

Leelanau County Board of Commissioners
Regular Session – Tuesday, May 21, 2024
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://leelanau.gov/meetingdetails.asp?MAId=2741#video>

Call to Order:

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:

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

<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	PRESENT
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Guests present.

Approval of Board Minutes:

#134-05212024 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE: MINUTES OF COMMITTEE OF THE WHOLE, WEDNESDAY, JANUARY 24, 2024; SPECIAL SESSION, WEDNESDAY, JANUARY 24, 2024; REGULAR SESSION, TUESDAY, FEBRUARY 20, 2024; REGULAR SESSION, TUESDAY, MARCH 19, 2024; REGULAR SESSION, TUESDAY, APRIL 16, 2024; EXECUTIVE BOARD MEETING, TUESDAY, MAY 14, 2024; CLOSED SESSION, TUESDAY, MAY 14, 2024; AND SPECIAL SESSION, TUESDAY, MAY 14, 2024. SECONDED BY O'ROURKE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell noted the two late additions that were on the agenda.

#135-05212024 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS PRESENTED. SECONDED BY ROSS.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Communications, Proclamations, Presentations –
Northern Lakes Community Mental Health:

Chairman of the Board of Directors of Northern Lakes Community Mental Health Authority Greg McMorrow was present before Commissioners. McMorrow was introduced by Chairman Wessell giving his history/involvement with the County and agencies. McMorrow thanked Commissioners for the ability to service and the honor that it is. McMorrow gave an update and responded to questions from Commissioners.

Interim Administrator Update – Project Updates:

- Interim Administrator Richard I. Lewis gave an update to Commissioners and responded to questions. Lewis addressed that there is a legal opinion on file stating in regards to the Sheriff's program about MCOLES (Michigan Commission on Law Enforcement Standards) and that a Letter of Understanding (LOU) was not needed to bring someone on under the program. Lewis addressed the Register of Deeds computer issue from last week's public comment and read from his memo, which can be viewed at the following link:

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

Commissioner Lautner commented that there were two parts to the question and the second part was why a County resident was kicked off the computer system? Lewis responded that he will follow-up on that portion and report back.

- Interim Administrator Lewis stated that the Government Center Façade Request for Proposal (RFP) will be ready by mid-June to be issued out. The split rail fencing is to be installed at the Veronica Valley Park will be the first week of June, and the Commissioner's board room will have new speakers installed on May 29th and 30th. Lewis stated he will try to contact BIS Digital to see if they can move the schedule up by one day to try to accommodate the Special Session for Administrator/CFO Candidate interviews.

- Interim Administrator Lewis continued that two bids were received and have been opened for the resurfacing the parking lots of the Governmental Center, which he will place on the June agenda for the Board to decide on. He explained to the Board that the wood chip project at Myles Kimmerly has grown and the project will now cover all the playground in the park. Lewis commented he will start working on the project of the walkway at the Leland Dam because it is in serious need of some love and will bring to the June agenda after speaking with Machin Engineering so everyone is on the same page. He stated they will be bringing back the contract for cleaning to the June agenda and that he has had some enjoyable conversations with the Chairman of the Parks and Recreation Commission, who he will meet with later to cover some conversations to help get everyone on the same page so there is not a feeling that one board is against the other.

Public Comment (3 minutes, agenda specific):

The following individuals spoke in person: Patty Blesch, Jim Kobberstad, David Kiessel

Chairman Wessell gaveled the public speaker and called for a recess at 7:31 p.m. and called the meeting back to order at 7:34 p.m.

Chairman Wessell wanted to remind the audience of the approved Rules of Order and Procedure to streamline business and he doesn't care the color of the shirt. Wessell said that he was reminded that he doesn't have to apologize, but he must enforce "our" Board rules. Only topics that are on the agenda can be addressed and the Solar Grant is not on the agenda. He also said that the Public can call any one of the Commissioners, but he must be very careful about following "our" rules and requested that the public speak directly to items on the agenda and that individuals not speak from their seat.

Public Comment resumed with the following speakers:
Keith Ashley, Alan Campbell, and Renee Wyler.

The written comments can be found at the following link:
<https://leelanau.gov/meetingdetails.asp?MAId=2741#handouts>

Commissioner Comments:

- Commissioner Allgaier commented that often Point Broadband installs and then they turn the cabinet on after they have done a complete section. Just because they have gone by doesn't mean it will be turned on the next day. She suggested calling so that they can be responded to. Interim Administrator Lewis offered additional comments and knows that Point Broadband would like it done sooner than later. The County has a \$5 million investment and they have \$17.5 million, so they are motivated to complete the project.
- Commissioner Rexroat offered comments on Point Broadband, on the website there is a way to register an email complaint and contact them. The boring machine slid up against the fence by his house. He couldn't tell if there was damage or not, but he did contact them and they were responsive and they wanted to make sure that any damage is taken care of. He explained the process before and after installation and what he experienced in a timely manner. It would be best to go directly to the horse's mouth.
- Commissioner Ross commented that that is why "we" divide the County into districts and each Township has a District Commissioner. She continued that she has asked many times and will ask again, that if you have a concern come to "us" before or as soon as you have the concern and let us help you work on it. It is really hard to be in a public room and try to answer your questions. She continued that if you email her, text her, or call her or meet her for coffee, there is a better chance that she can be proactive and get you an answer sooner than later.
- Chairman Wessell wanted to respond to Renee Wyler as she has asked about the number of subscribers. He had a meeting today with the marketing team and they are telling them a couple of things. 100% of the unserved residents, all of them, of North of M-204 will be served by the end of the year. They are currently connected to a third of those and about a third of the third is a subscriber. He said more details can be obtained, but that is broad brush.
- Commissioner Lautner commented that she did not support "us" going to an agenda only Public Comment in the very beginning. As she previously stated, she welcomes all public comment, you do not need to meet with her ahead of time – if you would like to you are welcome to or you are welcome to come here and speak. Lautner said what she doesn't like is the comment that public comment is limited to expedite the meeting as more time is being wasted on recesses because what we seem to be doing is, if it is something that we don't want

to hear, we are gaveling our public down. If you want to be really nitpicky, we just listened to two things that weren't on the agenda so we must have wanted to listen to it. She doesn't like this and has kept quiet and doesn't like the public being gavelled down because you don't want to hear it. She doesn't like it at all and it is being done very broadly and it is rude.

- Chairman Wessell said that Commissioner Lautner has expressed it before and he doesn't care what "we" do, but we have to follow the rules. He would suggest that if "you" would like to change the rules, he would suggest it be added to the agenda and see what the Commissioners want to do. Discussion between Commissioners Lautner and Wessell.

Consent Action 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.

#136-05212024 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED BY KRAMER.

Sheriff's Office – Cherryland Humane Society Contracts:

#137-05212024 Regular Session

- **TO APPROVE BOTH CONTRACTS BETWEEN LEELANAU COUNTY, THE LEELANAU COUNTY SHERIFF'S OFFICE, AND THE CHERRYLAND HUMANE SOCIETY WITH THE DATES JANUARY 1, 2025 – SEPTEMBER 30, 2026, AND OCTOBER 1, 2026 – DECEMBER 31, 2026. THE BOARD ALSO AUTHORIZED THE CHAIRPERSON TO SIGN THE CONTRACTS ON THE COUNTIES BEHALF.**

Sheriff's Office – Special Event Contracts:

#138-05212024 Regular Session

- **TO APPROVE THE BOILER PLATE "AGREEMENT FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES" CONTRACT AND FURTHER ALLOW THE SHERIFF AND COUNTY ADMINISTRATOR TO SIGN THE CONTRACTS ON BEHALF OF THE COUNTY AS NEEDED.**

Drain Commission – Leland Dam Plan:

#139-05212024 Regular Session

- **TO WAIVE THE SEEKING OF A REQUEST FOR THE PROPOSAL AS IT IS IN THE BEST INTEREST OF THE PUBLIC DUE TO KNOWLEDGE, EXPERTISE, AND AVAILABILITY OF MICHIGAN FLUID POWER (MFP) TO UNDERTAKE THE LELAND DAM REPAIRS/MODIFICATIONS, AND TO DIRECT MACHIN ENGINEERING TO REQUEST A FORMAL PROPOSAL FROM MFP OF REVIEW BY MACHIN ENGINEERING AND COUNTY STAFF AND TO AUTHORIZE THE BOARD CHAIR TO EXECUTE AN AGREEMENT/ CONTRACT WITH MICHIGAN FLUID POWER (MFP), IF SAID PROPOSAL IS WITHIN THE PROBABLE CONSTRUCTION COST OUTLINED, NOT TO EXCEED \$17,000.00. (#805.000.000.970.000)**

Senior Services – In-Home Care Provider Recommendations:

#140-05212024 Regular Session

- **TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT THE PROPOSALS FOR IN-HOME SENIOR CARE SERVICES IN RESPONSE TO THE LCAO-RFP-2024-001 FROM COMFORT KEEPERS, LINDA LINGAUR, AND JANET FLOWERS.**

Planning Department– Material Management Plan/Intergovernmental Agreement:

#141-05212024 Regular Session

- **TO MOVE FORWARD ON THE DEVELOPMENT OF AN INTERGOVERNMENTAL AGREEMENT WITH GRAND TRAVERSE COUNTY AND BENZIE COUNTY, FOR THE PURPOSE OF DEVELOPING A MULTI-COUNTY MATERIALS MANAGEMENT PLAN (MMP).**

Planning Department – Remonumentation Peer Group Agreement:

#142-05212024 Regular Session

- **TO APPROVE THE MONUMENTATION/REMONUMENTATION PEER GROUP AGREEMENTS AS PREPARED BY CORPORATE COUNSEL, WITH: O'NON LAND SURVEYING, HOLMBERG LAND SURVEY, AND GRAND TRAVERSE SURVEYING FOR \$700.00 EACH, WITH THE COSTS TO COME FROM THE REMONUMENTATION ACCOUNT #101.475.245.801.000.**

Planning Department – Remonumentation Peer Group Agreement – County Representative:

#143-05212024 Regular Session

- **TO APPROVE THE MONUMENTATION/REMONUMENTATION PEER GROUP AGREEMENT WITH LEELANAU LAND SURVEYING, AS PREPARED BY CORPORATE COUNSEL, WITH COSTS TO COME FROM REMONUMENTATION ACCOUNT #101.475.245.801.000.**

Planning Department – Remonumentation Surveyor Services Agreements:

#144-05212024 Regular Session

- **TO APPROVE THE SURVEYOR SERVICES AGREEMENTS WITH O'NON LAND SURVEYING, HOLMBERG LAND SURVEY, GRAND TRAVERSE SURVEYING, AND LEELANAU LAND SURVEYING AS PREPARED BY CORPORATE COUNSEL, WITH COSTS TO COME FROM REMONUMENTATION ACCOUNT #101.475.245.801.000.**

Planning Department – Leelanau County Land Bank Authority Appointment:

#145-05212024 Regular Session

- **TO APPOINT MR. DAVID KING TO THE LEELANAU COUNTY LAND BANK AUTHORITY TO A PARTIAL TERM EXPIRING 12/31/2026.**

Veteran's Affairs Department – Soldiers and Sailor's Relief:

#146-05212024 Regular Session

- **TO INCREASE THE 2024 SOLDIERS & SAILORS RELIEF EXPENSE #101.580.689.999.000 IN THE AMOUNT OF \$5,000.00 FOR AN AMENDED BUDGET OF \$10,000.00 FOR OPERATING TRANSFER OUT TO THE SOLDIERS & SAILORS FUND #293, AS NEEDED. FUNDS TO COME FROM THE GENERAL FUND.**

Equalization – Approval of Leelanau County L-4029 Tax Rate Request:

#147-05212024 Regular Session

- **TO APPROVE A MILLAGE RATE THAT DOES NOT EXCEED THE MAXIMUM ALLOWABLE MILLAGE LEVY (COLUMN 9) AND PLACE THAT MILLAGE RATE IN COLUMN 10 AS THE MILLAGE RATE REQUESTED TO BE LEVIED ON JULY 1 AND RETURN THE L-4029 TO THE EQUALIZATION DIRECTOR.**

Administration – Summer Maintenance Staff:

#148-05212024 Regular Session

- **TO APPROVE THE PROPOSAL AS PRESENTED, INCREASING THE PARKS AND RECREATION AUTHORIZED STAFFING LEVEL TO THREE POSITIONS, WHILE REMAINING WITHIN THE CURRENT BUDGETED HOURS OF SERVICE.**

Administration – Myles Kimmerly – Wood Chip Labor Install:

#149-05212024 Regular Session

- **TO AUTHORIZE THE BOARD CHAIR TO EXECUTE AN AGREEMENT WITH TRUNORTH LANDSCAPING IN AN AMOUNT NOT TO EXCEED \$14,315.00 FOR WORK TO BE PERFORMED AT MYLES KIMMERLY PARK PER THE PROPOSAL DATED APRIL 19, 2024, AND FURTHERMORE, APPROVE A CONTINGENCY OF \$1,500.00 FOR SAID PROJECT TO BE UTILIZED BY THE COUNTY ADMINISTRATOR, IF SO NEEDED. FUNDS TO COME FROM ACCOUNT #101.850.756.775.000.**

Administration – Point Broadband Revised Agreement:

#150-05212024 Regular Session

- **TO APPROVE AND AUTHORIZE THE BOARD CHAIRMAN TO EXECUTE AMENDMENT NO. 3 TO FIBER OPTIC BROADBAND NETWORK CONSTRUCTION AGREEMENT.**

Discussion – none.

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

NO – 0

MOTION CARRIED.

Administration – Grand Traverse Band 2% Tribal Grant Application Submissions:

Interim Administrator Richard Lewis was present for the Agenda Item and internal process for the future.

#151-05212024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE FOLLOWING GRAND TRAVERSE BAND 2% TRIBAL GRANT APPLICATION SUBMISSIONS:

- **Leelanau County Probate/Family Court, \$35,000.00**
- **Housing North, \$50,000.00**
- **Historic Preservation Society, \$3,680.00**
- **Inland Seas Education, \$35,000.00**

SECONDED BY ALLGAIER.

Commissioner Lautner requested to divide the question.

Discussion ensued.

● **Application for Probate and Family \$35,000.00.**

Discussion.

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

NO – 0

MOTION CARRIED.

● **Application for Housing North, \$50,000.00**

Discussion – none.

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

NO – 0

MOTION CARRIED.

● **Application Historic Preservation Society, \$3,680.00**

Discussion.

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

NO – 0

MOTION CARRIED.

● **Application for Inland Seas Education, \$35,000.00**

Discussion – none.

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

NO – 0

MOTION CARRIED.

Leelanau County Energy Futures Task Force – Grant Application:

Chairman Wessell introduced the topic and requested Commissioner Ross to explain the request. Ross stated that there is an opportunity for “us” to do a Countywide Energy Survey. The Energy Futures Task Force (EFTF) wants to represent all Leelanau County residents as we move forward with mandated or environmental energy coming from renewable and green sources. In order to tap in and figure out which direction the majority of County residents want to go in, a survey would help identify perhaps something that they are not seeing. The grant will cover all costs and will be through the School for Environment and Sustainability (SEAS) of the University of Michigan. They are graduate students that will come up here in the fall and use various ways to get information from county residents, compiled in a way that everyone can read and totally accessible and open to the public. It will guide the EFTF as they move forward looking for ways to help the citizenry in being more energy efficient and more dependent on renewal and green energy as we move into the future. The first being obtaining the grant and presenting the project to the students that will be doing this as their graduate work. Ross said that they will continue with public input and working with the experts to capture the essence of the public.

Interim Administrator Lewis offered comments that if approved, the grant proposal/application would come back to the June meeting and defined the process.

Commissioner Rexroat wanted to have a point of order that Commissioners are not authorizing the actual grant, but the writing of the grant only. Ross offered comments.

Interim Administrator Lewis said that before someone spends time and energy to get the grants, it is important that this Board know as it is the Commissioners that are the ones that accept the grant and authorize the doing of the grant and not just having something show up and no one knows anything about it. Right now if you are saying okay to write and bring back for our review and if Commissioners are satisfied – this will be submitted, if approved, by staff, not the EFTF force. It will be on the June agenda and public comment will be accepted.

#152-05212024 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AUTHORIZE THE LEELANAU COUNTY ENERGY FUTURES TASK FORCE TO PREPARE A GRANT APPLICATION TO EGLE COMMUNITY ENERGY MANAGEMENT GRANTS FOR THE U OF M SEAS PROJECT PROPOSAL AS OUTLINED IN THE MAY 10, 2024, COMMUNICATION FROM TASK FORCE CHAIR JOE DEFORS AND TO BE PRESENTED FOR RECOMMENDATION AT THE JUNE 11, 2024, BOARD OF COMMISSIONERS EXECUTIVE SESSION AND POSSIBLE APPROVAL AT THE JUNE 18, 2024, BOARD OF COMMISSIONERS REGULAR MEETING. SECONDED BY ROSS.

Discussion – Commissioner Lautner stated this task force was formed last year and the first meeting was in October with the understanding that the task force would do research and come back in a year with recommendations to the Board. She continued that this is May and this is the second grant request from this Task Force, which is nowhere near a year yet since the information. There are concerns of ethical violations, Open Meetings Act (OMA) violations, and meeting minutes and meeting dates that were not posted, so she has concerns about a lot of this.

Commissioner Allgaier said she understands that some people had thought the Task Force would just sit around and talk for a year and then propose some things but that was not their intent at all and it would be fairly impractical to sit around and talk. She stated the year was to do some things and that one of the goals was to bring grant money that is out there, which is everyone's tax dollars and the biggest intent was to bring in some of that money home, so that it can work for us here and that is what we are doing here. Allgaier continued that as far as the OMA thing this is a Task Force, which has been reviewed by the County's Attorney, and there were no OMA violations per the County's Attorney. There were minutes taken and submitted for every single meeting, so that is not an issue and the Task Force is always open and willing to talk to anyone who has concerns about that, but at this point no one has found that anything has been awry. She believes we should be active for our citizens here.

Commissioner Kramer commented she thinks it is great that the Task Force is working so hard and attempting to move us forward in a specific direction that really represents the majority of the next generation of Leelanau County because that is where we need to focus. She would like to see everyone here just think positively of your neighbors and that maybe we are all trying to work our best and our hardest at moving forward and there is not some sort of conspiracy theory or some kind of agenda because we are just all trying to do our very best. If we could keep those thoughts in the backs of our minds while having those conversations with one another, if we agree or not, on any sort of topic would be helpful for all of us in this room.

Commissioner Rexroat said he wants to go back to Commissioner Lautner's comments on the Task Force. He said he assumes even though this was received, and that he hasn't seen the grant himself, although he doesn't know if it is accurate or inaccurate, he assumes that something will be looked into in regards to the public comments that were made at the first public comment on the agenda today.

Interim Administrator Lewis replied to Commissioner Rexroat that all he would have is the application that was submitted.

Commissioner Ross replied to Commissioner Rexroat it is spelled out, exactly that.

Interim Administrator Lewis stated all the information should be with the grant application.

Commissioner Ross replied to Interim Administrator Lewis that it is and it is very clear.

Chairman Wessell stated the Board does want to hear more about the concern from the public.

Commissioner Rexroat said he is just trying to make that point and Commissioner Lautner agreed with Commissioner Rexroat. Rexroat continued that he is not endorsing the concern or stating that it is valid or not, but he wants to make sure that the concern is looked into and the Board understands it.

Commissioner Kramer commented that both things can be true and as far as she knows it is standard practice, but if it needs to be run by legal then go ahead and see if there is a conflict of interest so that everyone can be appeased here.

Commissioner Lautner stated that the Board should remember that she tried to answer/ask those questions at the time the EFTF application was being presented to the Board of Commissioners and Mr. Joe DeFors did have an opportunity to answer those questions at the time. She said that DeFors instead talked over her, argued with her, and took up all of her time to where Chairman Wessell told her that her time was up. Lautner commented she did try to ask those questions at that time and was shut down. If there are people concerned at this time, rightfully so, because they haven't received any answers. As far as the meetings go, we have always yielded to transparency and accountability when it comes to meetings, whether they are committee or whatever, because if there is an opportunity for a recommendation to be coming back to this board that those meetings have always been posted and minutes kept by someone either deputized or the Clerk's Office themselves. Lautner continued that the Board of Commissioners have always yielded to transparency and she does not know a reason as to why the Board would not do that now, but she has seen a lot of that this last year which disturbs her. Lautner encourages Commissioners to try to get back to being as transparent as possible so that people are not concerned about this sort of thing happening.

Chairman Wessell stated he is supporting this application because this is why he supported the Task Force to learn about. This is a survey for the County residents and utilize the University of Michigan folks to help us learn about opportunities, attitudes and needs, so he certainly supports it.

Commissioner Ross said she has worked very, very closely with Mr. Joe DeFors and there is no ethical problem with what he is doing. It is pretty standard that when you receive \$1.1 to \$1.2 or \$1.3 million dollars that there has to be some oversight of the grant and since he is the most knowledgeable person on the team, he will be one person that will be receiving a small stipend to help us make sure that this project is carried out according to the grant requirements, our County, attorneys, and all of that. Ross continued that if anyone wants to question his ethical behavior then you should come to her because she will support this gentleman 100%.

Chairman Wessell stated he feels like the Board is getting off topic and called for a vote.

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

NO – 1 (Lautner)

MOTION CARRIED.

Administration – Creation of Finance Department:

Interim Administrator Lewis commented on the agenda item regarding the creation of the Finance Department which was never done. As indicated in his overview it is to get the stage set and the foundation for the next Administrator/CFO. There are two things that he has felt, as well as the County Clerk and the Interim Finance Director concur, that the Commissioners need to actually create a Finance Department. You do have an office, but it is not in the budget. He continued about the creation of the Finance Department and eliminate the Accounting Department. The second thing is to get the budget for this in line. Lewis also discussed the staffing and the employee master list and take the Finance Director out of Administration and move it to Finance Department. The Assistant Finance Director position will remain, although he is not actively seeking to fill that position, and it can be the discussion that the next person can have. The Account Clerk will be two full-time positions. There is a lot of work that needs to be done and we need the staff to do it. Discussion about working on the budget and the CIP. Comments continued.

#153-05212024 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AUTHORIZE THE CREATION OF THE FINANCE & ACCOUNTING DEPARTMENT, APPROVE THE AUTHORIZING OF STAFFING LEVELS INCLUDING THE ADDITION OF ONE (1) ACCOUNT CLERK, TRANSFER OF UNSPENT FINANCE DIRECTOR WAGES/BENEFITS FROM THE BOARD OF COMMISSIONERS DEPARTMENT TO THE FINANCE & ACCOUNTING DEPARTMENT AND RESCIND NOVEMBER 11, 2023, ACTION OF THE INTERIM FINANCE DIRECTOR REPORTING TO THE BOARD OF COMMISSIONERS AS RECOMMENDED IN THE MAY 3, 2024, MEMORANDUM FROM THE INTERIM COUNTY ADMINISTRATOR. SECONDED BY ALLGAIER.

Discussion.

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

NO – 1 (Lautner)

MOTION CARRIED.

Administration – 2024 Budget Rules Amendment:

Interim Administrator Lewis commented on the topic and gave explanation.

#154-05212024 Regular Session

MOTION BY KRAMER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ADOPT THE AMENDMENTS TO THE FY 2024 BUDGET RULES OUTLINED IN THE MAY 3, 2024, MEMORANDUM FROM THE INTERIM COUNTY ADMINISTRATOR.

Discussion ensued and this is a living document and can be reviewed/amended at any time.

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

NO – 0

MOTION CARRIED.

Administration – 2023 Parks and Recreation Budget Possible Funds Available:

Interim Administrator Lewis thanked Interim Finance Director Hartesvelt for all of the documents she provided for everyone to review. He continued that the unaudited year end fund balance should show an increase to the General Fund fund balance of \$66,800, which can be attributed to the \$55,000.00 that was not spent from the Parks and Recreation budget. There are some Capital Improvements in relationship to the parks that were listed within the 2023 budget that did not happen in 2023. Lewis would like the Board to consider the list that was unspent within the Parks and Recreation budget for 2023 and follow up at another meeting what the Board would like to commit to in regards to improvements.

Interim Administrator Lewis reviewed the current Capital Improvement Project (CIP) list the County has on file and covered the 2024 considerations. He stated if the Board chooses to they could move the \$55,000.00 unspent from 2023 to the Parks and Recreation Department budget for 2024, which would give them \$110,000.00 to try to get some of their CIP projects completed before the end of the year. He stated after the discussion tonight and speaking with the Parks and Recreation Commission he would like this agenda item placed on the June agenda for final approval because he would like the opportunity to work with staff to navigate a way that once that happens it can be set aside and not have to be reallocated again for 2025. He explained that in his experience with the City of Traverse City that funds could be held for Capital Improvements once they are Board approved from year to year.

Commissioner Lautner commented that Leelanau County has never budgeted that way like the City of Traverse City does for Capital Improvements. She said it is concerning to her because the General Fund—Fund Balance is healthy but it has been dipping. There are more tax dollars coming in every year but there are so many outstanding obligations out there beyond what the Board has coming in, which includes Broadband. Lautner asked Lewis why does he want to wait until next month to just transfer the \$55,000.00?

Interim Administrator Lewis replied he would like to talk with staff about the idea of a Capital Improvements Fund and bring it back to the Board. There is no current rush to move forward with a transfer at this time.

Commissioner Lautner said she understands there is no rush, but her concern is that does the Board want to also do this for other departments because that would certainly start a precedence. She would prefer to transfer the funding now and take care of this issue and talk about the other issues separately.

Interim Administrator Lewis asked for the transfer to wait because Parks and Recreation is not currently ready to spend \$110,000.00, so there is nothing that is not going to happen in the next 30 days.

Commissioner Lautner commented she believes the Parks and Recreation Commission would like some clarity in regards to funding projects that didn't happen in 2023.

Interim Administrator Lewis agreed with Commissioner Lautner that Parks and Recreation will receive the rollover funding and stated that it will be on your agenda next month for approval. He reiterated that he would like to do some more homework and bring the transfer back in June. Lewis reminded the Board that the list of improvements far exceeds the funds within the budget to cover all the improvements.

Commissioner Lautner agreed with Lewis and stated that every year within the Parks and Recreation the list is longer than the actual approved funds, but they keep trying by submitting as much as they can. She said there are projects that need bids, like the Old Settler's Park gazebo, and bids don't come in and so the work doesn't get done.

Interim Administrator Lewis stated he hears Commissioner Lautner that there doesn't seem to be any objections to moving forward with a transfer from the other Board members.

Commissioner Lautner asked if the Board needs to move the agenda item to June?

Interim Administrator Lewis said he will get that done, but wanted to make sure it will be done in such a way that the Board doesn't have to do this year after year. He believes that once the funds are there and have been allocated it could be handled sooner, like January, so the Board will know by the next budget cycle what is needed.

Chairman Wessell stated the agenda item will be moved to the June agenda.

Commissioner Rexroat agrees with Commissioner Lautner but would like to see the Parks and Recreation issue and the requests divided into two parts. The first part is that the \$55,000.00 rolls from 2023 to 2024 and the second part is that if a department asks for Capital Improvement funding that the funds are there permanently and remains there once the budget is set.

Commissioner Allgaier stated she has questions on the precedence issue and other departments wanting to do the same thing as Parks and Recreation, so she supports thinking this all through.

Chairman Wessell announced this will be revisited in June.

Administration – Temporary Maintenance Staff:

Interim Administrator Lewis said one of the lead members of Maintenance will be out for the next six weeks and then hopefully back for light duty. This would allow to hire temporary help for the next six weeks. If additional time is needed, this will be brought back to the Commissioners.

#155-05212024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE PROPOSAL AS PRESENTED, INCREASING THE MAINTENANCE DEPARTMENT'S AUTHORIZED STAFFING LEVEL TO INCLUDE A TEMPORARY EMPLOYEE FOR A TIME PERIOD OF SIX (6) WEEKS AT 40 HOURS PER WEEK, TO COVER THE UNEXPECTED ABSENCE AND AMEND THE BUDGET AS NECESSARY, NOT TO EXCEED GROSS WAGES OF \$6,100.00 PLUS THE APPLICABLE FICA MATCH. SECONDED BY O'ROURKE.

Discussion.

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

NO – 0

MOTION CARRIED.

Sheriff's Office – Marine Safety Grant Acceptance:

#156-05212024 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE MARINE SAFETY PROGRAM GRANT AGREEMENT AS AWARDED FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES IN THE AMOUNT OF \$45,100.00, AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT AS THE "GRANTEE" AND THAT THE COUNTY CLERK CERTIFY AND FINANCE DEPARTMENT SUBMIT TO THE DNR PORTAL. SECONDED BY LAUTNER.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Administration – County Administrator/CFO Search Update – Interview Schedule:

Interim Administrator Lewis commented on the meetings for the interviews. There will be one continuous meeting. It will recess at the end of the first day and reconvene the following day. The Special Session meeting form will be distributed. Consensus that the first day needs to start 30 minutes prior to the first interview to allow enough time for public comment. Commissioner O'Rourke indicated that he may be late due to an Airport Finance meeting and they need a quorum for that specific meeting. Lewis also stated that he is not looking to abandon the Commissioners, he just wants to make sure that they are making progress.

Review Of Financials:

Interim Finance Director Cathy Hartesvelt was present to respond to any questions and she requested that Commissioners correct the date on the cover sheet provided. No questions received.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Chairman Wessell commented that he met with the Broadband/LIFT Committee, and the messaging Committee. He gave an update on the meeting and what they plan to do to get future information out. He also referenced mapping, and possible information available to residents and what they are doing to promote the fiber product. They are going to the Senior Expo, Cedar Festival, have a mailing that is going out, and looking for office space to help with the sale, and they are on target and on time. Leelanau Township asked for a mailing and Wessell was asked to communicate that for other Commissioners to help you out with the residents.
- Commissioner Allgaier commented Broadband is not complete. There are still areas that need service in District #6 and part of District #7, so this project is not done.
- Commissioner Lautner commented that this is one of the obligations she was discussing for funding and Interim Administrator Richard I. Lewis said it was on the list.
- Commissioner Ross commented that Solid Waste is supporting a composting for the backyard resident at the Poor Farm Barn on Wednesday, May 29, 2024 from 9:00 a.m. – noon. She gave additional comments on the workshop and what it will cover.

Public Comment: (5 minutes, any topic)

The following individuals spoke in person: Janet Shoaf, Harry Steffens, Alan Campbell, David Mosser, Rick Robbins, Stephen Mikowski, Gary Hosking, John Hunter, Bill Wiesner, Dana Getsinger, Renee Wyler, James Kobberstad, Keith Beduhn, and David Kiessel.

Several of the Public Speakers gave a signed request for investigation into Conflict of Interest and they can be found at the link below.

The written comments can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2741#handouts>

Commissioner Comment:

- Commissioner Allgaier will start with an apology and “we” did an innovative thing (EFTF) – we promised we would not spend any County money. We were told we needed to take minutes and we did. There have been minutes from every meeting – there were some missing and she

doesn't know why and they submitted them when they found out. They did not have a protocol – now it is more organized. Allgaier said that they are also learning more and are more organized – EFTF meets the first Thursday of each month – more on the website – the Administrator said at the time set things up – if it was not Performa, they are doing the best that they can and she will apologize for the startup that didn't meet expectations. There was not a real form to adhere to. Their goal is to not spend money and get some of the tax dollars back in the County and deal with the energy transition and bring energy to this County. As far the Public Comment rule, we have work to do and our job is to do the work of the County and we got to the point where it was being seriously interfered with, this rule is to get the work done and she used to do the same thing and she appreciates the interest in what they are doing. The first priority is to do the work of the County.

- Commissioner Kramer checks with EGLE queries and Artificial Intelligence and potential conflict of interest. Kramer read from a document regarding conflict of interest.
- Commissioner O'Rourke reminded everyone that the Memorial Day Service is at 10:00 a.m. If you have a Veterans name to place on the wall that you can take it to the Administrator's Office, as they have the forms and information.
- Commissioner Wessell will not be here at the County Service on Memorial as Northport has services that are second to none.
- Commissioner Allgaier said she will be at services in Glen Arbor.
- Chairman Wessell said it was not his finest hour and was more fun when he could sit where Commissioner Rexroat sits and let Will Bunek run the meeting.

Administrator Lewis said that last week was the National / Michigan Police Officer week and gave a shout out to the Sheriff's Department and all of the first responders that work in the County.

Approval of Financials —

Amendments & Transfers:

Interim Finance Director Cathy Hartesvelt was present and responded to any questions.

#157-05212024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2024 AMENDMENT #24-006 AND #24-007. SECONDED BY REXROAT/O'ROURKE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Claims and Accounts:

#158-05212024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$361,104.41. SECONDED BY O'ROURKE/REXROAT.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Post Audit Claims and Accounts:

#159-05212024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$2,163,130.29. SECONDED BY REXROAT.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Adjournment:

Chairman Wessell adjourned the meeting at 9:36 P.M.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

Michelle L. Crocker, Leelanau County Clerk
Clerk, Leelanau County Board of Commissioners