

**Leelanau County Board of Commissioners**  
**Special Session – Thursday, February 8, 2024**  
Approved Minutes 2/20/2024

*Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link: <https://leelanau.gov/meetingdetails.asp?MAId=2692#video> OR <https://www.youtube.com/watch?v=tQxA53G9o1M>*

Meeting called to order by Chairman Ty Wessell at 2:00 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 at the first meeting of the day.

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

Guest present.

Public Comment:

Bill Wiesner.

The written public comments or handouts can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2692#handouts>

Commissioner Comments:

None.

Purpose of Meeting – Discussion/Potential Action:

BATA Litigation Status/Action:

Chairman Wessell commented that the County was served today and asked County Clerk Michelle Crocker to give an update.

Crocker said that service was made today at her office. The case was filed in Grand Traverse County of BATA vs Grand Traverse County and Leelanau County (necessary defendant). From service there are 21 days for an answer to be filed. Crocker said that she can work with the Administrator as this also needs to be forwarded to MMRMA in addition to the potential actions the Commissioners may take today. These two events can be done concurrently. Crocker will supply copies of the Complaint to the Administrator and Commissioners and she will also work with the Administrator to forward the documents to MMRMA.

Administrator Allen outlined the information before Commissioners and based on the recommendation from the Prosecutor, she is recommending Mika Meyers out of Manistee and gave the reasons why. They have several offices and she also commented on the Engagement Agreement. The packet contains the information on a proposed agreement.

Discussion ensued regarding the need for representation. Clerk Crocker caution on continued discussion on litigation that has been served on the County. Discussion ensued between Commissioners.

Commissioner Kramer wanted to hear questions and/or concerns. Discussion ensued.

*#037-02082024 Special Session*

**MOTION BY KRAMER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AUTHORIZE THE COUNTY ADMINISTRATOR TO ENTER INTO AN ENGAGEMENT AGREEMENT WITH THE LEGAL FIRM OF MIKA MEYERS PLC AS OUTLINED IN THE PROPOSED ENGAGEMENT AGREEMENT. SECONDED BY ALLGAIER.**

Discussion ensued on the proposed engagement agreement, minimum action needed to protect the interests of Leelanau County, the County's obligation, costs, and can this be handled in closed session to discuss this further.

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

**NO – 0**

**ABSENT – 1 (Ross)**

**MOTION CARRIED.**

Administrative Structure:

Chairman Wessell would like to hear from Commissioner Rexroat and have him report on the Finance Committee meeting this morning and then a potential closed session if it is the wish of the Board, as it is his (Chairman Wessell) wish to go into closed session.

Commissioner Rexroat read the following document.

Rexroat said he started by restating the subcommittee guidelines.

Committees should be given specific, well-defined tasks by the entire board. Their purview should not extend beyond the specific task given to them, and once a task is completed, they are retired until given another task.

This committees specific current task is to research and present to the full board options and strategies related to moving forward with the implementation of an independent finance department. Any financial matters outside of this specific task are not ours to handle.

We said we would listen, deliberate, and advise.

After listening to Mr. Amrhein's presentation, and after discussion with staff members, the Administrator, and others having expertise in these matters, Rexroat has the following observations and suggestions to make to this committee.

Obviously, our efforts in the past in this area have not been fruitful. This does not however, diminish our determination to implement an independent finance department. That having been

said, one definition of insanity is to continue to try the same methods and expect a different outcome. We need to try something different.

Commissioner Rexroat does not believe that the best long-term solution is to have two direct reports to the Board of Commissioners. Although that is the interim plan implemented for this transition, he does not think it provides for the best governance of Leelanau County in the long-term.

Commissioner Rexroat continued that he proposes that our long-term plan consist of an Administrator/CFO, with a finance department that reports to that position. This position would require both administrative and deep financial experience. The goal would be to provide strategic guidance to the implementation of the finance department, and to the implementation of the recommendations outlined in the Rehman report.

In discussion with Chet Janik of MLI, he believes there are those that possess these qualifications and they are available. In addition, there are 25 counties that engage in this structure in Michigan and referred to a map of the lower peninsula, which can be viewed at the following link: <https://leelanau.gov/meetingdetails.asp?MAId=2692#handouts>

Commissioner Rexroat said he has had conversations with Administrator Allen in this matter, and to her credit and as a testimony to her character, she has always stated she would do what is in the best interest of Leelanau County and its residents and taxpayers.

Rexroat said that is his recommendation and he would like discussion.

Commissioner Allgaier appreciates the thought that this was done in collaboration and understanding the difficulty in the process.

*#038-02082024 Special Session*

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS PROCEED WITH THIS RECOMMENDATION TO MOVE FORWARD WITH AN ADMINISTRATOR/CFO POSITION FOR GOVERNANCE. SECONDED BY LAUTNER.**

Discussion – none.

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

**NO – 0**

**ABSENT – 1 (Ross)**

**MOTION CARRIED.**

*#039-02082024 Special Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS GO INTO CLOSED SESSION TO DISCUSS WRITTEN ATTORNEY/CLIENT PRIVILEGE CORRESPONDENCE FROM CIVIL COUNSEL PURSUANT TO MCL 15.268(h), SECONDED BY ALLGAIER.**

Discussion – none

**ROLL CALL: Rexroat – YES; Wessell – YES; Allgaier – YES; Kramer – YES;**

**Lautner – YES; O'Rourke – YES.**

**AYES – 6      NO – 0      ABSENT – 1 (Ross)**

**MOTION CARRIED.**

Closed Session began at 2:23 p.m.

#040-02082024 Special Session

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS RESUME OPEN SESSION. SECONDED BY REXROAT.**

Discussion.

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

**NO – 0            ABSENT – 1 (Ross)**

**MOTION CARRIED.**

Open Session resumed at 2:56 p.m.

#041-02082024 Special Session

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE SEPARATION AGREEMENT WITH ADMINISTRATOR ALLEN AS PRESENTED BY COUNSEL AND AUTHORIZE CHAIRMAN WESSEL TO DRAFT A LETTER OF SUPPORT AND RECOMMENDATION FOR ADMINISTRATOR ALLEN. SECONDED BY ALLGAIER.**

Discussion – none.

**AYES – 5 (Rexroat, Wessell, Allgaier, Kramer, Lautner)**

**NO – 1 (O'Rourke)            ABSENT – 1 (Ross)**

**MOTION CARRIED.**

Chairman Wessell noted that Commissioner Kramer needs to leave to pick-up children and she exited the meeting at 2:57 p.m.

Public Comment:

The following individual(s) spoke in person: Bill Wiesner.

The written public comments or handouts can be found at the following link:

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Commissioner Comments:

- Chairman Wessell thanked Administrator Allen.

Adjourn:

Motion by Rexroat to adjourn.

Chairman Wessell adjourned the meeting at 3:03 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 Comm.