

**Leelanau County Board of Commissioners**  
**Regular Board Session – Tuesday, December 12, 2023**  
*Approved Minutes 2/20/2024*

*Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link: <https://leelanau.gov/meetingdetails.asp?MAId=2610#video>*

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:

Chairman Wessell requested that Representative Betsy Coffia, State House District #103, lead 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:

*#353-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE FOLLOWING MINUTES: BUDGET WORK SESSION, TUESDAY, AUGUST 29, 2023; SPECIAL SESSION, THURSDAY, NOVEMBER 9, 2023; COMMITTEE OF THE WHOLE, TUESDAY, NOVEMBER 28, 2023; AND EXECUTIVE BOARD SESSION, TUESDAY, DECEMBER 5, 2023. SECONDED BY O'ROURKE.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell would propose the following changes to the Agenda: Consent Item #1 - Late Addition Request #1 – Tentative Closed Session Request, written Attorney/Client Privileged Legal Opinion from Civil Counsel per MCL 15.268(h) be moved to go with Action Item #16 Bay Area Transportation Authority as Commissioners cannot deal with the Late Addition Request under Consent; Consent Agenda Item #11bi FY 2024 General Appropriations Act Resolution and #11bii FY 2024 Budget Rules should be combined and moved to Action Items #11bi and #11bii.

*#354-12122023 Regular Session*

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

Discussion – Commissioner Lautner said it is fine to move Items #11bi and #11bii down as they are relatively simple and recommended by our Attorney. She continued that at some point there

should be some discussion as she does not know why this was not placed on the Executive Session as the documents were available and why this came to light at the last second. Lautner has a problem with process. Commissioner Kramer is hoping that there can be a Closed Session for the BATA discussion and Chairman Wessell responded that it has been moved to Action Item #16 to discuss at that time.

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

**NO – 0**

**MOTION CARRIED.**

Communications, Proclamations, Presentation:

● Administrator Update:

Administrator Allen said that as a follow-up to Commissioner Lautner's comments, she did send out an email earlier and believes the packet is in front of them. For clarification they had requested twice from the Administrative office documents that were related to the FY 2024 Resolution revisions that were recommended at the Finance Committee and they were not received by her office. What she has today is the email that Clerk Crocker provided and it was communication provided from Interim Finance Director Hartesvelt and Commissioner Lautner. She did not have the documents and could not provide them. Commissioner Lautner interjected that she did have the documents.

● Representative Betsy Coffia, State House District #103:

Chairman Wessell thanked Coffia for coming and giving an update. Coffia said it is very good to be back this evening. She was last before the Commission back in June or July and did a first quarter report. Coffia said she is the State Representative for the new 103<sup>rd</sup> District and she serves all of Leelanau County, a small portion of Benzie County, and half of Grand Traverse County. She will say again, she appreciates the work done and wanted to focus her report on a government lens and things that she has heard from constituents. Housing, Brownfield, Speed Limit Study, M22 Pure Michigan Byways, Sheriff qualifications, Broad five – Guardianship and gave explanations; Mental Health Access, affordability, and workforce – we are dealing with a mental health crisis and what are the ways we can support people, there is a current bill and made it to the house floor and hasn't been put up for a vote yet – it would require insurance companies to cover mental health at the same level as a physical health problem (a parity bill) and she is eager to see it pass and would like to support and is encouraging folks at the local level to support; a bill passed has to do with Telehealth, insurance providers were encouraged to reimburse at the same level and about 40% will utilize it and it is set to sunset. If you think about a more rural setting and have insurance cover their provider; she updated on the monthly meetings and she has held 30 coffee hours. She commented on the time of day and how to reach more people by offering evening meetings and also libraries, which may be more accessible.

Commissioner Kramer commented on the Guardianship Proposal that was discussed by Representative Coffia, it is absolutely needed and gave the examples of what she witnessed when she worked in a Nursing Home. What happens in those settings is people will decide and referenced a Guardian situation and the importance of these situations. She also commented on the Mental Health issues and the Mental Health crisis that exists.

Commissioner Allgaier thanked Representative Coffia for her efforts and work.

Representative Coffia responded to concerns of Commissioner O'Rourke.

Chairman Wessell thanked Representative Coffia for the work across the aisle that she is doing.

Public Comment:

Chairman Wessell commented that this is the time to hear from the public.

The following individuals spoke in person: Sheriff Borkovich, Jane Packard, Keith Ashley, Jeff Tropf, Tony Radjenovich, Tom Richards, Bill Weisner, Eric Lind, Mark Coe, Jim Carpenter, Keith Beduhn, Kerry O’Non, and Richard Swire.

The written comments can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2610#handouts>

Commissioner Comments:

- Commissioner Allgaier wished everyone a Merry Christmas.
- Commissioner Lautner commented and wanted to clarify that when the decision to go to a separate, single, stand-alone Finance Department that it did follow the rules of the Board of Commissioners and policy. It was at Executive Session and then went to the Regular Board meeting the next week, right or wrong. Lautner continued that she thanks Mr. Ashley for the comments, the Commissioners are trying very hard, and there have been many missteps.
- Commissioner Allgaier said it was a late addition to the agenda and Commissioner Lautner responded that it was legal and according to policy.

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.

*#355-12122023 Regular Session*

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

FY2024 Michigan Municipal Risk Management Authority (MMRMA) Contract Renewal:

*#356-12122023 Regular Session*

- **TO WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE 2024 RENEWAL FOR PROPERTY AND CASUALTY INSURANCE BETWEEN LEELANAU COUNTY AND THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY (MMRMA), IN THE AMOUNT OF \$249,058.00; FUNDS TO COME FROM #101.830.865.954.000.**

Leelanau County Substance Misuse Coalition – Transfer of Fiduciary Responsibility to Catholic Human Services:

*#357-12122023 Regular Session*

- **TO APPROVE TERMINATING THE EXISTING GRANT FROM PREVENTION NETWORK PURSUANT TO RECEIPT OF AN ACCEPTABLE TERMINATION LETTER RESCINDING THE GRANT CONTRACT AND RELEASING LEELANAU COUNTY FROM THE RESPONSIBILITY OF ANY FURTHER REPORTING.**

Leelanau County Substance Misuse Coalition – Approval of Proposed RFP, Branding and Prevention Messaging Services:

*#358-12122023 Regular Session*

- **TO APPROVE DISTRIBUTION OF A REQUEST FOR PROPOSALS TO PROVIDE BRANDING AND PREVENTION MESSAGING SERVICES TO THE COALITION USING PREVENTION NETWORK GRANT FUNDS.**

Sheriff's Office – FY2024 LCSO K9 Golf Outing Fundraiser:

*#359-12122023 Regular Session*

- **TO APPROVE AND ALLOW THE LEELANAU COUNTY SHERIFF'S OFFICE TO HOLD A CHARITY GOLF OUTING IN 2024 TO BENEFIT AND MAINTAIN THE K-9 PROGRAM.**

Human Resources – FY 2024 Blue Cross/Blue Shield Renewal – Contract Renewal:

*#360-12122023 Regular Session*

- **TO WAIVE BID POLICY AND APPROVE THE CONTRACT RENEWAL WITH BLUE CROSS/BLUE SHIELD OF MICHIGAN FOR 2024. FUNDS TO COME FROM THE INSURANCE FUND #677.**

Human Resources – FY 2024 Blue Cross/Blue Shield Administration Fee:

*#361-12122023 Regular Session*

- **TO APPROVE AN INCREASE FROM \$4,170.00 TO \$4,295.00 AS THE MONTHLY FEE TO C&M INSURANCE FOR THE ADMINISTRATION OF THE COUNTY'S BLUE CROSS/BLUE SHIELD HEALTHCARE PLAN. THIS IS A TOTAL INCREASE OF \$125.00 PER MONTH. FUNDS TO COME FROM THE INSURANCE FUND #677.000.000.718.104.**

Probate/Family Court – Ottawa County Juvenile Detention Bed Rental Agreement:

*#362-12122023 Regular Session*

- **TO APPROVE THE OTTAWA COUNTY JUVENILE DETENTION CENTER BED RENTAL AGREEMENT BETWEEN LEELANAU COUNTY, THE 13<sup>TH</sup> JUDICIAL CIRCUIT COURT, AND OTTAWA COUNTY, THE 20<sup>TH</sup> JUDICIAL CIRCUIT COURT, AND THE OTTAWA COUNTY JUVENILE DETENTION CENTER, AS PRESENTED, PENDING COUNSEL REVIEW AND APPROVAL.**

Senior Services – Acceptance of Donation:

*#363-12122023 Regular Session*

- **TO ALLOW LEELANAU COUNTY SENIOR SERVICES TO ACCEPT A CONTRIBUTION FROM THE AREA AGENCY ON AGING OF NORTHWEST MICHIGAN FOR PROVIDING SENIORS WITH MIPPA (MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDES ACT) BENEFICIARY OUTREACH ASSISTANCE TOTALING \$680.00 AND PLACED INTO LEELANAU COUNTY SENIOR SERVICES' CONTRIBUTIONS FROM OTHER AGENCY ACCOUNT #281.000.000.677.000.**

Clerk – Software Purchase, Fidlar Technologies:

*#364-12122023 Regular Session*

- **TO APPROVE/AUTHORIZE COUNTY CLERK MICHELLE L. CROCKER TO ENTER INTO AN AGREEMENT WITH FIDLAR TECHNOLOGIES FOR APEX VITAL STATISTICS SOFTWARE IN AN AMOUNT NOT TO EXCEED \$16,900.00. FUNDS TO COME FROM ACCOUNT #101.425.215.970.000.**

Boards and Commissions Appointments – Committee of the Whole Recommendations:

Bay Area Transportation Authority:

*#365-12122023 Regular Session*

- **TO REAPPOINT JOHN SOMMAVILLA FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Benzie/Leelanau District Environmental Health Board of Appeals:

*#366-12122023 Regular Session*

- **TO APPOINT BUD WELCH FOR A TWO-YEAR TERM EXPIRING DECEMBER 31, 2025.**

Brownfield Redevelopment Authority:

*#367-12122023 Regular Session*

- **TO REAPPOINT JOHN ARENS, THRASSOS EFTAXIADIS, AND RICHARD FOSTER FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2026.**

Land Bank Fast Track Authority:

*#368-12122023 Regular Session*

- **TO REAPPOINT RICHARD ISPHORDING FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Michigan Department of Health & Human Services:

*#369-12122023 Regular Session*

- **TO REAPPOINT SUSAN CHAPMAN FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Northern Michigan Regional Entity Substance Use Disorder Services Policy Oversight Board:

*#370-12122023 Regular Session*

- **TO APPOINT ALISON ZIMPFER FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Northwest Regional Airport Authority Board:

*#371-12122023 Regular Session*

- **TO REAPPOINT STEVE PLAMONDON FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Parks and Recreation Commission:

*#372-12122023 Regular Session*

- **TO REAPPOINT JOHN ARENS FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Planning Commission:

*#373-12122023 Regular Session*

- **TO REAPPOINT CRAIG BROWN, TRANSPORTATION CATEGORY; TO REAPPOINT ROBERT MILLER, ECONOMIC DEVELOPMENT CATEGORY, FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2026.**

*#374-12122023 Regular Session*

- **TO APPOINT FRANCIS CRIQUI, EDUCATION CATEGORY, FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Soil Erosion, Sedimentation, and Stormwater Runoff Control Ordinance Board of Appeals (SESSRC):

*#375-12122023 Regular Session*

- **TO REAPPOINT TRICIA DENTON FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2026.**

Solid Waste Council:

*#376-12122023 Regular Session*

- **TO REAPPOINT MARK BEVELHYMER [EX-OFFICIO], JOHN FLETCHER, TOM MACDONALD, AND JAMES PALMER [EX OFFICIO] FOR TWO-YEAR TERMS EXPIRING DECEMBER 31, 2025.**

Boards and Commissions Construction Board of Appeals:

*#377-12122023 Regular Session*

- **TO APPOINT STEPHEN HOSKINS TO THE CONSTRUCTION BOARD OF APPEALS TO A FIVE-YEAR TERM EXPIRING DECEMBER 31, 2028.**

Northern Lakes Community Mental Health Authority:

*#378-12122023 Regular Session*

- **TO REAPPOINT GREG MCMORROW TO A THREE-YEAR TERM EXPIRING MARCH 31, 2027.**

Finance Department – Year-End Adjustments:

*#379-12122023 Regular Session*

- **TO APPROVE/AUTHORIZE THE INTERIM FINANCE DIRECTOR TO MAKE ANY YEAR-END ADJUSTMENTS AND TRANSFERS DEEMED NECESSARY TO AVOID YEAR-END DEFICITS IN THE VARIOUS DEPARTMENT BUDGETS WITHIN THE GENERAL FUND. NO TRANSFERS/ADJUSTMENTS TO GO BEYOND FUNDS IN CONTINGENCY. ALL TRANSFERS/ADJUSTMENTS REQUIRE THE SIGNATURE OF THE INTERIM FINANCE DIRECTOR.**

Finance Department – End-of-Year Special Session Request:

*#380-12122023 Regular Session*

- **TO SCHEDULE A SPECIAL SESSION ON FRIDAY, DECEMBER 29, 2023, AT 9:30 A.M.**

Finance Committee Recommendations Chief Deputy County Clerk and County Clerk Stipends:

*#381-12122023 Regular Session*

- **TO CONTINUE THE STIPEND AT 10 HOURS A WEEK FOR THE CHIEF DEPUTY CLERK AND 10 HOURS A WEEK FOR THE COUNTY CLERK THROUGH APRIL 30, 2024.**

Finance Committee Recommendations – Motor Pool Fund #661 Rental Fees Rate Increase:  
#382-12122023 Regular Session

- **TO CHANGE THE RENTAL FEE FOR THE MOTOR POOL FUND #661 TO \$0.25/\$0.50 MILEAGE RATE IN FY2024.**

Administration – Administrator Performance Evaluation Process:

#383-12122023 Regular Session

- **TO APPROVE THE TIMELINE AND RESOURCES AS PRESENTED BY THE CHAIRMAN OF THE BOARD FOR THE REVIEW OF THE COUNTY ADMINISTRATOR.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

ACTION ITEMS:

Boards and Commissions Appointments – Solid Waste:

#384-12122023 Regular Session

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPOINT MARSHA HARRIS TO THE SOLID WASTE COUNCIL FOR A TWO-YEAR TERM EXPIRING DECEMBER 31, 2025. SECONDED BY KRAMER.**

Discussion.

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

**NO – 1 (Lautner)**

**MOTION CARRIED.**

Boards and Commissions Construction Board of Appeals:

#385-12122023 Regular Session

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPOINT HARRY STEFFENS TO THE CONSTRUCTION BOARD OF APPEALS FOR A FIVE-YEAR TERM EXPIRING DECEMBER 31, 2028. SECONDED BY ALLGAIER.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

Parks and Recreation Appointment:

Commissioner Ross shared that there is an opening on Parks and Recreation as long-term member Dave Barrons gave his resignation. He has been a huge part of Parks and Recreations and he brought to the table a huge amount of scientific knowledge. Ross continued with favorable comments regarding Barrons. Ross is looking at the membership and what she believes to replace him, there is not an applicant that has the similar skills offered to the community. Ross said she did speak with Mr. Beduhn and understands that he has an interest in the DNR sites and working with the access sites and she applauds that. Ross continued that with what she knows of him, she believes that this needs to be opened up and find some more applicants to fill this huge vacancy for this position that is being vacated and see what comes our way.

#386-12122023 Regular Session

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPOINT KEITH BEDUHN TO THE PARKS & RECREATION COMMISSION FOR A PARTIAL TERM ENDING DECEMBER 31, 2024. SECONDED BY REXROAT.**

Discussion – Commissioner Lautner commented that when we ask for people of the public to apply for the Boards and Commissions, we have not set up a policy of asking them what their skills and talents are to serve on those Boards. There are a couple of exceptions for when it comes to Solid Waste for Recycling or Solid Waste as someone from the Manufacturing Field, but for Parks and Recreation we ask if they are able to attend the meeting. Lautner continued that someone from the public said it the very best– we have worked very hard for community engagement and she likes that. We have someone that has checked all of the boxes to serve and has never served on a Board and there is absolutely no reason to not give this citizen a chance to serve on our Board. Lautner continued that it is presumptuous to think that this person would serve on the Veronica Valley committee to replace Mr. Barrons, it is very likely anyone serving on the Myles Kimmerly Board or Old Settlers Board may request to come over and serve on the Veronica Valley Board. Lautner continued that she is very pleased that Mr. Beduhn applied and she is confident he will be a good member. His application was in on time as Commissioner Allgaier stated and up-to-date and Lautner sees no reason not to unanimously support Mr. Beduhn to Parks and Recreation.

Commissioner Ross said that she wanted to share with the audience and Board that the County does have an application and on the first page, #4 and #5 are questions, please state your understanding of citizen involvement on Boards, Commissions, and Authorities and continued to reference the form. Ross referenced #5, what are your qualifications for appointment and she thinks that is a really important question to ask on the application. She continued that that question does give Commissioners some basis to say yes or no to an application. Ross disagrees that we don't ask for qualifications and that the person have the skill set to service the citizens in Leelanau County.

Commissioner Wessell said that he will reinforce what Commissioner Ross said and is going to support the appointment. Wessell continued that the support is with reservation as it was not a unanimous recommendation from Parks and Recreation and he thinks it is a little off schedule as to how we do it. Consistent with what was discussed over and over, we do our initial recommendation for appointments at Executive Committee. He received a call from Mr. Beduhn and he said he was interested and will do a good job. Commissioners will know by the time the term expires if he met that standards and he will support this.

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

**NO – 1 (Ross)**

**MOTION CARRIED.**

Chairman Wessell requested a recess at 8:15 p.m. and the meeting resumed at 8:24 p.m.

Administration – DCS Technology Contract Renewal:

Patricia Soutas-Little was present and Chris Scherr, CEO of DCS Technology Design, LLC, was present via Zoom. Soutas-Little thanked everyone for all they are doing. It has been an interesting year. The work being done is not within the scope of the project and the hours are extensive and encompasses the four townships – somewhere around \$3 million and talking and logic and engineering, we are now in the position that we are saving \$1.2 million dollars and have hopefully been picked up. Comments about the scope, what is being done outside of the scope, and the new proposal.

Discussion and presentation continued. No action taken.



The County Clerk and Administrator to work out the details for moving this forward to December 29, 2023.

Finance Committee Recommendation – Composition of Interview Committee for Account Clerk position:

Commissioner Rexroat commented that at the Finance Committee meeting, there was a consensus to interview for the Account Clerk position and the interview team will be: Interim Finance Director Cathy Hartesvelt, Board Chairman Ty Wessell, Human Resources Director Darcy Weaver, and Chief Deputy County Clerk Jennifer Zywicki. Rexroat said his opinion is that as we talk about other things, agenda items, to keep the Administrator in the loop. The Administrator may want to be present, although not a voting member. He wants to make sure that all parties involved are advised, so that should something happen we are ready to go.

Chairman Wessell said that we don't normally have action to establish an Interview Committee.

Commissioner Rexroat asked if there was anyone that opposes it.

Commissioner Lautner said that we need to figure out our policy as to how we are going to interview, who is going to interview. We have Elected Officials that say they are allowed to hire who they want and the Commissioners have no input. She said it is really important to remember that that Department Head (the Interim Finance Director) has final say. The input from others is interesting, the final say is with the Department Head.

Discussion/comments continued. There is an understanding with what Commissioner Lautner has said and the Administrator is welcome and invited.

Consensus to add the Administrator to sit in on the interview.

That Department Head will have final say on who to hire, input is fine, final say with the Department Head. Rexroat will address at the Organizational.

Finance Committee Recommendations – Proposed Amendments: FY 2024 General Appropriations Act Resolution & FY 2024 Budget Rules:

*#387-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AMEND THE FISCAL YEAR 2024 BUDGET GENERAL APPROPRIATIONS ACT RESOLUTION (#2024-012) AND THE FISCAL YEAR 2024 BUDGET RULES RESOLUTION THAT WERE PREVIOUSLY APPROVED ON NOVEMBER 21, 2023. SECONDED BY ALLGAIER.**

Discussion – Commissioners were provided with a hard copy/red-lined that shows the amendments. Discussion on previous distribution of the documents. Commissioners Rexroat said that is part of further dialog and consistent with the decisions made by the Board of Commissioners. Rexroat said he has only experienced everyone working together on this.

**ROLL CALL: LAUTNER – YES; O'ROURKE – NO; REXROAT – YES; ROSS – YES; WESSELL – YES; ALLGAIER – YES; KRAMER – YES.**

**AYES – 6      NO – 1**

**MOTION CARRIED.**

## Resolution #2024 – 012 AMENDED

### LEELANAU COUNTY 2024 GENERAL APPROPRIATIONS ACT RESOLUTION

A resolution to appropriate monies and adopting the 2024 Leelanau County Budget, including the General Fund budget and the several Special Revenue Fund budgets.

It being the finding and opinion of the Leelanau County Board of Commissioners:

**WHEREAS**, the Uniform Budgeting and Accounting Act, Public Act 621 of 1978, requires that each local unit of government adopt a balanced budget for all required funds; and

**WHEREAS**, county offices, the courts, county departments, and others have submitted requests for a county appropriation in the 2024 budget; and

**WHEREAS**, the Board of Commissioners Executive Board has had under consideration the taxes for the local units of government and the budgetary needs of various county departments and other budgetary units; and

**WHEREAS**, the Board of Commissioners has taken into consideration the fact that there are certain required functions of county government or operations which must be budgeted at serviceable levels in order to provide statutory and constitutionally required services and programs; and

**WHEREAS**, the Board of Commissioners annually adopts a balanced budget and authorizes appropriations subject to the conditions set forth in its annual General Appropriations Act Resolution; and

**WHEREAS**, the budget contains anticipated revenues and expenditures from certain grant programs, which will also require approval of agreements with granting agencies at various times during the fiscal year; and

**WHEREAS**, the Board of Commissioners Executive Board, after considerable deliberation, has recommended adoption of the budgets and reports attached to and made part of this Appropriations Act.

In recognition of the above listed findings and opinions:

**NOW, THEREFORE, BE IT RESOLVED**, that the attached 2024 Leelanau County General Fund Operating Budget, the 2024 Special Revenue Fund Budgets, and the 2024 Budget Rules, as set forth in the Board of Commissioners Executive Board Recommended Budget, is hereby adopted on a basis consistent with Leelanau County's budget process

and subject to all county policies regarding the expenditure of funds and the conditions set forth in this resolution.

**BE IT FURTHER RESOLVED**, the Leelanau County Board of Commissioners appropriates monies supported by various 2024 revenues and to authorize expenditures within the lump sum Activity Level totals for each of the various General and Special funds.

**BE IT FURTHER RESOLVED**, that the adopted budget is based on current estimates of revenues and expenditures, and that the Board of Commissioners may find it necessary to adjust budgeted revenues and expenditures from time to time during the year, provided the budget remains in a balanced state.

**BE IT FURTHER RESOLVED**, the Leelanau County Board of Commissioners, for purposes of the Truth in Budgeting Act, establishes a levy of 4.3575 mills, of which 3.3580 mills are allocated operational purposes, .5000 mills are voted road funds<sup>i</sup>, .3134 are voted senior services<sup>ii</sup>, and .1861 are voted Early Childhood<sup>iii</sup>.

**BE IT FURTHER RESOLVED**, that all county elected officials and county department heads shall abide by the 2024 Budget Rules, as adopted and amended by this Board and that the budgeted funds are appropriated contingent upon compliance with all approved county policies and procedures; and

**BE IT FURTHER RESOLVED**, that the 2024 Authorized Staffing Levels contained in the budget shall limit the number of permanent employees who can be employed in all departments, offices, and the courts, and no funds are appropriated for any permanent position or employee not on the approved 2024 Authorized Staffing Levels.

**BE IT FURTHER RESOLVED**, the Board of Commissioners authorizes the use of budgeted funds as herein governed by the 2024 Authorized Vehicle Levels for the purchase of vehicles and necessary equipment.

**BE IT FURTHER RESOLVED**, that an appropriation is not a mandate to spend, but shall limit the amount which may be spent for such purposes as are defined by the Board of Commissioners and which shall be limited to the 2024 calendar year.

**BE IT FURTHER RESOLVED**, that any county department, agency, board, commission or unit of government that accepts a County appropriation shall do so, subject to the understanding that they will be subject to an inspection and/or audit by the Leelanau County Board of Commissioners or its designee.

**BE IT FURTHER RESOLVED**, that the Interim Finance Director is hereby re-appointed as Chief Administrative Officer, pursuant to the Uniform Budget and Accounting Act, with power to administer those duties in connection with the County budget, to prepare,

present, and monitor the annual operating budget jointly with the Accounting/Finance Department, and County Treasurer, and other duties as may be from time to time delegated by this Board; and

**BE IT FURTHER RESOLVED**, that, in the event the United States Government or State of Michigan fails to provide certain revenue transfer payments as required by law and/or contractual agreements between the United States Government or State of Michigan and Leelanau County, the specific programs funded by such state revenue transfer payments shall bear the full impact of such revenue reduction. In the event the United States Government or State of Michigan defaults or otherwise fails to provide general, unrestricted revenue transfer payments, the Board, upon the recommendation of the Executive Board of the Leelanau County Board of Commissioners, shall allocate said revenue reduction in its legislative judgment. The Leelanau County Board of Commissioners cannot, and will not, absorb the program costs created by revenue transfer payment defaults by the United States Government or State of Michigan.

<sup>1</sup> As approved by voters at the August 2, 2022, Primary Election

<sup>1</sup> As approved by voters at the August 4, 2020, Primary Election

<sup>1</sup> As approved by voters at the November 5, 2019, General Election

Drain Commissioner – Proposed Contract Renewal, GEI Consultants, Inc.:

Chairman Wessell commented on a telephone conference that he participated in today with Administrator Deb Allen, Drain Commissioner Steve Christensen, GEI Consultant/Engineer Brian Cenci, Treasurer John A. Gallagher III, and the Road Commission. Allen believes that everyone has a better understanding. This is the first Drainage District that has been created and it is natural that there will be some hiccups.

Drain Commissioner Steve Christensen addressed the agenda item.

*#388-12122023 Regular Session*

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE AS-NEEDED CONSULTING AND ENGINEERING SERVICES AGREEMENT FOR GENERAL DRAIN CONSULTING BETWEEN THE COUNTY OF LEELANAU FOR THE LEELANAU COUNTY DRAIN COMMISSIONER AND GEI CONSULTANTS OF MICHIGAN, P.C., AS PRESENTED, PENDING COUNSEL REVIEW AND APPROVAL; FUNDS TO COME FROM #101.690.275.801.000. SECONDED KRAMER.**

Discussion – Commissioner Rexroat had questions initially and offered brief comments.

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

**NO – 1 (Lautner)**

**MOTION CARRIED.**

Personnel Committee Recommendations:

Human Resources Director Darcy Weaver was present and referenced the FOIA Coordinator position that was approved through the budget process. Weaver said she cannot post the job for the FOIA Coordinator without a job description and she continued that the Prosecutor has been asking for this a long time and that is why she requested it be added. Weaver continued that she is okay if Commissioners want to push it off until after January. Brief comments continued.

#389-12122023 Regular Session

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE PRESENTED FOIA COORDINATOR JOB DESCRIPTION. SECONDED BY O'ROURKE.**

Discussion.

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

**NO – 1 (Lautner)**

**MOTION CARRIED.**

Michigan Public Service Commission (MPSC) Grant:

Chairman Wessell said that Joe DeFors and Russ Packard will be joining Commissioners Allgaier and Ross regarding the writing of a Grant opportunity. Commissioner Allgaier said that there is an opportunity to write a grant and that is all this is for. DeFors addressed the Commissioners as did Packard. They talked about the Energy Taskforce and the mission that was established at the time and addressed renewable energy. They have broken into three work groups, based on interest. One is energy efficiency, clean transportation, and clean energy projects. Beneath that mission there are two goals and one was seeking projects and funding sources. There is funding out there in many areas and as part of our task force, they would hope that it makes a great deal of sense and be our operation in the County. They spoke on clean energy projects and through volunteer engineering through solar installation companies for solar that would be placed on the property and that approximately 30% of energy for the entire campus – rough numbers – there is much engineering and details that need to be done. They believe that the County could save \$2,000 a month off of the electricity for this building and the jail. This would be roughly \$40,000.00 in yearly savings. The project and grant would cover 100% of the costs to build this. Every last cent, including Grant Administration, comes from the Michigan Public Service Commission and is specifically called the Renewable Energy and Electrification Infrastructure Enhancement and Development Grant. The Grant application will be disbursing over \$21 million. Presentation continued.

#390-12122023 Regular Session

**MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE WRITING OF THE MPSC GRANT (MICHIGAN PUBLIC SERVICE COMMISSION) FOR SOLAR RE (RENEWABLE ENERGY). SECONDED BY KRAMER.**

Discussion – Commissioner Allgaier commented that it will save us money, it is an opportunity, it is our tax dollars, and we have an opportunity to bring it back and save money in the long run.

Commissioner Lautner commented that this is the first we have heard of this or seen and this is very unfair and she has been watching for it. Now she is hearing that you want to place a moderate size solar array on this campus and wants to know where. They suggested the flat hill and Lautner said down by the Veterans Memorial that is used for overflow for Veterans Services. Packard said they met with the County's facilities person(s) and they took them on a tour of the campus and that is the only available site.

Commissioner Lautner said she disagrees with a lot of what has been said. We are not going to save coal and oil, as we all know what it takes to create solar panels, so we are going to take tax dollars from one pool and ask them to save money on an energy bill, if this project were to go through, we are almost 100% carbon free, we are already a leader in renewable energy and she is very disappointed and knows it is just for the writing. If it is accepted, are we really interested in putting solar panels on this campus, she is not.

Commissioner Kramer said this is an opportunity to engage in renewable energy and receive a Grant that can help the County save a significant portion of funding. If the County opts out of it, the funding will just roll to the next community. Kramer said we can choose to say no, you cannot go and get this grant, but it will just go to another interested party. It doesn't behoove us to say no.

Commissioner Ross said that Mr. DeFors and Mr. Packard are experts in building a sustainable, resilient and she values their input and she really is disappointed that even though Commissioner Lautner serves on the Committee she (Lautner) is not supportive of us trying to do the work that the Committee was formed to do. She continued that they are just investigating opportunities for financial and energy and resilience and this is an opportunity.

Chairman Wessell said in the ten years he has been on the Board of Commissioners, every year when we talk about goals we say we need to get more grants and hire a grant writer and find that federal grant money. Wessell continued that we now have an opportunity to have some experts volunteer their time and we are going to give you a Grant Application and then you can decide, then if you get awarded, you have to decide if you want to accept it. We have some people that will and then if you get awarded that, he will vote yes.

Commissioners O'Rourke thinks that solar panels are the ugliest thing in the world and he sees farm land up on M-72 with solar panels. All he has heard is that the \$21 million is going to go to some. He agrees with Commissioner Lautner and to put this by the Veterans, he doesn't want to see solar panels. He told them to keep up the good work.

Commissioner Rexroat commented that he shares much of Commissioner Lautner's concerns. The devil is in the details. 100% paid for always involves another percent somewhere. He will support the writing of the grant only and he will have a lot of questions once the details are here. Rexroat continued that facility placement, future needs for this place and could be better used as we have a limited piece of dirt here. He has 30 questions that you couldn't answer right now. He continued that while he is okay supporting the writing, but he is skeptical about this and has a lot of questions. The position to support the writing is no indication of how he will vote once he sees the grant.

Commissioner Lautner did question and actually made a prediction that this is exactly where you were going to try and go with this Energy Task Force and obviously she was right. When she asked the question, that was the point and was told this would be a public opportunity for renewable energy. Lautner would much rather see these dollars be given to the public should they choose to put solar panels on their property. Give the public the opportunity to put it on their property. If Leelanau County in general wants to put them up, allow them to do. There will be a new state law that will allow this. Lautner said at the time she was opposed to this campus and remains opposed to putting them on this campus.

Chairman Wessell asked them to explore off campus, on vacant land, someplace else where you can get the benefit.

Commissioner Ross offered additional comments regarding the stated mission to form this task force. She commented on the task force for one year and it is right on track for doing what they said they would.

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

**NO – 1 (Lautner)**

**MOTION CARRIED.**

Bay Area Transportation Authority – Proposed Resolution on Composition of Authority Board:

*#391-12122023 Regular Session*

**MOTION BY KRAMER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ENTER INTO A CLOSED SESSION FOR A WRITTEN ATTORNEY/CLIENT PRIVILEGED LEGAL OPINION FROM CIVIL COUNSEL PER MCL 15.268(h). SECONDED BY ALLGAIER.**

Discussion – none.

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

**AYES – 6      NO – 1**

**MOTION CARRIED.**

Closed Session began at 9:34 p.m.

*#392-12122023 Regular Session*

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

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

**NO – 0**

**MOTION CARRIED.**

Open session resumed at 10:04 p.m.

*#393-12122023 Regular Session*

**MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS AUTHORIZE THE ADMINISTRATOR AND THE CHAIRMAN TO DRAFT A LETTER TO THE GRAND TRAVERSE COUNTY COMMISSIONERS EXPRESSING OUR CONCERN THAT APPOINTING A COMMISSIONER TO THE COUNTY REPRESENTATIVE ON THE BATA BOARD VIOLATES OUR UNDERSTANDING OF THE SPIRIT AND THE INTENT OF THE BATA INTERLOCAL AGREEMENT. SECONDED BY ALLGAIER.**

Discussion – Commissioner Kramer offered comments and wants to reiterate and is hoping that we can put some boundaries around this. If they do go through with this, that there will be consequences. If those consequences are seeking alternate representation, she believes we will need to do that. Chairman Wessell said that it will be a very general letter and it will be circulated to everybody as a draft asking to get right back to the Administrator. It will be general enough so everyone can agree on it. If there is something that Commissioners have a real problem with, Wessell would request that you call him personally and he will do a rewrite. He would like to get this out before the end of the week.

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

**NO – 1 (Lautner)**

**MOTION CARRIED.**

Review of Financials:

Interim Finance Director Hartesvelt explained some late late additions and responded to questions.

Committee Reports, Recommendations, and Resolutions:

None.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Administrator Allen wanted to inform the Board of Commissioners that she has extended two offers. One offer is to Liana Wilson for the IT Director to start 01/01/2024 and the second offer is to Gail Myer to be Interim Planning Director. Based on the discussions that were held and the Special Session allowing Committee Chairs to come in and give input, it was identified that because of the transitions that are happening, there are more discussions that need to happen before she can move forward with a formal offer – such as Grant Writing, and other areas. Myer has been offered the range of pay that is the lowest end of the Planning Director scale for the interim position.
- Commissioner O'Rourke commented that Steve Plamondon is leaving the Airport Commission as the Chairman. Plamondon said thank-you and he loves the job. O'Rourke said that Plamondon has done an excellent job and is a fantastic person. All have received an invitation to come to the ribbon cutting for the instrument runway system. Brief comments continued.
- Chairman Wessell commented on the Organizational Meeting that is January 2, 2024, and it was discussed about having that in the morning and it has to be moved to the afternoon. He continued that “we” thought it could start with an informal lunch, do the organizational meeting business and then take a break and hear from Dr. Scholten. Wessell continued that the items are on the agenda to elect a Vice Chairman, Rules of Order, meeting schedule, and then approve the schedule or continuation of monthly updates and address our Committee Structure and any changes to Committee. Wessell said that he is inclined to leave appoints the same unless someone wants to move from their assignment, please let him know.

Discussion on the date and time of the meeting. Dr. Scholten cannot come in the morning. Wessell commented on length of the Organizational Meeting. Discussion on shifting the meeting date so all Commissioners can be present. Administrator Allen to follow-up for flexibility to schedule on January 3, 2024, and the time.

Public Comment:

The following individuals spoke in person: Steve Mikowski; Bill Weisner; and Kerry O'Non.

The written comments can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2610#handouts>

Commissioner Comments:

Chairman Wessell thanked those that offered comments and the Committee schedule will be addressed at the Organizational meeting.



Approval of Financials —

Amendments & Transfers:

*#394-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2023 BUDGET AMENDMENTS #23-016, #23-017 AND #23-018. SECONDED BY ROSS & REXROAT.**

Discussion.

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

**NO – 0**

**MOTION CARRIED.**

*#395-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2023 FUND TRANSFER #23-008. 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:

*#396-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$1,041,342.44. 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:

*#397-12122023 Regular Session*

**MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$2,578,435.38. SECONDED BY O'ROURKE.**

Discussion – none.

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

**NO – 0**

**MOTION CARRIED.**

Adjournment:

Chairman Wessell adjourned the meeting at 10:54 p.m.

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Ty Wessell, Chairman  
Leelanau County Board of Commissioners

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