

## **BOARD OF COMMISSIONERS MEETING**

*Ty Wessell, Chairman*

### **NOTICE OF MEETING**

The **Regular Session** of the Leelanau County Board of Commissioners will be held on **Tuesday, February 20, 2024**, at **7:00 p.m.**, in the **Commissioner Meeting Room**, Leelanau County Government Center, Suttons Bay, Michigan.

***A live streaming of this meeting will be available for viewing via the following link –***

***[https://www.youtube.com/channel/UCNQTglgcTedF2qB8floC1GQ?view\\_as=subscriber](https://www.youtube.com/channel/UCNQTglgcTedF2qB8floC1GQ?view_as=subscriber)***

There are two ways to provide public comment during the meeting – you can attend in-person, or email your comments prior to the meeting to [clerk@leelanau.gov](mailto:clerk@leelanau.gov)

*(Please silence any unnecessary cellular/electronic devices)*

*(Proceedings of the meeting are being recorded and are not the official record of the meeting;  
the formally approved/accepted written copy of the minutes will be the official record of the meeting.)*

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **MOMENT OF SILENCE/PRIVATE PRAYER**

#### **ROLL CALL**

#### **APPROVAL OF BOARD MINUTES**

#### **APPROVAL OF AGENDA / LATE ADDITIONS OR DELETIONS**

#### **COMMUNICATIONS, PROCLAMATIONS, PRESENTATIONS**

- Administrator Update

#### **PUBLIC COMMENT** *(3 Minutes)*

#### **COMMISSIONER COMMENTS**

#### **CONSENT AGENDA ITEMS**

1. Sheriff's Office Requests
  - a. 2024 Marine Safety Grant Application
  - b. FOPLC Union Request Executive Command Separation Letter of Understanding (LOU)
2. Information Technology RE:
  - a. RE: Safety Net Contract Review (1 year contract)
3. Parks and Recreation RE: Sole Source Contract Request
4. Planning Department RE: Out of State Travel for Interim Planning Director
5. Finance RE:
  - a. MGT Contract Extension for the FY 2023 & FY 2024 Cost Allocation Plan
  - b. Heat Pump Replacement D&W
6. Administration RE:
  - a. Cohl, Stoker & Toskey, P.C. Legal Counsel Contract Renewal
  - b. Planning Director Confirmation
  - c. Grand Traverse Band 2% Grant Allocation Agreements

#### **ACTION ITEMS**

1. Energy Futures Task Force RE: Application to the MPSC - Renewable Energy and Electrification Infrastructure Enhancement and Development Grant
2. Senior Services RE: 2024 Senior Citizens Millage Resolution\*
3. Emergency Management RE: Natural Hazard Mitigation Plan Leelanau County HM Resolution\*
4. FOIA Appeal Request
5. Administration RE: 2024 Rules of Order RE: Proposed Amendments
  - a. Time clarification regarding 5 hour limit – 9:30 AM – 2:30 PM
  - b. Code of Ethics

6. MLI Administrator Search
7. **Late Addition:** South Bar Lake Drain Pre Payment Authorization

**REVIEW OF FINANCIALS**

**COMMITTEE REPORTS, RECOMMENDATIONS, AND RESOLUTIONS**

**SPECIAL REPORTS BY STAFF, COMMISSIONERS, AND AFFILIATED AGENCIES**

**PUBLIC COMMENT** *(5 Minutes)*

**COMMISSIONER COMMENTS**

**APPROVAL OF FINANCIALS:**

- Amendments & Transfers
- Claims and Accounts
- Post Audit

**ADJOURNMENT**



**Leelanau County**  
**Resolution No. 2024-#\_\_\_\_\_**

**RESOLUTION AUTHORIZING MILLAGE ELECTION FOR LEELANAU COUNTY**  
**SENIOR CITIZENS SERVICES MILLAGE**  
**RENEWAL AND RESTORATION PROPOSAL**  
**AND CERTIFYING BALLOT LANGUAGE**

**WHEREAS**, Act 39 of the Public Acts of 1976 expressly authorizes the Board of Commissioners for the County of Leelanau to appropriate funds to organizations for the purpose of providing activities and services to the older persons, being individuals sixty (60) years of age or older; and

**WHEREAS**, the Board of Commissioners for the County of Leelanau has appropriated funds to the Leelanau County Commission on Aging as the organization eligible to receive funds appropriated for the purposes of planning, coordinating, evaluating and providing activities and services to the older persons; and

**WHEREAS**, the voters of Leelanau County supported a 0.3200 mill special tax in 2020 to fund senior services within Leelanau County, which has been rolled down to 0.3134 mills due to reductions under the Headlee Amendment, which millage provided authorization through the 2023 tax levy, and continued levy of this tax in 2024, and thereafter, requires voter re-authorization; and

**WHEREAS**, the Board of Commissioners for the County of Leelanau seeks to have the voters of said County determine whether or not they desire to continue to raise funds for the purpose of supportive activities directed toward the provision and improvement of senior citizen services by renewal and restoration of an ad valorem property tax levy of 0.3200 of one (1) mill for a period of two (2) years, 2024 through 2025, inclusive.

**NOW, THEREFORE, BE IT RESOLVED** that the following proposal be submitted to the qualified voters of the County of Leelanau at the next State Primary Election to be held in said County on Tuesday, August 6, 2024:

**SENIOR CITIZENS SERVICES**  
**MILLAGE RENEWAL AND RESTORATION PROPOSAL**

For the sole purpose of continuing an operating millage for the funding of Senior Citizen Services within Leelanau County, at the same millage level previously approved by the voters in 2020, shall the tax limitation on general ad valorem taxes within the County of Leelanau imposed under Article IX, Sec. 6 of the Michigan Constitution, be renewed at 0.3134 of one (1) mill, and shall the previously authorized reduced millage of 0.0066 of one (1) mill be restored, for a return to the previously voted total limitation increase of up to 0.3200 mill (\$0.32 per \$1,000 of Taxable Value) for a period of two (2) years, 2024 through 2025, inclusive?

If approved and levied in full, this millage will raise an estimated \$1,154,945.00 for the county-wide Senior Citizen Services in the first calendar year of the levy

based on taxable value. As required by State law, a portion of the millage may be captured by the Leelanau County Brownfield Authority.

YES

NO

**BE IT FURTHER RESOLVED** that this question is hereby certified to the County Clerk.

**BE IT FURTHER RESOLVED** that all Public Officials of the County of Leelanau, State of Michigan, and all Governmental units thereof, within such time as shall be required by law, are directed to perform all acts which shall be necessary to be performed in order to submit the above stated proposition to the duly qualified voters of the County at the State Primary Election to be held in the County on Tuesday, August 6, 2024.

Ayes

Nays

Absent

\_\_\_\_\_  
Ty Wessell, Chairman  
Leelanau County Board of  
Commissioners

\_\_\_\_\_  
Michelle L. Crocker, Clerk  
Leelanau County

Dated: \_\_\_\_\_



**Leelanau County Resolution No. 2024-XXX**  
**Natural Hazard Mitigation Plan Adoption Resolution**

**WHEREAS**, Leelanau County, Michigan, has experienced risks that may damage commercial, residential and public properties, displace citizens and businesses, close streets and impair infrastructure, and present general public health and safety concerns; and

**WHEREAS**, Leelanau County has participated in the development of the County Natural Hazard Mitigation Plan that outlines the community's options to reduce damages and impacts from natural and technological hazards; and

**WHEREAS**, the Natural Hazard Mitigation Plan has been reviewed by community residents, business owners, and federal, state and local agencies, and has been revised where appropriate to reflect their concerns.

**NOW, THEREFORE, BE IT RESOLVED**, that the Leelanau County Board of Commissioners hereby adopts the Natural Hazard Mitigation Plan as presented.



## Deborah Allen

---

**From:** Cenci, Brian <bcenci@geiconsultants.com>  
**Sent:** Wednesday, February 14, 2024 1:42 PM  
**To:** Deborah Allen; Board of Commissioners; Ty Wessell  
**Cc:** Steve Christensen; John Gallagher; Michelle Crocker; Engineer Craig Brown; Sarah Lautner; bmullane@leelanauroads.org  
**Subject:** South Bar Lk Drain - Leelanau County, final assessment pre-payment notice  
**Attachments:** COUNTY Notice for South Bar Lake Drain reg. pre-payment (2-14-24).pdf; Leelanau County Resolution re County At Large Assessment(275821739.2).docx

**Importance:** High

Board of Commissioners, Chairman Wessell & Deb,

Attached please see your final assessment amount that was approved by Steve after the Day of Review for the final assessment roll on the South Bar Lake Drain. For purposes of this notice, the Road Commission's calculated 14A percentage has been included in the County's total on this notice and have copied the Road Commission to this email. It is on the County to collect from the Road Commission, if they so desire to follow that policy. **The County total below includes their At-Large apportionment + the 14A calculated road ROW apportionment that the Road Commission was notified of.** To clarify, the assessment for the Road Commission always goes to the County and it is on the County and it is also their prerogative to collect ½ of the calculated 14A% from the Road Commission under the guidelines for Drain assessments in Act 51. I've also re-attached the draft Resolution that I had sent a few weeks ago if the BOC's wants to formalize that policy regarding assessments levied against the County and passing along some costs to the Road Commission based upon Rule 14A in Act 51 of 1951.

**What we are asking of you is to get confirmation if the County will be pre-paying your total assessment of \$72,639.36 by Thursday, February 29<sup>th</sup>. We don't need to necessarily have the payment by that date, but we do need a FIRM decision that you'll be prepaying or not by then. If you need longer because of your meeting dates then please let Steve or I know.** If you do choose to pre-pay, then we would most likely need the money sometime in mid-to-late March, at the latest.

Based on your total assessment amount of \$72,639.36, it looks like the County will actually be getting money back because of your fronted costs for this District, since your total assessment is less than the total fronted costs to date on this District. If you follow how we did the last pre-payment for the Lake Bluffs Drain, there were two separate transactions of paying your assessment and then getting reimbursed for all fronted costs to date once we get the financing monies.

### FINAL ASSESSMENT INFORMATION FOR LEELANAU COUNTY:

**COUNTY AT-LARGE TOTALS: 13.50% = \$56,025.00**

**COUNTY ROAD COMMISSION 14A TOTALS: 4.00346% = \$16,614.36**

**TOTAL FOR COUNTY TO GET REIMBURSED FROM RC BASED ON RULE 14A OF ACT 51:  $4.00346\% \times \frac{1}{2} = 2.00173\% = \$8,307.18$**

**FINAL COUNTY TOTAL: 17.50346% = \$72,639.36**

**COUNTY TOTAL, EXCLUDING RC 14A REIMBURSEMENT AMOUNT: 15.50173% = \$64,332.18**

**GEI**  
BRIAN J. CENCI, P.E.  
Sr. Project Manager – County Drain & Water Resources  
cell: 517.449.3478 email: [bcenci@geiconsultants.com](mailto:bcenci@geiconsultants.com)  
401 South Washington Square, Suite 103  
Lansing, MI 48933





**LEELANAU COUNTY DRAIN COMMISSIONER**

**Steve Christensen**

8527 E. Government Center Dr., Suite #205

Suttons Bay, Michigan 49682

(231)-256-9783

[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)

LEELANAU COUNTY  
8527 E. GOVERNMENT CENTER DR. #101  
SUTTONS BAY, MI 49682

<u>PARCEL NUMBER</u>	<u>YEARS OF ASSESSMENT</u>
At-Large	10
<u>FINAL APPORTIONMENT %</u>	<u>FINAL ANNUAL ASSESSMENT</u>
17.50346%	\$9,407.13
<u>FINAL TOTAL ASSESSMENT</u>	
\$72,639.36	

**THIS IS NOT A BILL**

**SOUTH BAR LAKE DRAIN**

**PRE-PAYMENT OPTION FOR DRAIN ASSESSMENT**

Dear South Bar Lake Drain Drainage District residents:

In early-December 2023 I received five bids from contractors for the South Bar Lake Drain project and awarded to contract to Walton Contracting. Then, on January 4, 2024, I held a Day of Review of Apportionments, and after making some modifications to the assessments after receiving testimony from that day and waiting for the required 10-day appeal period to end, I have finalized the assessment roll after receiving no appeals. I have determined that the financing of this Project will be for a period of ten (10) years, and your assessment is based on a total project cost of \$415,000 over that 10-year period (which would first show on your December 1<sup>st</sup> 2024 tax bill and end in December 2033).

At this time, we have estimated an annual interest rate of 5.00% for the 10-year payback period. The actual interest rate will hopefully be a little better than this and in order to receive the best possible interest rate, last month we received a pledge of Full Faith & Credit from Leelanau County backing the financing of the project. I did this in order to get the best possible interest rate and a Full Faith & Credit backing by the County does that because they have a very good financial rating. That said, landowners seeking to avoid interest costs in connection with their assessment and the financing may pre-pay their drain assessment. **You have the option to prepay your assessment if you choose, but it is NOT required. If you don't want to pre-pay your assessment then you do not need to do anything further. The amount will be financed over the 10-year period and the first installment will appear on this December's 2024 winter tax bill.**

If you choose to prepay your drain assessment, you will need to actually pay the drain assessment to the Leelanau County Treasurer's office and they would need to receive it by no later than **Thursday, February 29<sup>th</sup>, 2024, by 5:00 p.m.** Please be aware that it can't just be postmarked by that date and needs to be in their hands by that deadline. After that date, payments will not be taken until the borrowing has been finalized and will include accrued interest up and through the date of the payment on your drain assessment.

Payments should be made out to the **SOUTH BAR LAKE DRAIN DRAINAGE DISTRICT** and also please **include your parcel number(s)** for which the assessment is being paid on in the **FOR or COMMENT** portion of your check; or write it in at the top. Your parcel number is shown at the top of this notice. **Whether you're mailing the payment or paying in person, you must fill out the attached payment slip and include that with your check and if mailing, send both the check and payment slip to the following address listed below. If you are pre-paying on multiple parcels you own then please list all parcel numbers with your check on the same payment slip.** The Treasurer's office will send you a receipt/confirmation of payment if you fill out the attached payment slip with your payment.

Leelanau County Treasurer  
C/O South Bar Lake Drain District  
8527 E Government Center Dr - Suite 104  
Suttons Bay MI 49682

Sincerely,

Steve Christensen  
Leelanau Co. Drain Commissioner

Leelanau County Resolution #2024-\_\_\_\_

A Resolution to Request that a Portion of County At-Large Drain Assessments  
be Paid by the Leelanau County Road Commission

**WHEREAS**, Section 151 of the Michigan Drain Code, Public Act 40 of 1956, as amended (“Drain Code”) authorizes the Leelanau County Drain Commissioner to apportion the cost of construction of a drain to the county at large by reason of the improvement of the county roads within the drainage district; and

**WHEREAS**, Section 14a of the State Trunk Line Highway System Act, Public Act 51 of 1951 (“Act 51”) provides certain limitations to the Department of Transportation or a county road commission’s authority to expend of Act 51 funds to pay the cost of drain assessments levied pursuant to the Drain Code; and

**WHEREAS**, Section 14a of Act 51 further provides that when drain assessments against the county at large are determined by the calculations set forth in Michigan Administrative Rule 280.1 *et seq.*, “fifty percent of the cost of a drain assessment against the county for the drainage of county roads shall be paid by the county road commission from county road funds”;

**NOW, THEREFORE, BE IT RESOLVED**, that Leelanau County hereby requests the Leelanau County Road Commission pay fifty percent of the cost of any drain assessment levied against Leelanau County determined by the calculations set forth in Michigan Administrative Rule 280.1 *et seq.* for the drainage of county roads, pursuant to Section 14a of Act 51; and

**FURTHER, BE IT RESOLVED**, that the County Clerk shall send a copy of this Resolution to the Leelanau County Road Commission.

\_\_\_\_\_  
Ty Wessell, Chairman, District #4

\_\_\_\_\_  
Douglas Rexroat, Vice-Chairman, District #3

\_\_\_\_\_  
Jamie Kramer, District #1 Commissioner

\_\_\_\_\_  
James S. O’Rourke, District #2 Commissioner

\_\_\_\_\_  
Kama Ross, District #5 Commissioner

\_\_\_\_\_  
Gwenne Allgaier, District #6 Commissioner

\_\_\_\_\_  
Melinda C. Lautner, District #7 Commissioner

\_\_\_\_\_  
Deborah Allen, Administrator

STATE OF MICHIGAN    )  
                                  )ss.  
COUNTY OF LEELANAU )

I, Michelle L. Crocker, Clerk of said County and Clerk of Circuit Court for said County, the same being a Court of record having a seal, do hereby certify that the above is a true copy of the Record now remaining in my office of the whole thereof. In testimony whereof, I have hereto set my hand and affixed the seal of the Circuit Court the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Michelle L. Crocker, Leelanau County Clerk  
Clerk to the County Board of Commissioners