

Leelanau County Board of Commissioners
Organization Session – Tuesday, January 5, 2021
Approved 12/30/2022

Proceedings of the meeting are being recorded (audio and video) and can be found at the following link:
<https://www.leelanau.gov/meetingdetails.asp?MAId=2035#video>

Meeting called to order by County Clerk Michelle L. Crocker at 9:00 a.m. Today's meeting is being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan.

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

Roll Call:	District	#1	Rick Robbins	PRESENT
		#2	Debra L. Rushton	PRESENT
		#3	William J. Bunek	PRESENT
		#4	Ty Wessell	PRESENT
		#5	Patricia Soutas-Little	PRESENT
		#6	Gwenne Allgaier	PRESENT
		#7	Melinda C. Lautner	PRESENT

Public Comment :

Clerk Crocker announced the phone number for those wishing to call in for Public Comment.

- Ellen Fred, Cedar, Michigan. Fred read from a prepared statement which is at the following link: https://www.leelanau.gov/downloads/pc_fred_e_01052021.pdf

Approval of Agenda:

#001-01052021 Organizational Session

MOTION BY RUSHTON THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS PRESENTED. SECONDED BY WESSELL.

Discussion – none.

AYES – 7 (Rushton, Soutas-Little, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 0

MOTION CARRIED.

County Clerk Crocker recapped the process as we move forward. Any nomination does require a second. In the event we end up with more than one nomination, then each Commissioners will then indicate who their vote is for after nominations are closed.

Crocker declared nominations open.

- Commissioner Rushton nominated Commissioner Bunek, seconded by Commissioner Lautner.
- Commissioner Soutas-Little nominated Commissioner Wessell, seconded by Commissioner Allgaier.

Crocker called for any further nominations. There being none, nominations closed.

Crocker called for the votes on the nominations for Chairman.

Further amendments as discussed with be forwarded to the next meeting and the Clerk and Administrator will work jointly on certain proposed language as requested.

Approval of 2021 Meeting Schedule:

There is a noted error on the December dates and they should be reflected as December 14 and 21, instead of December 7 and 14. Discussion about the 21st being too close to Christmas and affecting the ability to travel. Consensus to leave December 2021 as presented.

#005-01052021 Organizational Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE MEETING SCHEDULE AS PRESENTED. SECONDED BY ALLGAIER.

Discussion ensued regarding allowing an additional offsite zoom if these dates now impede someone's opportunity to attend. If December rolls around and there is not enough for a quorum, the Board rules could be set aside. There was not consensus at this time to add another off site Zoom meeting to the allowable number.

**AYES – 7 (Wessell, Allgaier, Bunek, Lautner, Robbins, Rushton, Soutas-Little)
 NO – 0 MOTION CARRIED.**

Regular Session	Tuesday, January 19, 2021 @ 7:00 p.m.
Regular Session	Tuesday, February 16, 2021 @ 7:00 p.m.
Regular Session	Tuesday, March 16, 2021 @ 7:00 p.m.
Regular Session	Tuesday, April 20, 2021 @ 7:00 p.m.
Regular Session	Tuesday, May 18, 2021 @ 7:00 p.m.
Regular Session	Tuesday, June 15, 2021 @ 7:00 p.m.
Regular Session	Tuesday, July 20, 2021 @ 7:00 p.m.
Regular Session	Tuesday, August 17, 2021 @ 7:00 p.m.
Regular Session	Tuesday, September 21, 2020 @ 7:00 p.m.
Annual Statutory Meeting	Tuesday, October 12, 2021 @ 7:00 p.m. (2 nd Tuesday of Oct.)
Regular Session	Tuesday, November 16, 2021 @ 7:00 p.m.
Regular Session	Tuesday, December 14, 2021 @ 7:00 p.m. (2 nd Tuesday of Dec.)
Organizational Meeting	Tuesday, January 4, 2022 @ 9:00 a.m. (1 st Tuesday of Jan. 2022)
Regular Session	Tuesday, January 18, 2022 @ 7:00 p.m.

Executive Board	Tuesday, January 12, 2021 @ 9:00 a.m.
Executive Board	Tuesday, February 9, 2021 @ 9:00 a.m.
Executive Board	Tuesday, March 9, 2021 @ 9:00 a.m.
Executive Board	Tuesday, April 13, 2021 @ 9:00 a.m.
Executive Board	Tuesday, May 11, 2021 @ 9:00 a.m.
Executive Board	Tuesday, June 8, 2021 @ 9:00 a.m.
Executive Board	Tuesday, July 13, 2021 @ 9:00 a.m.
Executive Board	Tuesday, August 10, 2021 @ 9:00 a.m.
Executive Board	Tuesday, September 14, 2021 @ 9:00 a.m.
Executive Board	Tuesday, October 5, 2021 @ 9:00 a.m. (1 st Tuesday of Oct.)
Executive Board	Tuesday, November 9, 2021 @ 9:00 a.m.
Executive Board	Tuesday, December 7, 2021 @ 9:00 a.m. (1 st Tuesday of Dec.)
Executive Board	Tuesday, January 11, 2022 @ 9:00 a.m.

Continuation of Monthly Update from Individual Departments and Agencies:
Brief discussion/comments with a consensus regarding the presented schedule.

Commissioner Appointments to Boards, Commissioners, Committees, and Authorities:
Commissioner Wessell requested that the appointments be taken one at a time. Discussion and comments ensued about appointments presented, opportunities for others to serve, more well-rounded representation, length of service some Commissioners have had on specific Boards/Commissions.

#006 & 007 -01052021 Organization Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS PLACE (COMMISSIONER) MR. BUNEK AND (COMMISSIONER) MS. SOUTAS-LITTLE TO THE BENZIE/LEELANAU DISTRICT HEALTH DEPARTMENT BOARD. SECONDED BY ALLGAIER.

MOTION BY RUSHTON TO AMEND THE MOTION AND STRIKE (COMMISSIONER) SOUTAS-LITTLE AND REPLACE HER NAME WITH (COMMISSIONER) RICK ROBBINS. SECONDED BY LAUTNER.

Chairman Wessell appeared to the Chairman that was the amendment by Commissioner Rushton was not proper.

Commissioner Wessell called for a recess for five minutes for the appeal.

Discussion ensued.

Move to recess for five minutes by Commissioner Wessell.

Motion was appealed to the Chairman. Suspend the Motion for a Recess.

Discussion ensued.

Chairman Bunek called for a recess at 11:40 a.m.

Meeting called back to order at 11:50 a.m.

Discussion continued on the question, dividing the question, the amendment.

Chairman Bunek offered comment.

Discussion ensued if the Chairman read the Rules of Order and that amending the motion to appointing Commissioner Robbins is not germane to the motion. Discussion ensued.

Commissioner Robbins wishes to decline an appointment to the Health Department. Discussion continued.

Commissioner Rushton withdraw her amendment and Commissioner Lautner withdraws her support as Commissioner Robbins has declined the possible appointment and Chairman Bunek requested the withdrawal.

Chairman Bunek said that we are now back to Commissioner Wessell's first motion.

#006-01052021 Organization Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS PLACE (COMMISSIONER) MR. BUNEK AND (COMMISSIONER) MS. SOUTAS-LITTLE TO THE BENZIE/LEELANAU DISTRICT HEALTH DEPARTMENT BOARD. SECONDED BY ALLGAIER.

Motion restated by Clerk as requested.

Commissioner Rushton requested that the question be divided.

Discussion on dividing of the question and the procedure.

Chairman Bunek turned the gavel over to Vice-Chairman Lautner.

#006-01052021 Organization Session

Roll Call vote on Commissioner Bunek: **Wessell – NO; Allgaier – YES; Bunek – YES; Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – YES.**

AYES – 6 NO – 1

MOTION CARRIED.

Chairman Bunek declared appointed to the Benzie/Leelanau District Health Department Board.

Gavel returned to Chairman Bunek by Vice-Chairman Lautner.

#007-01052021 Organization Session

Roll Call vote on Commissioner Soutas-Little: **Wessell – YES; Allgaier – YES; Bunek – NO; Lautner – NO; Robbins – YES; Rushton – NO; Soutas-Little – YES.**

AYES – 4 NO – 3

MOTION CARRIED.

Commissioner Soutas-Little declared appointed to the Benzie/Leelanau District Health Department Board.

#008-01052021 Organization Session

MOTION BY SOUTAS-LITTLE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS KEEP COMMISSIONER TY WESSELL ON BOTH LAND BANK FAST TRACK AUTHORITY (LBA) AND BROWNFIELD REDEVELOPMENT AUTHORITY (BRA). SECONDED BY ALLGAIER.

Discussion.

AYES – 6 (Soutas-Little, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 1 (Rushton)

MOTION CARRIED.

#009-01052021 Organization Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE LIST OF ASSIGNMENTS AS AMENDED. SECONDED BY ALLGAIER.

9-1-1 Advisory Board	Bunek appointed
BATA (Bay Area Transportation Authority)	Robbins appointed
BLDHD Board of Health	Bunek appointed – by separate Motion
BLDHD Board of Health	Soutas-Little appointed – by separate Motion
BLDHD Environmental Health Board of Appeals	Allgaier appointed
Brownfield Redevelopment Authority	Wessell appointed – by separate Motion
Community Corrections	Rushton appointed
Networks NW	Soutas-Little appointed
Land Bank Fast Track Authority	Wessell appointed – by separate Motion
Leelanau Co. Family Coordinating Council	Allgaier appointed
Northern Lakes Comm. Mental Health Authority	Wessell appointed
NMCAA (Northwest Mi Comm. Action Agency)	Allgaier appointed
Northwestern Regional Airport Comm.	Rushton appointed
Parks and Recreation Commission	Lautner, Robbins appointed
Planning Commission	Lautner appointed
Solid Waste Council	Lautner appointed
Substance Abuse Prevention Coalition	Rushton, Allgaier appointed

Discussion – none.

AYES – 7 (Wessell, Allgaier, Bunek, Lautner, Robbins, Rushton, Soutas-Little)
NO – 0 **MOTION CARRIED.**

Standing Committees:

Chairman Bunek offered a slate for Standing Committees. Discussion ensued with Commissioners regarding adjustments.

#010-01052021 Organization Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE STANDING COMMITTEES.

Boards and Commissions Review	All Commissioners
Building & Grounds	Soutas-Little, Rushton
Construction Codes Authority/Building Safety	Bunek, Soutas-Little
Finance/Audit	Robbins, Lautner, Wessell
Senior Services Advisory	Bunek, Allgaier, Robbins
Union Negotiations	Bunek, Lautner

SECONDED BY RUSHTON & SOUTAS-LITTLE.

Discussion – none.

AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bunek)
NO – 0 **MOTION CARRIED.**

Chairman Bunek called for a lunch recess at 12:15 p.m. for 30 minutes.

Chairman Bunek called the meeting back to order at 12:45 p.m.

County Governance/Open Meetings Act (OMA):

Attorney Matt Nordfjord of Cohl, Stoker, and Toskey PC will be giving a presentation on the Summary of the Open Meetings Act (OMA) and the role of Commissioners.

Attorney Nordfjord was now present via Zoom. Nordfjord – reviewed fee-based retainer agreement, they are generally officiated – Janik reviewed legal counsel policy. Commissioners and Elected Officials notify Cohl Stoker, Toskey and courtesy notify the Administrator. Department Heads need approval from the Administrator for contact and the Administrator will coordinate the contact.

Commissioners do not have general police authority.

Discussion on Budget, Serviceability Level and are there any other issues that can be dealt with this. They are responsible for their legal fees.

Nordfjord will send additional information on the Open Meetings Act and the most recent changes.

Discussion that “ABSTENTION” is a NO vote and “SILENCE” is consent. Commissioners need to articulate your position/vote.

There are only a couple of reasons to abstain from a vote.

As elected County Commissioners, you are not employees of the County. You are not in an employment benefit. The relationship is different. County Boards are not personnel managers and when County Board members deal in personnel issues that has caused a great deal of concern and can lead to legal concerns. There is a chain of command. That has been an issue in other Counties. Especially with the pandemic and COVID. The Commissioners are the head of the organization and you ask your people that you have hired to run the operations.

Commissioners do not want to get in the habit of employees coming to them as Commissioners don't have the authority to promise things – that does cause long term problems.

Administrator Janik commented on the CARES Act and COVID. That expired on 12/31 – what are the Counties that you are dealing with for 2021 – if they test positive or have a direct exposure, there is a lot of concern now as to the days off. Attorney Matt Nordfjord will send something. Comments about municipal employers, Cohl Stoker & Toskey has many municipal County clients. Discussion about a separate bank of that that is used to cover people while they are out. There are no more federal or state mandates on the days off. the days off.

Commissioner Rushton questioned tests positive or direct exposure, is it mandated that they cannot come to work. Janik responded that things are changing weekly.

Commissioner Allgaier questioned if there is CARES Act money available and both Crocker and Janik responded, no.

Brief discussion ensued.

2021 Goals Discussion:

Janik distributed goals from 2020. Bunek called for comments.

Commissioner Wessell would like a committee of the whole meeting to discuss goals instead of the end of a meeting – Commissioner Rushton asked if it could be a study session. Commissioner Allgaier agreed.

Commissioner Lautner said in the past that she doesn't think it is necessary to set goals – no one is ever in favor – this looks like a check list that we are expected to try and get through. It is not necessarily the things that I ran on – Lautner has her goals – that is what she is going to be working towards doing and that is her responsibility and to try and get those things – she knows she has done these things – we have – of what our duties are expected – she feels that we are just wasting our time.

Commissioner Wessell we put forward, thanks to Commissioner Rushton, we pulled together a substance abuse coalition and wouldn't have accomplished that. Also remembers 4-5 years ago, through the Housing Action Committee and Housing North – we have made some small progress, it is necessary to know what you want to do and what is routine. He would like to have discussion as to making some real progress – if some of us don't agree.

Commissioner Lautner commented about unanimous goals on the list.

Commissioner Allgaier commented that if we have no goals, we have no direction. The challenge of the Commissioners is to use forethought and planning to utilize tax dollars to improve life in Leelanau County. With no direction we will go nowhere. It is important that we are not directionless. It is important to have goals. We are not to be stagnant.

Commissioner Lautner said that for years we did what we are directly outlined in statute to do. We don't need goals to need and she stated that she does not need direction.

Chairman Bunek asked if we are going to have goals or not. Do we want to set up a Committee for Goals as this would be something new if we.

Commissioners are to submit suggestions for goals to the Administrator and then next week determine if we need to have a meeting to set a special meeting – there are a number of meetings and they may not need to be a special meeting. Perhaps a special study session.

Commissioner Wessell thinks that any highly functioning board has goals – not putting, I wouldn't want the headline – this Board has decided and she made some commitments to her constituents – let's get Lautner's goals on the list so we can work towards them. There are improvement goals – many times it is community – suggestions about goals – we need to give it attention – send all our ideas to the Administrator. Wessell does not want to be a part of no goals as that would be embarrassing.

Commissioner Rushton said she can see both sides of the issue; however our practice has been to write down our goals and send them to the Administrator and look at them – if we decide at the next meeting – that is going to have to be an ongoing conversation.

Chairman Bunek said to submit your goals to the Administrator by next Friday and try to limit it to four or five, instead of 28. Brief comments from the Chairman and Administrator continued.

PUBLIC COMMENT:

Chairman Bunek listed the telephone number for the Public to phone in comments to address the

Commissioner Comments:

Commissioner Rushton wanted to welcome the new members to the Board. Eventually you will get comfortable, we are all here trying to do the right things and thanked the two new Commissioners for their service.

Public Comment:

Holly Bird.

Chairman Bunek announced the call-in number again.

Commissioner Comments:

Commission Wessell appreciates being part of the group and appreciates the tolerance.

Commissioner Soutas-Little thinks that there were good discussions today and welcome to the new members and hopes Commissioners can forward with good leaderships. She wants to raise a subject that is touchy – we ask our employees to wear masks and we don't set the best example. She said that during this meeting the majority of you couldn't do a better job of wearing the mask while here – the plexiglass – she did not isn't quantifiable – good for coughing on it – but not for the small droplets, it is a new – we just haven't – a good think if we could all be a little safer and wear our masks.

PUBLIC COMMENT:

Melissa Petoskey.

Commissioner Comments:

Commissioner Allgaier thanked all for the welcoming her and she looks forward to being a part of this group. She would like to reiterate Commissioner Soutas-Little, always have to keep in mind, we are not always talking about us with masks, we are talking about our families and takes home to her husband. He had a valid concern – just out of concern for each other, would ask others to adhere to the mask consideration.

PUBLIC COMMENT:

- Dana Getsinger.

The number announced again for call-in public comment.

Commissioner Comments:

Chairman Bunek offered comments on unity, division, Tribal Lands and the United States, and the different backgrounds of individuals.

Commissioner Allgaier commented that she hears Chairman Bunek and also offered comments on acknowledging a very sad fact from the past and people wanting to act like it didn't happen. Comments on making amends for egregious acts that drove people from their land.

Commissioner Rushton commented on who owned the land before the Tribe was here and did anyone ask that question. Rushton offered comments about different nations and different parts of the world and the migration over history. Brief comments continued.

Adjourn:

Meeting adjourned by Chairman Bunek at 2:25 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

/s/ Michelle L. Crocker
Michelle L. Crocker, Leelanau County Clerk
Clerk-Leelanau County Board of Commissioner