCOUNTY DISTRICT COURT OPERATING AGREEMENT BETWEEN THE COUNTIES OF ANTRIM, GRAND TRAVERSE AND LEELANAU, AS PRESENTED. SECONDED BY RUSHTON.**

Discussion – none.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Administration – Letters of Understanding – Teamsters Local 214:

Administrator Janik wanted to clarify some issues that have surfaced and he sent an email to Commissioners last Thursday. This Letter of “Agreement” between the County and the Teamsters Local 214 is for several reasons, one is the two non-union positions in Senior Services are placed in the Union, which by law, they have to be. There was a change in Union personnel going through this process and the two positions slipped through the cracks and Janik agreed with the Union that the positions needed to be in the Union. Janik continued that we are talking about the positions, not the people in the positions. There was concern that the two positions are equal and they are not equal. Janik continued that based on what the Senior Services Director presented in “July of 2021”, the two positions The Senior Services Aging Well Resource Coordinator and the Senior Services Care Coordinator – they are at different pay scales and that was the recommendation and was approved. Janik continued that this simply puts them at the same pay level that they are getting. The other plus for them is that the Aging Well Coordinator will receive a higher pay increase than she would will if she was not union. This is simply about the two positions in the Union.

The other item in the “Letter of Understanding” is that it clarifies that “we” as the employer have the “right to place people as we wish on the pay scale” and we simply have to notify the Union about it. The prior Union Rep was very supportive of that and Janik has ten years of history of that. The current Union Rep is new, and Janik understands that he is new to the area and he would like that clarified. Janik continued that this agreement was written by the County’s Legal Counsel, Attorney Matt Nordjford, who also endorsed it. Janik said that clarifies the issue and is a win-win for the County.

Administrator Janik continued that the other issue is that if you look at the pay scale, the Teamsters are the lowest pay group, the lowest paid scale is grade one. Currently there are five grades compared to the old scale and the County agreed that it was unfair and the beginning pay scale for grade 1, was \$12-\$13 to start and in this economy – Janik said that the union was very pleased and combined grades 1-3 to make and made it a new five scale system and also got rid of the starting stuff, which Commissioner Lautner was part of. There are two employees in the County that are two of the lowest, which started at grade one and the Union asked to give them one year credit, which Janik said has been done for others. Janik repeated about placing employees where he wants on the scale with union notification. Janik continued with comments.

*#296-11152022 Regular Session*

**MOTION BY SOUTAS-LITTLE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS POSTPONE THE LETTER OF UNDERSTANDING (BETWEEN LEELANAU COUNTY AND THE TEAMSTER’S MUNICIPAL WORKERS LOCAL 214) UNTIL THE DECEMBER MEETING. SECONDED BY ALLGAIER.**

Discussion – Commissioner Soutas-Little offered an explanation for her motion and she understands that this has been in the works for quite some time and postponing this one month should not cause any heartburn. She understands wanting to finish this off prior to the new Administrator starting. Soutas-Little thinks that after the meeting where it was discussed about the training and everything, Commissioners also talked about the fact that the Senior Services Director had been requesting for some time a pay increase and she (Soutas-Little) was looking to have a better understanding of exactly where the employees are, historically where they have been, what have they have been paid, who has received increases, where employees have started. She asked and apologizes to the Clerk as the request was during Election and she asked for a lot of information and wanted to look at patterns to see what justification there may or may not be behind some of the actions and the recent increases that have been done with certain position and as everyone knows she does keep pushing for a wage and classification study to do this the right way. She also realizes that it will not happen this year, and perhaps the Board of Commissioners may consider that next year. Soutas-Little reviewed the information that she requested: a list of all employees with the title, date of hire, in their current position if it was other than their starting, position same/different position and the starting rate of pay, if an employee was hired above a starting rate of pay as well as employees that have transferred between departments, also the past 15 years to list all employees and their length of service who had transferred from one department to another, terminated, rehired, and retired. The reason she asked for that is there was a lot of conversation during the last few months about certain departments and people leaving those departments to go to other departments and she wanted to see if that it is true and does the data bear that out. She also asked for the list of unions, so she could look at the different contracts and the wages that were paid, asked for names and positions for all of this and also asked for the contract

December 2021, and starting wage and starting wage on January 1, 2022, and the salary grids, a list of any employees receiving promotion by BOC board action, approving wage salaries with wage dates. Current and/or past employees that have received stipends and current department head listing of the number of heads and the number of employees supervised, the amount of budget they are responsible for and if they budget includes grant, millages or other revenues beyond county funds and how much of their total budget this represents. She continued also the length of time in the position and current wage and education required to hold the position. When she looked at all of the data, and there is a lot, but one thing started to fall and that is why she objected to the Teamsters Contract Letter of Understanding last time. It is very clear that by starting employees at certain positions on the wage scale this year, it has really created some inequities particularly for eight employees in addition to the two that will be transferred into the Teamsters Union. So not only was it the Senior Services Director who is about \$13,000.00 below any other director and has as many people to supervise, has to get her own budget and all of these things it was clear that there were some other issues that are being provided. Soutas-Little said she is not against the idea of selecting a starting step that would be commensurate with a candidate's qualifications if it fit within the job, but she thinks that instead of passing this today, let's look and there has to be a solution for the other eight employees. Let's be fair about this. She thinks that it is great that the steps were compressed, so you got a new starting step which benefits most, but not everybody. At last week's meeting, the Chairman came up with the idea of a group of us being together to look at the wages and the classification and look at things and to try to come up with some suggested solutions, which she is happy to be on that Committee. She said at the time, this is beyond our scope in training, but let's take a look at it and see what we can look at it. Soutas-Little is happy that the new Administrator Deb Allen will be part of it as well as the others – Administrator Janik, the new H.R. Director, and Commissioner Lautner. Soutas-Little continued that before Commissioners pass this and sets it in stone – look at those eight employees as well as the two being added to the union and see if there isn't something that can be done from an equity standpoint to really overcome what is happening in terms of people with similar job starting at different steps and now being paid a great deal different and not being able to move up as quickly to the last step. Soutas-Little thinks that is very important and the County needs a policy and that falls to the new Administrator to craft that and state that yes we have this ability, if it is in your budget, to hire at a different step if it meets the qualifications of the job, and it is commensurate with the individual that is about to be hired into it. Also all Directors should be aware of this and should be able to utilize that. For all of the stated reasons she is encouraging her colleagues to postpone this one month because once it passes, it puts the policy that created the inequities into cement until the next negotiation. Brief comments continued.

Administrator Janik wanted to clarify and offered comments. Janik stated that everything Commissioner Soutas-Little stated can occur by passing this. There are two separate issues and this is a legal requirement; we have a labor contract that goes until 2024 with the Union. In the State of Michigan these positions have to be union and "we" have been dealing with the union on this since May on a very positive note. This simply puts the two positions in the union and clarifies other things. There is nothing in the Letter of Understanding that prevents doing anything that Soutas-Little is suggesting; but the positions have to be union and Janik said he was told there would be an unfair labor practice if this is not resolved. Janik continued to simply put the two positions in the union. If you want to look at positions at different steps, that can still occur. Janik said this is two separate steps, nothing that you talked about is in conflict with the Letter of Understanding and Janik restated that it simply puts the two positions

in the union and asserts the right that “we” have the right to put people where we place them on the scale. Janik continued that our attorney highly endorses this and it complies with the law. This does not prevent the County from going back to the Union and looking at different positions and recommending that the Union – it has to be a joint issue – putting people at different steps or classifications. Janik continued that he thought the County was very generous with the Union when the three-year contract and eliminating and combining steps. The union was very grateful. Janik continued that there is a meeting tomorrow to discuss and this will not change anything except to put “us” in compliance with State law. Janik continued that if we “wish” to look at putting people in different classifications, there is a different process for union vs non-union as we cannot negotiate with individuals as the Union needs to be gone through to do that, otherwise it is an unfair labor practice. Janik said you need to be very careful as he has been involved in the past with far stronger unions, the MEA, and you must be very careful and work with the union reps. Janik again stated that there is nothing in the agreement that prevents what Commissioner Soutas-Little is suggesting and repeated what the motion does. The placement of the employees on the pay scale has always been with the Administrator and the Department Head. Where the employees are placed is not the role of the Board and it could be a slippery slope.

Commissioner Rushton stated that “we” are the employer. “We, through our leadership in our departments, create the job descriptions, we put the pay rate out there. People apply for these jobs and they accept the jobs. What we have now is the engineer who comes and fills out the application to be a dishwasher and now the dishwasher wants to be paid the engineer wage.” Rushton continued, “do we need to look at what we offer here at the County? We have step growth, this last summer we just gave all the employees an extra \$500.00 bonus and a 3% raise over and above their annual increase, which she believes is a little over 3%, this year.” Janik interjected 3.25. Rushton continued, “thank-you. Our employees pay zero dollars for their health care, name someone else who does that for their employees – nobody that she knows of. It concerns her that “we” get complaints about jobs that were accepted when they came to us with the education that they had and they applied for a job that was described to them. Now, do I believe that everybody needs to be looked at fairly? Of course they do. But everybody is not going to get paid the same amount of dollars. The job description describes the amount of money they are going to be paid when they accept the position.”

Commissioner Wessell said “he may be confused but the issue they are talking about is about approving something that “we” have to approve, not just discounting all of the things that Commissioner Soutas-Little brought to the table, but that is not for this issue. Wessell does not think that there is a choice and have to approve the union position and “we” are late in doing that in November. Wessell continued that his thought was we ought to look at the things Soutas-Little is talking about, but ought to move on this now because this is a legal requirement that we have.”

Discussion on the motion on the floor.

Commissioner Soutas-Little commented that in “response to some of the comments being made, the problem that we have is because of the practice of promoting people to upper echelon positions that have no more qualifications, nor does the job require it. The position itself doesn’t require that and yet other positions that were hired in, within the same 2021 with – but with the same type of job are much lower. So when you placed someone higher and you

have other people hired in before at a lower rate, it is not the dishwasher and the engineer, it is the same level of job. So what this agreement of understanding does is it says, yeah we can continue doing that.” Soutas-Little continued that she doesn’t have a problem with that if we are going to rectify the eight people that she saw on the data that are affected and we are not talking about that. She continued that she does not know what the process is once there is agreement for the Letter of Understanding to rectify that, but she doesn’t know if it is a simple thing to do or if there are any other suggestions out there that could be considered now.

Administrator Janik responded to Commissioner Soutas-Little and said it is a fairly simple process as we have a good relationship with the Union since he has been here – there have been no grievances, no arbitrations. So there is a good relationship with the Union. There is a different process and he does not know who the eight people are that Soutas-Little is talking about. There is a different process within the Union or out of the Union. Commissioner Soutas-Little responded that they are all in the Teamsters Union. Janik continued that the Letter of Understanding clarifies the legal process and it does not prevent discussion about the eight positions. Janik thinks everyone agrees that “we” as the employer want the right to place employees where we want on the scale. He said if you want to change that, it is an internal discussion between the Administrator, Board, and Department heads and is separate from the Labor Contract. There is a legal labor contract until 2024 and the past practice has been, and there are numerous court cases that the employer has the right to place people on the scale and that is being clarified. Janik continued that the former Teamsters Union rep was grateful and thanked him for being pro employee in placing people on the scale and he wished other counties were that way. He continued that a lot of it is market driven. The number of employees for a job five years ago is a lot different than last summer. Janik referenced four jobs posting in the last year that have basically received virtually zero applications and that is how people are placed, based on the market and can we attract employees. Janik continued that everything that Soutas-Little is talking about can occur through a process but this is completely separate and clarifies a labor/union contract and guarantees “us” that we as management have a right to place people on the scale, which he believes that we definitely want.

Commissioner Lautner had a question of clarification and if she understands, Soutas-Little is stating publicly that she believes that there are eight positions that she thinks need to be changed and Lautner is sitting here as a question thinking that she is deeply concerning as to why would be negotiating publicly on this and we should not be saying anything publicly like that.

Administrator Janik stated that from a legal perspective this should not be discussed, it has to go through the legal negotiation process and it goes through the negotiating team, which both sides have and there is a process.

Commissioner Soutas-Little said that is why she asked for this to postponed and she has not mentioned any names and requested to just call the question.

Chairman Wessell expressed his concern as Chair that he thought we had if not policy, if not precedent, that all Commissioners had access to all of the same information. Wessell thinks he is at a disadvantage, but he thinks that if he asks the Clerk’s office for something it is sent to all Commissioners. Wessell continued that he thinks Commissioners are talking about something

they shouldn't be talking about as the agenda item is approval or rejection of the Letter of Understanding, Teamsters Local 214.

Commissioner Soutas-Little stated that she very definitely disagrees with Chairman Wessell, but requested that he just call the question.

Commissioner Lautner requested that the Clerk repeat the motion.

**AYES – 2 (Soutas-Little, Bahle)**

**NO – 5 (Wessell, Allgaier, Lautner, Robbins, Rushton)**

**MOTION FAILS.**

*#297-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE LETTER OF UNDERSTANDING BETWEEN LEELANAU COUNTY AND THE TEAMSTER'S MUNICIPAL WORKERS LOCAL 214. SECONDED BY RUSHTON.**

Discussion – Administrator Janik asked about wording of motion. No discussion among Commissioners.

**AYES – 5 (Lautner, Robbins, Rushton, Wessell, Allgaier)**

**NO – 2 (Soutas-Little, Bahle)**

**MOTION CARRIED.**

Chairman Wessell trusts the group will meet tomorrow to discuss some of the issues that Commissioner Soutas-Little has brought up.

Commissioner Soutas-Little gave a copy of the documentation to the Administrator and she had told the Administrator she thought he should share the information and she would again suggest that it be shared with fellow Commissioners. Administrator Janik said he would send it out after tomorrow's meeting.

Administration – Probate Court Register Salary:

Administrator Janik commented that he received the legal opinion late this afternoon and will place it on the December agenda. There was a change of personnel and the new individual needs to be paid the same amount of money as the individual that retired from the position and the pay will need to be retroactive.

Labor Negotiations Update:

Administrator Janik offered a brief update on FOPLC negotiations and that they will be meeting for negotiations again on Thursday, November 17, 2022.

Review of Financials:

Commissioner Lautner commented on different invoices with no questions. Commissioner Soutas-Little thanked Finance Director Jared Price for getting the invoices out timely.

Committee Reports, Recommendations, and Resolutions:

None.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Administrator Janik commented on holding a Christmas Party and all will be welcome to attend. It will be a pot-luck and very festive. In the past the Commissioners have been very generous with purchasing the meat for the event.

Public Comment:

Douglas Rexroat; Keith Ashley; and Stephen Mikowski.

Commissioner Comment:

None.

Approval of Financials —

Amendments & Transfers:

*#298-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2022 AMENDMENT NUMBER 22-010. SECONDED BY RUSHTON.**

Discussion – none.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Miscellaneous Fund Transfers and Amendments:

None.

Claims and Accounts:

*#299-11152022 Regular Session*

**MOTION BY LAUTNER THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$226,850.07. SECONDED BY RUSHTON.**

Discussion – none.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Post Audit Claims and Accounts:

*#300-11152022 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$13,422,195.19. SECONDED BY RUSHTON.**

Discussion – none.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bahle)**

**NO – 0**

**MOTION CARRIED.**

Adjournment:

Motion by Rushton to adjourn. Chairman Wessell adjourned the meeting at 8:43 p.m.

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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 Commissioners