

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, September 13, 2022
Tentative Minutes

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=2385#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 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 (via Zoom, Grand Traverse County)
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell stated that he received a request from County Administrator Chet Janik to move Action Item #7, VM Server/Software Purchase and Installation, Safety Net to Action Item #3 and move the rest of the action items down accordingly.

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

Discussion – none.

AYES – 6 (Allgaier, Bahle, Lautner, Robbins, Rushton, Wessell)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom) MOTION CARRIED.

Public Comment:

The following individuals spoke in person:

Keith Ashley, Leland Township; Deb Fellows, Leland Township; Carolyn Fought, Leelanau Township; Mary O'Neil, Solon Township; Kathy Dawkins, Leland Township; Bill Dungjen, Solon Township; Charles Knapp, Cleveland Township; Bill Wiesner; Elmwood Township; Robert Repore; Gary Hosking, Leland Township; Karan Josephus, Bingham Township;

The written comments can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2385#handouts>

Commissioner Comment:

Commissioner Robbins said he has been sitting here for three months watching public comments, and said he wanted to congratulate Mary O'Neil for now carrying the torch of one vote with her election, because in his race he had two votes. He stated that he has been sitting listening and that we are here to represent Leelanau County. Robbins said that there may be issues in the other 82 counties, but he has not heard of an issue here in our county in any of

the public comment. He continued stating that all the public comment has been positive for County Clerk Michelle Crocker, and that she is a great Clerk. Robbins said that he and Crocker don't always agree on non-clerk things but she is a great clerk. He stated that he thinks the County has great township clerks and, in his district, he has a city clerk. He said that he hasn't heard anyone alleging any fraud here in our County in the last three months but we hear about what is happening elsewhere. Robbins continued that the sign held by an audience member stating "we need honest elections in Leelanau County" he disagrees with and believes there are honest elections in Leelanau County. Robbins said that things are going good here, and can they be better, yes, but it is time to stop trashing the clerks and move forward.

Communications, Proclamations, Presentations –

Administrator Update:

Administrator Chet Janik stated that the Mid-Michigan honor flight is back on and if anyone knows of a veteran that they would like to nominate to get in touch with him. The upcoming flight has three Korean War Veterans going, and Commissioner Lautner will be a chaperone.

Janik publicly thanked County Clerk Michelle Crocker for saving the day last Friday night. Janik went on to state that he received a text message that he thought was spam, when it was actually a minister from Charlevoix who found out at the rehearsal dinner that no body picked up the marriage license before rehearsal. He further explained that his ties to Charlevoix where the pastor was from lead him getting the text where he then contacted Crocker. Crocker left her home Friday night and met with the Minister here in the parking lot and delivered the marriage license. Janik thanked Crocker for coming back on a Friday night, and that someone should offer her up a free trip to Disney World.

County Clerk Election Presentation:

County Clerk Michelle L. Crocker appeared before the Commissioners and introduced the following staff: Chief Deputy Jennifer Zywicki, Administrative Deputy Alison Middleton, Deputy Clerk Lyn Drzewiecki, Deputy Clerk Molly Peplinski, Deputy Clerk Samantha Zientek, Deputy Clerk Cathy Hartesvelt.

Crocker discussed election security and began by referencing paper ballots that are used to vote on statewide, which she held up for illustrative purposes. She covered topics relating to voter turnout, registered voters, inactive voters, protected voters, election preparation and testing, the Election Commission's role in proofing ballots, the Election Commission for each Township and the makeup, and the sealing of equipment.

Crocker emphasized several times that the equipment IS NOT connected to the internet. She also commented on allegations that foreign players got into the County server, which just is not true. Again, stating that no tabulators are connected to the Internet and the Election Management System is not connected to the Internet or County Servers. Crocker also again reviewed the use of Sharpies, Dominion equipment, the number of Counties using Dominion, ES&S, and Hart equipment. She also discussed census vs registered voters.

Crocker also discussed voter turnout and statistics from prior elections. She touched on the Election Canvassing Board, which is comprised of four members, two Republicans and two Democrats, which certify the County Election results. She went over split voting and "blank"

ballot voting. Crocker spoke about audits that were conducted and that 2020 was one of the most secure elections in U.S. history according to experts, officials, and key organizations.

Crocker commented about after the 2020 election, there were more than 40 lawsuits challenging the results by the losing candidate. She referenced the Michigan Senate Oversight Commission Report on the November 2020 Election in Michigan and referred to a few excerpts from the report as well as the Committee makeup. Crocker also referenced with recent Michigan Association of Counties conference and guest speaker Attorney David Becker from Washington, D.C. She commented on everything being looked at through the prism of the November 2020 election and more specifically one office only. By November 2022, here in Leelanau County, it will be the sixth election and no one is questioning those results.

Crocker concluded by reminding those present that the losing candidate in November of 2020 chose not to request a statewide recount, which was his right to do.

Crocker and Drzewiecki responded to questions from Commissioners.

Commissioners thanked Crocker and Drzewiecki for presenting and received a round of applause from the audience.

Commissioner Soutas-Little left the meeting at 9:54 a.m. and returned at 10:08 a.m.

Chairman Wessell called for a break at 10:25 a.m. and the meeting resumed at 10:35 a.m.

Early Childhood Program Update:

Michelle Klein, Director of Personal Health of the Benzie-Leelanau District Health Department, was present and answered Commissioner questions. Klein presented a copy of the proposed 2023 budget request and reviewed the request with Commissioners.

The handout can be viewed at the following link: (page 2)

https://www.leelanau.gov/downloads/09132022_executive_board_pkt.pdf

Commissioners thanked Klein for the updates.

Action Items:

Indigenous Peoples Day Resolution – Saturday, October 1, 2022:

Commissioner Bahle read the proposed resolution.

The handout can be viewed at the following link: (page 3)

www.leelanau.gov/downloads/09132022_executive_board_pkt.pdf

MOTION BY BAHLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ADOPT LEELANAU COUNTY RESOLUTION #2022-XXX, A RESOLUTION TO RECOGNIZE THE FIRST DAY OF OCTOBER AS INDIGENOUS PEOPLES DAY. SECONDED BY ALLGAIER.

**MOTION BY ALLGAIER TO AMEND TO APPROVE THE RESOLUTION AND CREATE A PLAQUE.
SECONDED BY BAHLE.**

MOTION BY LAUTNER TO AMEND TO APPROVE THE RESOLUTION AND FOLLOW UP WITH THE BUILDINGS & GROUNDS COMMITTEE REGARDING A PLAQUE PER BOARD POLICY. SECONDED BY RUSHTON.

Discussion – Commissioners discussed policy and the function of the Buildings & Grounds Committee.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

Chief Deputy Zywicki clarified that the 1st amendment to the motion is to create the resolution as a plaque? Chairman Wessell replied that is correct.

Motion to withdraw the 1st amendment by Allgaier and Bahle.

MOTION BY BAHLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ADOPT LEELANAU COUNTY RESOLUTION #2022-XXX, A RESOLUTION TO RECOGNIZE THE FIRST DAY OF OCTOBER AS INDIGENOUS PEOPLES DAY AND TO FOLLOW UP WITH THE BUILDINGS & GROUNDS COMMITTEE REGARDING A PLAQUE PER BOARD POLICY. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Allgaier, Bahle, Lautner, Robbins, Rushton, Wessell)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

Administrator Janik asked for direction on if the Board would like an ad placed for the resolution in the Leelanau Enterprise for the first week of October?

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO PLACE AN AD IN THE LEELANAU ENTERPRISE WITH THE RESOLUTION IN FULL. SECONDED BY ALLGAIER AND ROBBINS.

Discussion – none.

AYES – 6 (Wessell, Allgaier, Bahle, Lautner, Robbins, Rushton)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

LCSAPC – LIFT Agreement Renewal:

LIFT Director Rebekah TenBrink and Associate Director Audrey Sharp present and gave a brief update to Commissioners on how LIFT has impacted the community the past 12 months.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE ITS POLICY ON BID REQUIREMENTS AND RENEW AN AGREEMENT BETWEEN LEELANAU COUNTY AND LEELANAU INVESTING FOR TEENS FOR CONSULTANT SERVICES ON BEHALF OF THE LEELANAU COUNTY SUBSTANCE ABUSE PREVENTION COALITION, AS PRESENTED, WITH FUNDS TO COME FROM #101.100.101.967.019. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Wessell, Allgaier, Bahle, Lautner, Robbins)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

Commissioner Allgaier thanked TenBrink and Sharp for their hard work.

Information Technology – VM Server/Software Purchase and Installation, SafetyNet:

I.T. Technician Liana Wilson and SafetyNet Manager of Strategic Accounts Jeff Fulton present and answered Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE PURCHASE OF A VMWARE SERVER, SOFTWARE, AND INSTALLATION FROM SAFETYNET IN THE AMOUNT OF \$68,141.00, WITH FUNDS TO COME FROM DATA PROCESSING FUND #636. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Wessell, Allgaier, Bahle, Lautner, Robbins)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

Sheriff's Office – Law Enforcement Services Renewal Agreement with Suttons Bay Village:

Undersheriff James Kiessel present.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ALLOW THE LEELANAU COUNTY SHERIFF'S OFFICE TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH THE VILLAGE OF SUTTONS BAY TO SUPPLY ONE FULL-TIME DEPUTY FOR CALENDAR YEARS 2023-2025 AND FURTHER AUTHORIZE THE BOARD CHAIRMAN AND THE SHERIFF TO SIGN AND EXECUTE THE AGREEMENT. SECONDED BY LAUTNER.

Discussion – Kiessel stated this is the same agreement; however, it is now three years.

AYES – 6 (Rushton, Wessell, Allgaier, Bahle, Lautner, Robbins)

NO – 0 1 – (Soutas-Little not allowed to vote via Zoom)

RECOMMENDATION PASSES.

Sheriff's Office – Animal Control Services Renewal Agreement with the Grand Traverse Band of Ottawa and Chippewa Indians:

Undersheriff James Kiessel present.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE A RENEWAL OF, AND ALLOW THE BOARD CHAIR TO SIGN, THE AGREEMENT FOR ANIMAL CONTROL SERVICES BETWEEN THE COUNTY OF LEELANAU AND THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS UNTIL SEPTEMBER 30, 2025, PENDING REVIEW AND APPROVAL BY CORPORATE COUNSEL. SECONDED BY ALLGAIER.

Discussion – Kiessel informed the Board that the contract has been approved by corporate counsel.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 1 – (Soutas-Little not able to vote via Zoom)

RECOMMENDATION PASSES.

Finance/Audit Committee Recap – Wage Study Proposals:

County Administrator Chet Janik stated that he had hoped Human Resources Director Darcy Weaver would be here; however, she is attending a meeting in Traverse City today. Janik gave a brief overview of the Finance/Audit Committee recommendations.

The handouts can be viewed at the following link: (page 24-70)

https://www.leelanau.gov/downloads/09132022_executive_board_pkt.pdf

Commissioner discussion ensued on the pros and cons of a wage study and the price for the study for just one group of employees. Chairman Wessell stated that without a motion the Board moves to the next agenda item.

Finance Audit Committee Recap – Mid-Year Wage Adjustment:

Commissioner Lautner said that she is a little uncomfortable with the proposals because we are going into union negotiations, so her question is does the Board do a mid-year wage adjustment going into negotiations? Is the Board looking at doing this for just non-union, or across the board for all employees? She continued that Commissioner Rushton said she may have an idea of something the Board could do and would like to hear it.

Administrator Janik stated that he can address part of the question. He said that any changes to a union contract including the pay scale would have to be negotiated with the unions, because the County has contracts with five of the six unions through 2024.

Commissioner Lautner stated that seems simple enough and we say, yea, we are going to give you an increase then her guess is that the union will take it.

Administrator Janik answered, most likely, yes.

Commissioner Lautner stated the County is going into negotiations and so is this something the Board should be looking at mid-year?

Janik said that it is a subjective call and that it is up the seven Commissioners. He continued that it will impact negotiations, but “how” is difficult to say.

Commissioner Robbins handed out to each Board member estimated wage totals for a lump sum and 3% to base increase, which are on file with the County Clerk’s Office.

MOTION BY ROBBINS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE A 2022 LUMP SUM \$750.00 PAYMENT TO INCLUDE ALL UNION AND NON-UNION EMPLOYEES AND PROPOSE A 3% ON BASE WAGE INCREASE TO BE EFFECTIVE SEPTEMBER 24, 2022. SECONDED BY WESSELL.

Discussion – Commissioner Lautner said that within the second part of the proposal is to give a 3% percent wage increase starting September 24, 2022, to December 31, 2022, but this would actually start September 24th and it never goes away?

Commissioner Robbins responded, correct.

Commissioner Lautner stated that it does not end and it's a 3% increase across the board beginning September 24th. She said that you also want to do a stipend? And your stipend is \$750.00 per employee for \$92,250.00 and the associated costs with that is \$106,567.21?

Chief Deputy Clerk Jennifer Zywicki answered that the \$106,567.21 is the total including the fringe.

Commissioner Lautner said she thought that was high and so that makes sense it is the \$92,250.00 with MERS and FICA, which brings the total to the \$106,567.21. What is the impact on those fringe benefits if we pay that one-time lump sum and will there be future costs carried on for MERS and FICA costs? And the 3% is carried on?

Zywicki stated that within the literature presented there is no mention of the employees excluded from MERS due to the MERS group they are represented in if the group is a closed group. Zywicki continued that of the 123 employees not all will have a MERS percentage paid in because the payments on closed MERS employee groups are a locked set amount calculated by the MERS actuarial. She stated that it was easier to compute the wage and the liability as a whole instead of trying to exclude certain employees.

Janik asked Zywicki if the \$750.00 was a lump sum off scale one-time and not part of the scale?

Zywicki answered, correct.

Janik continued and said that the percentage increase would be on the scale and it would change all the pay scales and then next year within the labor contracts the 3.25% would be added to the revised pay scale pending union agreement?

Commissioner Robbins answered, yes.

Commissioner Lautner said that what you have next year is the 3% increase?

Commissioner Rushton asked Commissioner Lautner how she knows it's 3%?

Commissioner Lautner responded that she is just saying that if he gives the 3% this year the cost is \$62,116.32 for the remainder of the year. But next year that cost will be \$230,717.97 will be there also?

Zywicki responded, yes.

Commissioner Lautner confirmed with Zywicki that the cost next year would be the \$230,717.97 and that would need to be reflected in the 2023 budget.

Chairman Wessell said that he thinks part of the rationale for Commissioner Robbins proposal is because of the 8% to 8.5% cost of living increase this year to address inflation? And this is an adjustment to address that?

Commissioner Robbins said it was a little bit of that, along with looking at the Grand Traverse County wage study where they received 9% but if you really look at it, it is broken down in a lot of different categories for them to get 9% on base, so that is why he proposed the 3%.

Commissioner Soutas-Little stated that she wanted to see a lump sum because people need money now. She continued that there is also a proposed percentage increase (to base) that would be ongoing to help buffer inflation going forward. She stated it is important for everybody to get both and that it is not for certain classifications only. Soutas-Little said that the numbers prepared do include FICA and MERS and will be included in the lump sum payment.

Commissioner Rushton said that inflation goes up and it goes down. Next year at this time after giving a lump sum with a stipend and added percentage, and are we going to match that next year as well? Are we going to increase the wages with the inflation cycle and pay them what they are worth? Or truly look into the wages earned versus a roller coaster of up and down and up and down.

Commissioner Lautner called for division of the question.

Chairman Wessell stated that Commissioner Lautner would like to divide the motion.

MOTION BY ROBBINS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE A 2022 LUMP SUM \$750.00 PAYMENT TO INCLUDE ALL UNION AND NON-UNION EMPLOYEES. SECONDED BY WESSELL.

Discussion – none.

AYES – 5 (Robbins, Wessell, Allgaier, Bahle, Lautner)

NO – 1 (Rushton) 1 – (Soutas-Little not able to vote via Zoom)

RECOMMENDATION PASSES.

MOTION BY ROBBINS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE A PROPOSED 3% ON BASE WAGE INCREASE TO INCLUDE ALL UNION AND NON-UNION EMPLOYEES AND TO BE EFFECTIVE SEPTEMBER 24, 2022. SECONDED BY WESSELL.

Discussion – none.

AYES – 4 (Robbins, Wessell, Allgaier, Bahle)

NO – 2 (Lautner, Rushton) 1 – (Soutas-Little not able to vote via Zoom)

RECOMMENDATION PASSES.

Brownfield Redevelopment Authority – Environmental Protection Agency (EPA), Cooperative Grant Agreement:

Planning Director Trudy Galla present and updated the Commissioners that the agreement is still being worked on and that she would like to request this item be added to the October 4, 2022, meeting.

Chairman Wessell called for a break at 12:00 p.m., and the meeting resumed at 12:08 p.m.

Equalization – Approval of 2022 L-4029 Tax Rate Request:

Equalization Director Andrew Giguere present.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE A MILLAGE RATE THAT DOES NOT EXCEED THE MAXIMUM ALLOWABLE MILLAGE LEVY (INSERTED IN COLUMN 9) AND PLACE THAT MILLAGE RATE IN COLUMN 11 AS THE MILLAGE RATE REQUESTED TO BE LEVIED AS FOLLOWS: ROAD, .5000; SENIOR, .3134; EARLY CHILDHOOD, .2111 REQUESTED TO BE LEVIED ON DECEMBER 1, 2022 AND RETURN THE L-4029 TO THE EQUALIZATION DEPARTMENT. SECONDED BY RUSHTON.

Discussion – Commissioner Lautner requested clarification of the levy amounts.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 1 – (Soutas-Little not able to vote via Zoom)

RECOMMENDATION PASSES.

Commissioner Soutas-Little left the meeting at 12:13 p.m.

Leland Dam Authority/Board of Public Works – Dam Appraisal:

Drain Commissioner Steve Christensen present and answered commissioner questions on the value of the current assessment. Commissioners thanked Christensen for the update and review of the appraisal.

The handout can be found at the following link: (page 82)

www.leelanau.gov/downloads/09132022_executive_board_pkt.pdf

Leland Dam Authority/Board of Public Works – Membership:

Janik stated that he believes at the last Dam Authority meeting there was consensus to look into restructuring the membership. He said that the County Board of Commissioners has the ability to look into changing the process of the membership and can define who can be members of the Dam Authority. Janik stated that currently the Dam Authority is comprised of the Leelanau County Road Commissioners and Drain Commissioner Steve Christensen. He continued that the Board of Commissioners essentially could structurally change this and include one (1) Road Commissioner, one (1) County Commissioner and also members of the public.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO TAKE STEPS TO APPOINT A NEW DAM AUTHORITY BOARD. SECONDED BY ALLGAIER.

Discussion – Administrator Janik suggested that the Board form an internal committee here to come up with a firm recommendation and have some guidelines on how you want to wish to structure this. Janik continued and said that there have been past discussions regarding changing the structure of the Dam Authority, but there has never been discussion about what those next steps are.

Commissioner Rushton withdraws motion with support from Commissioner Allgaier.

Commissioner Rushton stated that sometime in November, Executive Assistant Laurel Evans, will be getting ready to find applicants for the Board of Commissioners to appoint to boards and commissions for next year. She continued and said it would be a great time to put the requests and flyers out to the public to receive back those applicants that are interested in being a member of the Dam Authority.

Commissioner Lautner asked if there is currently a committee that might be able to meet?

Janik replied, no. He continued that he doesn't think there is a committee that fits and he would recommend a committee of two (2) Board members, the Drain Commissioner, and the County Administrator.

Commissioner Lautner asked if the committee would be formed to select the members?

Janik answered that the committee would make a recommendation to the full Board. The committee would research it and come up with the criteria in terms membership and backgrounds.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO FORM A COMMITTEE OF THE DRAIN COMMISSIONER, THE COUNTY ADMINISTRATOR AND TWO COMMISSIONERS TO COME UP WITH A RECOMMENDATION ON WHAT A DAM AUTHORITY BOARD WILL LOOK LIKE. SECONDED BY ALLGAIER.

Discussion – Commissioner Lautner said that she would be happy to serve on the committee.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Soutas-Little)

RECOMMENDATION PASSES.

Chairman Wessell said that if any Commissioner is interested in participating on this committee to please let him know.

Parks and Recreation Recommendation on Myles Kimmerly Park – Potential Property Sale:
Drain Commissioner Steve Christensen present.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SUPPORT THE RECOMMENDATION OF THE LEELANAU COUNTY PARKS AND RECREATION COMMISSION. SECONDED BY BAHLE.

Discussion – Commissioner Allgaier said that she hears the plea of the barn committee and park land is special and it needs to be kept that way.

Commissioner Lautner said she wanted to clarify that she thinks she knows what Commissioner Allgaier is trying to say, but maybe it needs to be the reworded for Tuesday night. She said that if she understands what the Board, is saying is that each Board can't commit a future Board and so you are trying to uphold something from 1995. Lautner continued and said that what the County may want to do is write a new perpetuity agreement that would be good until the end of the year. It sounds like to her that perhaps once the new motion is made, then that is something every board would commit to every two (2) years. She stated that this how she understands the process, and that furthermore she would encourage this board to do it equally with all parks including the 4-H park. Lautner said she doesn't think that this is what Kasson Township (Cedar Area Fire & Rescue) is looking for and this topic came up because they wanted to purchase a portion of the park for a satellite fire department location. She continued and said that they are looking for a just yes or no answer so they can move on. Lautner stated that is how she understands it and that maybe a different motion could be done Wednesday night next week.

Commissioner Robbins confirmed for Commissioner Lautner that the Fire Department was part of the discussion and that Kasson Township needs an answer if they were to move on and find another parcel to look at.

Administrator Janik stated that Kasson Township is looking for a response and so does the gentleman about the baseball diamond request. Janik said that the Parks Commission came out strongly against either proposal. He continued and said that no park land can be disposed of without the vote of the full Board of Commissioners. There are resolutions in place and legally the Board of Commissioners doesn't have to do anything, because it's park land. He explained that as a Board that deed restrictions could be placed that can hamper future Boards, but future Boards could also at any time remove those restrictions. Janik confirmed that he isn't sure the Board of Commissioners needs any motions. Janik said that the Board can accept the Parks & Receptions recommendation, and he can notify the Fire Department that the County isn't interested with disposing any of the property. He further explained that legally it is park land, it is County property, and no changes can be made without the approval of the Board and no action is required.

Chairman Wessell stated there was consensus to move this forward to the Regular Session, September 21, 2022.

Retired Equipment Auction Update:

The Administrator's Executive Assistant, Laurel Evans, was present and updated Commissioners on how the auction results are coming along as of 8:00 a.m. today. The auction ends on Tuesday, September 20, 2022, at 3:00 p.m. and that Evans will update the Board at the Regular Session.

Administration – Sheriff's Office Boat Auction Update:

Administrator Janik stated that a non-profit originally came forward to purchase the boat, but he heard today that they are now going in a different direction and are looking at a different type of boat. Janik said that the boat will go out to auction for now.

Administration – Cleaning Services Proposal:

Administrator Janik said that the Board gave him the authority to negotiate a new contract, and he introduced the owners of Solutions For You, LLC, Lou Ann and Steve Fordyce, who are the current cleaning service. Janik stated that he is very pleased with the service the County is receiving and that in times like these it is nice to see them and their employees come to work every day.

Steve Fordyce thanked Janik for the opportunity and Lou Ann Fordyce said they are proud to serve here. Both Steve and Lou Ann thanked Administrator Janik and wished him the best in retirement.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ENTER INTO AND ACCEPT THE CLEANING CONTRACT FROM SOLUTIONS FOR YOU, LLC, FOR YEARS 2023, 2024, AND 2025 AS PROPOSED. SECONDED BY ALLGAIER.

Discussion – Janik said that legal counsel has prepared the contract in the past and so once it gets approval, and he will have legal counsel revise it.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Administration – HVAC Services Proposal:

Administrator Janik gave an overview of the proposal and said there are significant challenges within the building and D&W was not interested but could be now. Janik discussed the two options with the Board that he and D&W are looking to either keep the contract as is or to choose an option of having D&W assign someone to be dedicated three days a week. Janik said that he would like to have the HVAC Services be more pro-active vs reactive. He stated that he is not looking for a vote, but wanted to start the dialogue and the topic can be discussed during the budget process. Janik informed the Board that he does feel that the Building & Grounds Department is under staffed and the HVAC must be addressed going into 2023.

Chairman Wessell stated that this topic can be moved to the budget process.

Administration – Community Mental Health Partnership Update:

Administrator Janik said that last month the Board approved the Memorandum of Understanding reference to Community Mental Health and to date four of the six counties have also approved it. The other two counties are scheduled to discuss the memo and hopefully approve it this month. If all counties agree then Grand Traverse County is not going to formally send a letter to dissolve Community Mental Health. Janik said that at the meeting yesterday, from what he heard, he is optimistic that the other two counties will pass the Memorandum of Understanding and if that happens there will be another meeting scheduled in October to find out the nuts and bolts, the Articles of Incorporation and Bi-laws, and to have more county input and oversight. The biggest challenge is in regards to the quality of services being provided and each County has their own opinions, and currently there is a standstill within the organization with lack of leadership.

Administration – Administrator Search Update:

Administrator Janik updated the Board and stated that all six candidates were contacted and told that at the meeting tomorrow there will be the decision as to which candidates will be brought back for another interview.

Chairman Wessell stated that if Commissioners would bring their recommendations, he would appreciate that.

Administration – Opioid Settlement Update:

Administrator Janik said that a significant portion of the lawsuit has been finalized and the amount for 2022 is \$9,995.67. There will be a second partial payment yet for 2022 and he thinks it will be as high as \$15,000.00. The payments will come over the next 18 years. The Board will be able to allocate of the funding and it will have to be related to substance abuse or past costs.

Commissioner Rushton asked Janik if there has been any discussion with the Courts or Sheriff's Department? She stated that if not there should be discussion with those entities and that we could see a need for programing or something.

Janik commented that both the Sheriff and the Judge are active in the coalition, and that these funds do make a difference.

Commissioner Wessell said the he would like to adjust the agenda to have public comment now.

Consensus to hold public comment and modify the agenda.

Public Comment:

Keith Ashley, Leland Township; Charles Knapp, Cleveland Township; Trisha Denton, Leelanau County Women’s League of Voters; Kathy Dawkins, Leland Township.

Administration – Labor Negotiations Update:

MOTION BY ALLGAIER TO MOVE INTO CLOSED SESSION TO DISCUSS LABOR NEGOTIATIONS WITH THE POLICE OFFICERS ASSOCIATION OF MICHIGAN. SECONDED BY BAHLE.

Discussion – none.

ROLL CALL: Allgaier – YES; Bahle – YES; Lautner – YES; Robbins – YES; Rushton – YES; Wessell – YES.

AYES – 6 NO – 0 ABSENT –1 (Soutas-Little) MOTION CARRIED.

Chairman Wessell called to move into closed session at 1:08 p.m.

Chairman Wessell called for a motion at 1:38 p.m. to resume the meeting.

MOTION BY LAUTNER TO RESUME FROM CLOSED SESSION. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Soutas-Little) MOTION CARRIED.

Review of Financials:

Finance Director Jared Prince present. Commissioner Lautner had a question regarding a large bill from a pizza place in Beulah for pizza supplies. Janik explained that Director of Emergency Management Matt Ansong purchased supplies and baked pizzas for the attendees of a quarterly meeting held at the Law Enforcement Center.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

Janik reminded the Board and public that the Regular Session is next Wednesday, September 21, 2022.

Commissioner Comment:

- Commissioner Robbins said that everyone is limited on time but he wanted to see if anyone would be willing to go to The Maples and work in October with Habitat of Humanity.
- Janik said that he can get the dates of volunteering and get back to the Commissioners.
- Commissioner Lautner said that she would like to share a concern in regards to the agenda item for mid-year adjustments. She stated that there was a Finance/Audit Committee level

decision to bring the item to the full board, but two commissioners came forward today with a recommendation that did not come out of committee. Lautner said that she took the opportunity to ask the chairman at break, and was told that the Chairman advised Commissioner Robbins and Commissioner Soutas-Little to meet and come up with a recommendation. She stated that meant that two Commissioners met and deliberated towards a recommendation and brought it to this board. Lautner said that this is not the County's policy and we have no idea what the deliberations were or what conversation took place in coming up with the amounts that were presented. There was staff time involved putting the numbers together, and after all of that as she sits on the Finance/Audit Committee she was left out. She was not asked to meet outside the committee and come up with a recommendation and nothing was said today as to where this money will come from. This year the cost will be \$62,116.32, and \$230,717.97 for next year in 2023 and she is concerned.

- Chairman Wessell said that this group received the finance report and the report was also written up in the Leelanau Enterprise, which referenced discussion regarding a mid-year salary or increase. He stated that two Commissioners on their own contacted him saying that they were interested in this topic and he urged them to work together. He clarified that he did not go to Commissioner Robbins and ask of him to do it and that two Commissioners came to him and that Commissioner Lautner's description of what happened is not quite accurate.

- Commissioner Robbins said that he thought it was discussed at the committee meeting, and he did see it in the Leelanau Enterprise. Robbins said that he did talk with Commissioner Soutas-Little and since he had already talked with Chairman Wessell he didn't want to talk to another fourth commissioner.

- Commissioner Lautner said that is actually not true either or totally, and so she will leave that at that. She continued that this is not the County's process and it is not our policy. It was not the correct way to do it and the County doesn't do business like that. She said that maybe the County does now act non-transparently, and that she was unaware of it.

- Chairman Wessell stated that he doesn't think you can be any more transparent then having that discussion in an open public board meeting. He continued that a recommendation was made today and there will be a week and a day before there is a vote for a final decision and that is a transparent process.

- Commissioner Lautner responded saying that the Board was brought an actual motion with numbers and numbers brought by County staff, which was a deliberated, set forth motion by two Commissioners that did not meet in public.

Approval of Financials —
Amendments & Transfers:
None.

Miscellaneous Fund Transfers and Amendments:
None.

Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$107,989.79. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Soutas-Little) 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 \$5,677,094.02. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bahle)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Adjournment:

Chairman Wessell adjourned the meeting at 1:47 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

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