

Leelanau County Board of Commissioners
Regular Session – Tuesday, September 19, 2023
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=2554#video>

Meeting called to order by Chairman Ty Wessell at 7:00 a.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 O'Rourke 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 Minutes:

#255-09192023 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE MINUTES AS PRESENTED: CLOSED SESSION, TUESDAY, JULY 18, 2023; REGULAR SESSION, TUESDAY, AUGUST 15, 2023; CLOSED SESSION, TUESDAY, AUGUST 15, 2023; AND EXECUTIVE SESSION, TUESDAY, SEPTEMBER 12, 2023. 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 Late Addition Request #1 – Creation of Ad Hoc Committee to review HVAC System [is listed as Action Item #16]; Late Addition #2 – Replacement of Heat Pump #233 for Circuit Court Judge's Chambers [is listed as Action Item #17]; Late Addition Request #3 – Closed Session Request to Consider a Periodic Personnel Evaluation of the County Administrator [is listed as Action Item #18]. Commissioner Allgaier inquired about adding a Late Addition Request #4 for Early Voting Grant. That can be handled right after Action Item #17.

Commissioner Lautner asked procedurally – discussion ensued as to the order of the items on the agenda – again procedurally can we have an item last thing without a Public Comment afterwards. Chairman Wessell responded that “we” checked with the attorney and “we” moved the Public Comment before the closed session so that public wouldn't have to stay during the closed session as he suspects if they want to stick around for the hour or so, we could listen again.

Commissioner Rexroat asked if this was cleared. Chairman Wessell confirmed. Discussion ensued. Commissioner Lautner said that technically we could add a Public Comment after the closed session with approval of the Board. Lautner said she has never done this and Rexroat has no problem with this. Chairman Wessell said that Action Item #12 – Information Technology, Purchase of Desktop Computers, Dell Technologies, which was approved last week, but some of the materials that were approved are not available so there is more work to do and this will be brought back.

#256-09192023 Regular Session

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

Discussion – none.

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

NO – 0

MOTION CARRIED.

Communications, Proclamations, Presentations –
Administrator Update:

Administrator Allen commented that last week there was one of the largest packets ever and gave kudos to turning around the minutes so quickly for 26 pages of minutes and it is much appreciated in getting it turned around so quickly • Allen also acknowledged Commissioner/ Chairman Wessell for meeting with the employees last week and she did not personally attend, but she knows it was appreciated and thanked him for taking the time to do that and encouraged other Commissioners to do that • Allen gave an update on the lower-level space and hopefully all questions will be answered • She has received confirmation that HVAC bids will be received by October 2, 2023, so the information should be available for the Executive Session on October 3, 2023 • As a point of mention, there was conversation about legal opinions and if they are provided to the public and if they are provided under Attorney / Client Privilege, “we” are not required to divulge that information • Upcoming events Budget Work Sessions and an email was sent out to all Commissioners as to when the next work sessions will be • Three staff will be attending MERS next week, Administrator Allen, Finance Director Cowan and Equalization Technician Rob Herman for employees.

Point Broadband Update:

Chairman Wessell recognized and introduced former Commissioner and Leelanau Peninsula Foundation Chairperson Patricia Soutas-Little who was present. Also present via Zoom was Broadband Contractual Project Manager for Leelanau County Chris Scharrer and General Manager of Michigan Markets for Point Broadband Dan Sullivan. Scharrer explained what progress has been done to date on the Broadband project and responded to questions from Commissioners. Point is offering free connection to interested residents within the service area, which is unserved and underserved. They all responded to questions from Commissioners and also responded to the question regarding the free installation and that there is no commitment required.

The update can be found at the following link:

https://leelanau.gov/downloads/pbb_leelanau_boc_update_091923.pdf

Benzie/Leelanau District Health Department Agency Update:

Benzie / Leelanau District Health Department Health Officer Daniel R. Thorell, MS, RS was present with the 2022 Annual Report. Thorell reviewed the report and responded to questions. The report can be found at the following link:

https://leelanau.gov/downloads/bldhd_2022_annual_report.pdf

Public Comment:

The following individuals spoke in person:

Steve Smith; Steve Mikowski; Bill Weisner; Patricia Soutas-Little; Maggie Sprattmoran; Celeste Crouch; and Jill Wellman.

The written comments can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2554#handouts>

Commissioner Comments:

- Commissioner Ross said that Centerville Township Supervisor Jim Schwantes will be resigning due to health reasons and wished him the best.
- Commissioner O'Rourke stated that he is paying attention even though leaning back in his chair due to an injury.

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.

No requests were received to remove any items.

#257-09192023 Regular Session

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

Sheriff's Office – K9 Program Expansion Request:

#258-09192023 Regular Session

- **TO APPROVE THE SHERIFF'S OFFICE TO PURCHASE AN ADDITIONAL K-9 FROM FRESH COAST K-9, LLC, IN THE AMOUNT OF \$17,000.00 AND FURTHER AUTHORIZE THE SHERIFF'S OFFICE TO OUTFIT A PATROL VEHICLE FOR K-9 USE AND PURCHASE EQUIPMENT NECESSARY TO EXPAND THE K-9 PROGRAM. FUNDS TO COME FROM #101.225.301.727.005.**

Sheriff's Office – Out-of-State Travel Request, Cmr. Edington:

#259-09192023 Regular Session

● **TO APPROVE THAT THE SHERIFF SEND MARINE CMDR. WAYNE EDINGTON TO A LEVEL 2 BOATING INCIDENT ANALYSIS AND RECONSTRUCTION COURSE IN HAVANA, FLORIDA, THE WEEK OF OCTOBER 23-27, 2023, OFFERED BY THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS (NASBLA), AND EXTEND COMMANDER EDINGTON'S SEASONAL EMPLOYMENT THROUGH THE FINAL DAY OF CLASS AND PAY HOTEL AND MEALS THROUGH THE MARINE BUDGET, WITH FUNDS TO COME FROM #101.225.331.860.000.**

Michigan Municipal Risk Management Authority (MMRMA) Grant Applications – Probate/Family Court, RAP (Risk Avoidance Program) Grant, BIS Digital Court Recording Equipment:

#260-09192023 Regular Session

● **TO APPROVE SUBMISSION OF THE GRANT IN THE AMOUNT OF \$19,272.23 TO MMRMA IN ORDER TO FUND 50% OF THE VIDEO AND AUDIO RECORDING UPGRADES NEEDED IN COURTROOM C, WHICH SERVES BOTH THE PROBATE AND FAMILY COURTS IN LEELANAU COUNTY. THE REMAINING 50% OF THE COSTS FOR THE PROJECT WOULD BE INCLUDED IN EQUAL PARTS FROM WITHIN THE PROBATE AND FAMILY COURT BUDGETS.**

Michigan Municipal Risk Management Authority (MMRMA) Grant Applications – Human Resources, CAP (Certification/Accreditation Program) Grant, SHRM Certification:

#261-09192023 Regular Session

● **TO APPROVE THE MMRMA CAP GRANT APPLICATION FOR SHRM CERTIFICATION FOR HUMAN RESOURCES DIRECTOR DARCY WEAVER.**

Michigan Municipal Risk Management Authority (MMRMA) Grant Applications – Planning, CAP (Certification/Accreditation Program) Grant, Citizen Planner Program Certification:

#262-09192023 Regular Session

● **TO APPROVE SUBMITTAL OF THE RAP GRANT APPLICATION TO MMRMA FOR APPROVAL AND REIMBURSEMENT OF 75% OF THE COST FOR THE CITIZEN PLANNER CERTIFICATION PROGRAM.**

Human Resources – Prosecuting Attorney's Office Staffing Levels:

#263-09192023 Regular Session

● **TO APPROVE THE TEMPORARY STAFFING LEVEL INCREASE FOR THE PROSECUTING ATTORNEY'S OFFICE FOR THE MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER 2023, UPON THE LAST PHYSICAL WORKING DAY OF DOUG DONALDSON, IN ORDER TO PROMOTE TRISTAN CHAMBERLAIN TO THE CHIEF ASSISTANT PROSECUTOR POSITION AND HIRE AN ASSISTANT PROSECUTOR.**

Prosecuting Attorney – Memorandum of Understanding, Karpel Solutions:

#264-09192023 Regular Session

● **PENDING REVIEW AND APPROVAL BY CORPORATE COUNSEL TO APPROVE THE LEELANAU COUNTY PROSECUTING ATTORNEY'S OFFICE TRANSITION TO THE KARPEL SOLUTIONS CASE MANAGEMENT SOFTWARE SYSTEM AS OUTLINED IN THE CONTRACT BETWEEN PAAM, KARPEL SOLUTIONS AND THE LEELANAU COUNTY PROSECUTING ATTORNEY'S OFFICE; AND AUTHORIZE THE PROSECUTING ATTORNEY'S OFFICE TO SIGN THE PROPOSED CONTRACT ON BEHALF OF LEELANAU COUNTY.**

Senior Services – Sharecare of Leelanau, Inc., Renewal Agreement:

#265-09192023 Regular Session

- **TO APPROVE LEELANAU COUNTY SENIOR SERVICES TO ENTER INTO AN AGREEMENT WITH SHARECARE OF LEELANAU, INC., UP TO \$100,000.00 AS PRESENTED. THE CONTRACT AGREEMENT TERM BEGINS JANUARY 1, 2024, AND CONTINUES THROUGH DECEMBER 31, 2024, PENDING THE COUNSEL REVIEW AND APPROVAL.**

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

#266-09192023 Regular Session

- **TO APPROVE LEELANAU COUNTY SENIOR SERVICES TO ENTER INTO AN AGREEMENT WITH THE AREA AGENCY ON AGING OF NORTHWEST MICHIGAN TO PROVIDE MIPPA (MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT) BENEFICIARY OUTREACH AND ASSISTANCE SERVICES FOR SENIORS. THE CONTRACT AGREEMENT WILL BEGIN SEPTEMBER 1, 2023, AND CONTINUE THROUGH AUGUST 31, 2024, PENDING COUNSEL REVIEW AND APPROVAL.**

Senior Services – MMAP, Inc., Renewal Agreement:

#267-09192023 Regular Session

- **TO ENTER INTO AN AGREEMENT WITH MMAP, INC., TO PROVIDE MIPPA BENEFICIARY OUTREACH AND ASSISTANCE SERVICES FOR SENIORS. THE CONTRACT AGREEMENT TERM IS SEPTEMBER 1, 2023, THROUGH AUGUST 31, 2024, PENDING COUNSEL REVIEW AND APPROVAL.**

Solid Waste Council – Electronics Recycling Contract Selection:

#268-09192023 Regular Session

- **TO APPROVE THE SOLID WASTE COUNCIL TO PROCEED WITH CORPORATE COUNSEL IN NEGOTIATING A CONTRACT WITH BAY AREA RECYCLING FOR CHARITIES COMPRISING OF 12 COLLECTIONS A YEAR INSTEAD OF 22 FOR A TERM OF ONE YEAR WITH UP TO A 5 YEARS REPEATABLE RENEWAL, AT THE COUNTY'S DISCRETION.**

Solid Waste Council – Household Hazardous Waste (HHW) Contractor Selection:

#269-09192023 Regular Session

- **TO APPROVE A NEW CONTRACT WITH ERG ENVIRONMENTAL SERVICES AT THE PROPOSED COST, PENDING THE CONTRACT REVIEW BY CORPORATE COUNSEL.**

Solid Waste Council – Recycling Fee Increase Recommendation:

#270-09192023 Regular Session

- **TO APPROVE THE REQUEST FROM THE LEELANAU COUNTY SOLID WASTE COUNCIL TO INCREASE THE RECYCLING FEE (P.A. 69 OF 2005) FROM \$29 TO \$30.**

County Clerk – Geographical Election Results System Purchase, ElectionReporting.com:

#271-09192023 Regular Session

- **TO APPROVE ELECTIONREPORTING.COM – INTERACTIVE GEOGRAPHICAL ELECTION RESULTS SYSTEM IN THE AMOUNT OF \$5,000.00 WITH A YEARLY LICENSING FEE OF \$1,500.00 PER YEAR AFTER THE FIRST YEAR. FUNDS TO COME FROM #101.425.191.801.000.**

Boards and Commissions – Vacancy on the Area on Aging of Northwest Michigan (AAANM) Board:

#272-09192023 Regular Session

- **TO APPOINT JACK MESSER TO THE AREA AGENCY ON AGING OF NORTHWEST MICHIGAN BOARD, TO A PARTIAL TERM DECEMBER 31, 2024.**

Boards and Commissions – Energy Futures Task Force Recommendations:

#273-09192023 Regular Session

- **TO APPOINT TO THE ENERGY FUTURES TASK FORCE AS SUBMITTED WITH COMMISSIONER LAUTNER ADDED IN THE AG COMMUNITY REPRESENTATIVE WITH A TOTAL MEMBERSHIP OF 14 INDIVIDUALS.**

Veterans Affairs – Acceptance of CVSF (County Veteran Service Fund) Grant Award:

#274-09192023 Regular Session

- **TO APPROVE THE FY 2024 CVSF GRANT AGREEMENT BETWEEN LEELANAU COUNTY, THE MICHIGAN DEPARTMENT OF MILITARY AND VETERANS AFFAIRS AND THE MICHIGAN VETERANS AFFAIRS AGENCY, IN THE AMOUNT OF \$46,990.00, AS PRESENTED; WITH FUNDS TO BE DEPOSITED IN #101.000.000.548.000.**

Administration – Grand Traverse Band Two Percent Allocation Award Contract, YouthWorks (Invasive Species Mitigation):

#275-09192023 Regular Session

- **TO APPROVE THE AGREEMENT BETWEEN LEELANAU COUNTY AND CHILD & FAMILY SERVICES OF NORTHWEST MICHIGAN FOR MITIGATION OF INVASIVE SPECIES AT VERONICA VALLEY COUNTY PARK, AS PRESENTED; FUNDS TO COME FROM #261.000.000.965.236.**

Administration – Rehmann Report:

#276-09192023 Regular Session

- **TO ACCEPT THE REHMANN REPORT RELATING TO FINANCE AND HUMAN RESOURCES, AS PRESENTED.**

Administration – Approval of MIDC Grant Agreement:

#277-09192023 Regular Session

- **TO APPROVE GRANT #E20240076-00 BETWEEN THE STATE OF MICHIGAN MIDC/LARA AND LEELANAU COUNTY FOR THE GRANT PERIOD OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, WITH AN AUTHORIZED BUDGET OF \$291,476.50. FUNDING TO COME FROM A FY STATE GRANT CONTRIBUTION OF \$238,230.28, AND A LOCAL SHARE CONTRIBUTION OF \$53,246.22.**

Discussion – none.

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

NO – 0

MOTION CARRIED.

ACTION ITEMS:

Lower Level Build Out Project with the BLDHD (Benzie/Leelanau District Health Department) – Lease Agreement:

Chairman Wessell requested BLDHD Health Officer Daniel R. Thorell, JS, RS and Leelanau County Finance Director Sean Cowan to come forward. Wessell asked Commissioners, and he is only one, "we" have had a lot of discussion over many years and the last year and the last few weeks

and he thinks that we ought to try hold our conversations to new concerns and new questions and let's try to not repeat ourselves and repeat ourselves. As Chair he will remind Commissioners and if he is off base Commissioners will remind him.

Chairman Wessell requested Administrator Allen to start this off.

Allen said that over the last couple of meetings we have been trying to confirm the terms of several agreements. The lease agreement being one, the cost sharing agreement, and the acceptance of the lower-level buildout. She believes that we have addressed the questions that the Commissioners had put forward to the best of our ability, so in the documents before Commissioners these have been vetted by both Attorneys for both organizations, and like she said the information that the Commissioners have requested is provided in the documents.

Allen said these have been vetted by both attorneys.

#278-09192023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE ENTERING INTO A LEASE AGREEMENT BETWEEN LEELANAU COUNTY AND THE BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT, PENDING COUNSEL REVIEW AND APPROVAL. SECONDED BY ROSS.

Discussion – Commissioner Wessell asked if Commissioner Allgaier wished to comment and she said that she would be proud after much discussion over a couple of years we have worked, there has been a lot of work that has gone into this, many questions answered, attorneys, council has reviewed and reviewed. She would welcome this addition in service to our citizens in this building. She thanked them for all of this work.

Commissioner Lautner wanted to correct Commissioner Allgaier on one thing as there has not been in-depth conversations about this. It was two years ago that Commissioner Will Bunek threw this concept out there of this space and there was not a lot of discussion at all in the meantime. She continued that we did look at the room across from Soil Conservation District, which should have been enough room at the time. Then the idea of the other room at the other end of the hall came up for the health Department as they would like all of this room. So then came the plans for down there which were unaffordable. She knows that this – has raised a lot of questions and a lot of the questions were not answered repeatedly, over and over, as we continued to have meetings and we were not getting the answers we were looking for. Lautner said in her opinion this has been ramrodded through because Commissioners want it and she continued that we have not done our due diligence for it. Lautner knows that there are a couple different motions to discuss. She would hope since there is not a big hurry on this, she wishes that the room across from Soil Conservation would be reconsidered, even with leaving the storage cage that is in there that Soil Conservation is using and also leaving the Senior Services space. That space could be built out and it is right across the hall from Soil Conservation which has been one of the arguments about those two offices working so well together, what we are going to do instead is build out a space that is bigger than needed, this plan leaves a lot of open space that is totally unnecessary considering all of the open space in the basement as is. It would fit better in the other room, so if these motions go through tonight, we don't know what we are going to do with the things that are in that space now. That space when this building was built was to be just to have on hand in case it was needed in the future and it made no sense to build this building without the lower level. Comments continued that this was for future services, not the Health Department. She continued that this is a disservice to the Health Department. She

takes it the motion is for 10 years and there was a lot of discussion about recouping the investment and recommended seven years and that would have been fair. Lautner continued with comments on a variety of topics including cost allocation.

Chairman Wessell deferred to Administrator Allen regarding the cost allocation. Allen said that the cost allocation previously presented was based on information that she had and was just the space and not the combined space, so the numbers were a little bit lower and this time it is a little higher cost allocation. She thanked Cowan for helping to put that together and compiling it. Allen thinks that it is a more appropriate number.

Commissioner Ross said that she believes that Commissioners were instructed by the Chairman to bring up new information and would like to say to Commissioner Lautner that her statement about the room across the Soil Conservation District and that the space isn't needed other than the cage, that is not the case. She spoke with both Buzz Long of the Conservation District, and Senior Services Director Lena VanderMeulen as she needs an accessible way to get to her equipment that she gives to community members. Long can tighten up his space, but that space is needed for what it is being used for according to the people that she spoke with that are in charge of that room. Ross continued that the new information that Lautner brought to Commissioners is certainly fine, but she does not think it is necessarily accurate. Ross continued that she thought we were not going to bring up old information again, we are going to move forward. She would agree with that idea.

Commissioner Kraemer asked for Commissioners to give some grace especially to the Health Department and not put on them the County's position of what they need. If this is what they need and we have been in negotiations for a while now, so she is wanting to put all of those things out there. She has changed her position based on some of the negotiations and she wanted to thank those for working on this and fulfilling our needs as we move forward.

Commissioner O'Rourke asked Commissioner Rexroat, who had several questions last time, if they were answered satisfactorily. Commissioner Rexroat said that the contractual items were addressed in the cost sharing agreement.

Commissioner Rexroat is not going to bring up new things and has struggled with this decision and as Commissioner Lautner discussed, it was the previous Chairman of the Board and the prior Commissioner in his district were proponents for this decision. He has spoken to them. His decision is not based on emotion or likes and wants, but on facts. Rexroat continued that his journey through that is that he will support the project – first of all the Health Department is mandated by the State of Michigan and we don't get to decide that we don't have one, can't have one, whether what your emotions are – they are here and we are obligated and it is the laws of the State of Michigan. We have to deal with the facts. It has been mentioned that the Health Department has to its avail Federal Grants – the taxpayers don't just take property taxes, they also pay federal and state taxes. No matter what the funding method, it is ultimately the taxpayers funds. Look at the least cost to do it. As to return on investment, once the improvements are completed and the moment they are completed, Leelanau County has 100% return on investment. Brief comments continued.

Commissioner Lautner wanted to make it clear to Commissioner Ross that the space she represented was aside from the caged area in the room directly across from the Soil Conservation. She continued to take it one step further, they could also move all of those storage

equipment back down to the other end of the hall in the larger room for storage as we still have a need for storage. Lautner has brought this up a number of times where are these items going, since we have been told that it will not fit in the pole barn and that is one of her questions. Commissioner Wessell said that they can store their equipment in the same area that Senior Services is using and Commissioner Lautner said so you are going to place it all down there including the (employees) exercise equipment, ping pong tables, and everything. Administrator Allen said that they will be looking at that as well as other options and the kayaks will potentially be shrink wrapped and stored elsewhere, there are some options.

Chairman Wessell said that the Finance Director is looking into finding a spot for the table tennis.

Commissioner Lautner continued with comments and questions regarding costs that are not addressed and how that will be handled. Responses to questions provided by Cowan regarding finances and Thorell also responded to Lautner's question as to where in the contract these items are covered.

Commissioner Lautner said this is a disservice to the County and the building. If there were Federal funds – so you have the same situation, hopes that the Health Department attempts to find a permanent home.

ROLL CALL: Allgaier – YES; Kramer – YES; Lautner – NO; O'Rourke – YES; Rexroat – YES; Ross – YES; Wessell – YES.

AYES – 6 NO – 1

MOTION CARRIED.

Lower Level Build Out Project with the BLDHD (Benzie/Leelanau District Health Department) – Cost Sharing Agreement:

#279-09192023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE ENTERING INTO A COST SHARING AGREEMENT BETWEEN LEELANAU COUNTY AND THE BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT, PENDING COUNSEL REVIEW AND APPROVAL; CAPITAL CONTRIBUTION TO FUND #470 (CAPITAL PROJECTS FUND), ACCOUNT #470.000.000.599.000. SECONDED BY ROSS.

Discussion – none.

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

NO – 1 (Lautner)

MOTION CARRIED.

Lower Level Build Out Project with the BLDHD (Benzie/Leelanau District Health Department) – Acceptance of Lower Level Build Out Bid:

Administrator Allen stated that "we" are looking at the bid with RCI, Richter Construction, Inc., that was previously received and she believes that the requests have been addressed and there was the third-party agreement with the Health Department and she believes that all other items are consistent.

#280-09192023 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE BID FROM RCI, RICHTER CONSTRUCTION, INC., IN THE AMOUNT OF \$356,275.00, FOR THE RENOVATION OF THE LOWER-LEVEL SPACE FOR THE BENZIE/LEELANAU DISTRICT HEALTH DEPARTMENT'S ENVIRONMENTAL HEALTH SERVICES; FUNDS TO COME FROM FUND #470 (CAPITAL PROJECTS FUND). SECONDED BY ALLGAIER.

Discussion – Chairman Wessell asked Commissioner Rexroat to speak to this as he had raised some questions about the construction. Rexroat responded that most of his concerns were in the cost sharing agreement, he didn't have any on the construction agreement.

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

NO – 1 (Lautner)

MOTION CARRIED.

Information Technology – Purchase of Desktop Computers, Dell Technologies:

Item removed from the agenda.

Human Resources/Prosecuting Attorney's Office – Assistant Prosecutor Salary:

Human Resources Director Darcy Weaver said the Prosecutor is requesting the Assistant Prosecutor salary be set with no steps and that it is budget neutral as it reflects the same dollar amount as the current employee holding the position is paid. Weaver also said that she has one more piece of information and that she does have an approximate last date that the current Chief Prosecutor will be in the office. Commissioners asked her if she would tell them what that date is and Weaver responded about October 13, 2023.

#281-09192023 Regular Session

MOTION BY O'ROURKE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THAT THE ASSISTANT PROSECUTOR POSITION BE LOCKED IN AT A RATE OF \$76,570.20 WITH NO STEPS AND THAT THE ASSISTANT PROSECUTOR POSITION ON THE NON-UNION WAGE SCHEDULE RANGE OF \$60,599.76 TO \$67,341.12 BE ELIMINATED. SECONDED BY KRAMER.

Discussion on the date of departure and Weaver stated that this will be budget neutral.

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

NO – 1 (Lautner)

MOTION CARRIED.

Equalization – Approval of 2023 L-4029 Tax Rate Request:

Equalization Director Andrew Giguere, Finance Director Sean Cowan, and Assistant Finance Director Cathy Hartesvelt were present for the Agenda Item. Cowan responded to questions regarding the Early Childhood Budget Consideration and the large fund balance in relationship to the millage request.

#282-09192023 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE MILLAGE RATES THAT DO NOT EXCEED THE MAXIMUM ALLOWABLE MILLAGE LEVIES (COLUMN 9) AND PLACE THOSE MILLAGE RATES IN COLUMN 11 FOR ROAD COMMISSION AND SENIOR SERVICES AND PLACE .1861 FOR EARLY CHILDHOOD IN COLUMN 11 AS THE MILLAGE RATES REQUESTED TO BE LEVIED ON DECEMBER 1ST AND RETURN THE L-4029 TO THE EQUALIZATION DIRECTOR. SECONDED BY O'ROURKE.

Discussion – Clerk asked for clarification on the motion and if it was to include Senior Services and Road Commission. Chairman Wessell and Commissioner Rexroat confirmed.

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

NO – 0

MOTION CARRIED.

Late Addition Request #1 – Creation of Ad Hoc committee to review the HVAC System:

Commissioner Wessell said he sees this as very short term with no Per Diem. He had reached out to three Commissioners for this – Commissioners Rexroat, Ross and Lautner to serve on this committee and Ross has declined due to her schedule. He would like the Ad Hoc to review the HVAC and bring back to the full Board some ideas that might reduce some of the expenditures. He would like to appoint himself and requested if someone would make the motion.

#283-09192023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS CREATE AN AD HOC COMMITTEE COMPOSED OF COMMISSIONERS LAUTNER, REXROAT, AND WESSELL TO REVIEW POTENTIAL ALTERNATIVES TO THE PROPOSED GOVERNMENT CENTER HVAC PROJECT; NO PER DIEM OR MILEAGE. SECONDED BY O’ROURKE.

Discussion – Commissioner Rexroat asked about bringing others in with expertise and Chairman Wessell said that Finance Director Cowan would need to be part of this also.

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

NO – 0

MOTON CARRIED.

Late Addition Request #2 – Replacement of Heat Pump #233 for Circuit Court Judge’s Chambers:

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE REPLACEMENT OF HEAT PUMP #233 IN THE CIRCUIT COURT JUDGE’S CHAMBERS [QUOTE (\$11,475.00) FROM D & W MECHANICAL TO REPLACE HEAT PUMP #233 AS PRESENTED]; FUNDS TO COME FROM FUND #470. SECONDED BY ROSS.

Discussion – Commissioner Rexroat asked about waiving the bidding process or did this go out for bids. Administrator Allen responded that it did not as it is part of the current system. Rexroat requested the amendment to the motion and it should still be stated.

#284-09192023 Regular Session

MOTION BY ALLGAIER AMENDED THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE BOARD POLICY ON BID REQUIREMENTS, AND APPROVE THE QUOTE, APPROVE THE REPLACEMENT OF HEAT PUMP #233 IN THE CIRCUIT COURT JUDGE’S CHAMBERS [QUOTE (\$11,475.00) FROM D & W MECHANICAL TO REPLACE HEAT PUMP #233 AS PRESENTED]. SECONDED BY ROSS.

Discussion – none.

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

NO – 0

MOTON CARRIED.

Late Addition Request #4 – Early Voting Grant Application:

Commissioner Rexroat wanted to verify that this is a Grant Application and County Clerk Michelle Crocker confirmed; however, the only way the money will be available is through submission by the County Clerk. Crocker also noted the last sentence that she normally would not add, but she does plan to amend the grant to include the personnel costs discussed previously as it may be a possible reimbursement.

#285-09192023 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE EARLY VOTING GRANT APPLICATION TO THE STATE OF MICHIGAN AS PREPARED, SIGNED, AND SUBMITTED BY THE LEELANAU COUNTY CLERK IN THE

AMOUNT OF \$87,302.96, AND FURTHER APPROVE ANY AMENDMENTS THAT ARE SUBMITTED UNDER THE GRANT FOR REIMBURSEMENT. SECONDED BY KRAMER.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Review Of Financials:

Finance Director Sean Cowan along with Assistant Finance Director Cathy Hartesvelt present and responded to questions on invoices. Commissioner Lautner asked about Standard Electric, Hartesvelt answered. Lautner did see the lightning strike. Hartesvelt noted that in Late, Late Additions you have Points Broadband and Midway Electronics and responded to questions. Lautner referenced the amendment that will be later to the Tower Fund and Hartesvelt responded that there are no funds in the Tower Fund and the Amendment will allow for the payment. Lautner commented that we are behind the eight ball and once these things are done and money is received from Leelanau Township and Cherryland. Hartesvelt said her understanding is that there is a signed agreement with Cherryland, but Leelanau Township is not complete and she does not have details on that. The County is under contract with Midway and there are terms within the agreement. Chairman Wessell said that Leelanau Township did approve \$100,000.00 out of ARPA funds, but have not signed the agreement. Discussion ensued and Hartesvelt explained the use of ARPA funds and also suggested a motion to establish the Tower as a project. Lautner commented this is the cart before the horse and requested that this be placed on the October agenda.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Commissioner Allgaier commented that Northern Michigan Counties Association members went to Emmet County recycling and had a tour on Monday. It was incredibly impressive. There are no costs to the citizens of Emmet County. They are recycling just about anything and they sell everything they recycle and it is remade into products. Nothing is wasted. They started with a millage in 1990 for two years, after that they have done grants and are self-sustaining. They have 29 County employees with full benefits and it was incredibly impressive and an incredible operation. It is worth seeing if you get the opportunity.

Public Comment:

Alan Spinniken; and Bill Wiesner.

The written comments can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2554#handouts>

Commissioner Comment:

- Commissioner Allgaier offered comments that the grants in Emmet County were used for the big equipment and it was not a yearly thing. They self-fund.

Approval of Financials —

Amendments & Transfers:

#286-09192023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FY 2023 AMENDMENT #23-013. SECONDED BY REXROAT.

Discussion – none.

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

NO – 0

MOTION CARRIED.

#287-09192023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FY 2023 FUND TRANSFER #23-006. SECONDED BY ALLGAIER.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Miscellaneous Fund Transfers and Amendments:

None.

Claims and Accounts:

#288-09192023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$782,150.38. SECONDED BY O'ROURKE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Post Audit Claims and Accounts:

#289-09192023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$6,737,281.83. SECONDED BY REXROAT.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Commissioner Lautner thanked Assistant Finance Director Cathy Hartesvelt and Finance Director Sean Cowan for the tower information and getting the Commissioners squared up on that.

Late Addition Request #3 – Closed Session Request to Consider a Periodic Personnel Evaluation of the County Administrator:

#290-09192023 Regular Session

MOTION BY O’ROURKE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ENTER INTO CLOSED SESSION TO CONSIDER A PERIODIC PERSONNEL EVALUATION OF THE COUNTY ADMINISTRATOR, AT HER REQUEST, AS PERMITTED BY MCL 15.268(1)(a). SECONDED BY REXROAT.

Discussion – none.

ROLL CALL: O’Rourke – Yes; Rexroat – YES; Ross – YES; Wessell – YES;

Allgaier – YES; Kramer – YES; Lautner – YES.

AYES – 7 NO – 0

MOTION CARRIED.

9:03 p.m. Five-minute recess taken prior to going into closed session.

#291-09192023 Regular Session

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

Discussion – none.

(Second vote taken once all seven Commissioners were back in the room.)

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

NO – 0

MOTION CARRIED.

Open Session resumed at 9:59 p.m.

Public Comment:

None.

Adjournment:

Motion to adjourn.

Chairman Wessell adjourned the meeting at 10:01 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

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