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**Sent:** Monday, September 20, 2021 2:34 PM

**To:** Melinda Lautner <[mlautner@leelanau.gov](mailto:mlautner@leelanau.gov)>; Ty Wessell <[twessell@leelanau.gov](mailto:twessell@leelanau.gov)>; Patricia Soutas-Little <[psoutaslittle@leelanau.gov](mailto:psoutaslittle@leelanau.gov)>; Will Bunek <[wbunek@leelanau.gov](mailto:wbunek@leelanau.gov)>; Rick Robbins <[rrobbins@leelanau.gov](mailto:rrobbins@leelanau.gov)>; Debra Rushton <[drushton@leelanau.gov](mailto:drushton@leelanau.gov)>; Gwenne Allgaier <[gallgaier@leelanau.gov](mailto:gallgaier@leelanau.gov)>; Michelle Crocker <[mcrocker@leelanau.gov](mailto:mcrocker@leelanau.gov)>

**Subject:** My comments for the September 21 Board of Commissioners meeting.

My name is Jay Johnson and I live in Empire Township

I have several issues to bring to your attention.

1. Our county has seen a rapid increase in the number of Covid-19 cases. We had 7 cases reported last Monday, 10 cases reported on Wednesday, 8 cases reported on Friday, and 8 more cases reported just yesterday, **that's a total of 33 new cases in a little over one week.** Renewed efforts to prevent local transmission of this rapidly mutating virus are required. The national Center for Disease Control recommends face masks in indoor settings where unrelated people congregate. Notwithstanding your vote last Tuesday to ask our local health department to rescind its order requiring masks in schools, **I ask that the requirement to wear masks inside the government center be restored.**
2. Four members of this commission openly opposed the health department's mask order despite the advice of your legal counsel that you had no authority to overturn the health department's order and were openly undermining a goal to support the health department. **Why do you pay for legal counsel if you do not follow their advice? Indeed, why do you pay for the health department if you do not follow their advice?**
3. The action taken by the four commissioners appears to be a continuation of the practice of violating the Open Meetings Act, for which I had earlier filed a formal complaint. While another county's prosecutor declined prosecution of my complaint, **the prosecutor did not, as a *Leelanau Enterprise* headline misleadingly stated, find that there was "No Violation" of the Act.** As a former prosecutor myself, there are many reasons for declining prosecution. Even Special Counsel Robert Mueller, who did not choose to prosecute the former president, found it necessary to explicitly state that his decision did not represent a finding that the former president had not obstructed justice.
4. The most recent Board action, taken at last week's executive session, and up for consideration tonight, was to nullify the November 2019 election which approved a millage to fund programs helping young families with preschool children. **Is this part of ongoing efforts by Republicans across the country to nullify election results that they do not support?** If so, you are on a very slippery slope to undermine democracy.

5. With respect to the November 2019 election, Commission Chair Will Bunek focused on the relatively low number of votes cast and, for that reason, the Board was justifying setting the millage rate at zero. His rationale is dubious, at best. He repeatedly stated that 83% of the registered voters did not support the millage. In doing so, he improperly equated a voter's decision not to vote, with an actual vote against the millage. He did not address the fact that 87% of the voters either supported the millage or did not vote. If your side loses a millage election, the proper recourse is to oppose the renewal of the millage the next time it appears on the ballot. **What would Mr. Bunek's position be if his own election had been set aside because 56% of the voters in his district either voted for his opponent or did not vote?**

Thank you for your attention to my comments.