

LEELANAU COUNTY BOARD OF COMMISSIONERS
Building Safety Committee – Friday, July 8, 2022
Approved 7/11/2023

Proceedings of the meeting are being recorded (audio and video) and can be found at the following link:
<http://leelanau.gov/meetingdetails.asp?MAId=2360>

Meeting called to order by Committee Chairman Soutas-Little at 10:01 a.m. Today's meeting was being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay.

The Pledge of Allegiance to the Flag of the United States of America was recited followed by a moment of silence.

Roll Call:	District #1	Rick Robbins	PRESENT
	#5	Patricia Soutas-Little	PRESENT

Staff Present: Administrator Chet Janik, Building Official Amber Weber, Building Inspector Charles Sessoms, and Prosecutor Joe Hubbell.

Approval of Meeting Minutes – June 15, 2022:

MOTION BY ROBBINS TO APPROVE THE MEETING MINUTES OF JUNE 15, 2022, AS WRITTEN. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

AYES – 2 (Robbins, Soutas-Little)

NO – 0

MOTION CARRIED.

Approval of Agenda and Late Additions/Deletions:

MOTION BY ROBBINS TO AMEND THE AGENDA AND MOVE ITEM #4 CIVIL VERSUS CRIMINAL FINES DISCUSSION TO ITEM #1. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

AYES – 2 (Robbins, Soutas-Little)

NO – 0

MOTION CARRIED.

Public Comment:

None.

Action Items–

Civil Versus Criminal Fines Discussion:

Discussion was led by Administrator Janik regarding Leelanau County Building Officials not having the ability to issue civil infractions in instances where there have been multiple attempts or frustration with trying to get someone in compliance as requested by the County. Building Official Amber Weber then gave Commissioners several examples of cases where she felt this could have been useful for the department.

Prosecutor Joseph Hubbell was present and said the idea was brought before the Board of Commissioners in 2016 and the recommendation had failed with one commissioner absent.

The Tuesday, April 12, 2016, Board of Commissioners Executive Meeting minutes referenced can be seen at the following link:

http://leelanau.gov/downloads/motion_to_approve_resolution_bsc_07082022.pdf

Hubbell stated that an option such as this would give flexibility on how to enforce it without giving a criminal violation.

Commissioner Soutas-Little commented that she would support this idea and additional discussion continued.

Hubbell, Weber, and Building Inspector Charles Sessoms responded to questions from Commissioners.

MOTION BY ROBBINS TO RECOMMEND FOR THE ADMINISTRATOR, BUILDING OFFICIAL WEBER AND PROSECUTOR TO EXPLORE POLICY IDEAS TO PRESENT TO THE BOARD OF COMMISSIONERS REGARDING CIVIL FINES AND ENFORCEMENT. SECONDED BY SOUTAS-LITTLE.

Discussion – Hubbell asked Weber to reach out to other counties and see if there may be others who have the framework already that they could consider. Sessoms commented that Benzie County could be an option to speak with.

AYES – 2 (Robbins, Soutas-Little)

NO – 0

RECOMMENDATION CARRIED.

Hubbell left the meeting.

FY 2022 and 2023 Budget Update – Review of FY 2022 Line-Item Expenditures and Revenues; Projected Budget Details for FY 2023:

The budget update handout can be viewed at the following link:

http://leelanau.gov/downloads/budget_update_bsc_07082022.pdf

Weber briefly explained the 2023 budget handout sheets provided and said the first document was prepared for the budget worksheet this year and the unaudited report from last year is included to show roughly where things sit right now. Weber added that the goal has been to build one year of fund balance for support in case it is necessary.

Administrator Janik gave background history of when the economy crashed and people were not building, there was not significant reserve funds. There was the recommendation going forward by auditors and other counties that you need one year fund balance for worst case scenarios. No permits coming in during 2020 due to COVID but inspections still continued.

Review/Discussion of Current Building Safety Fee Categories and Amounts:

Building Permit Fee Schedule can be viewed at the following link:

http://leelanau.gov/downloads/bsc_07082022_fee_schedule.pdf

Permit applications can be viewed at the following link:

http://leelanau.gov/downloads/bsc_07082022_permit_apps.pdf

Building Inspector Sessoms explained that the State provides the baseline for the permit fees.

Administrator Janik said the fees were adjusted possibly in 2012 or 2013 and said he also thinks that now is a good time to look at and discuss. Brief discussion ensued with Weber and Sessoms answering questions from Commissioners.

Potential Vehicle Purchase:

Weber explained the vehicle quotes provided to Commissioners and answered questions regarding the potential purchases.

Handout of the vehicle quote can be seen at the following link:

http://leelanau.gov/downloads/bsc_07082022_vehicles.pdf

MOTION BY ROBBINS TO RECOMMEND GOING FORWARD WITH THE 2023 PURCHASE OF TWO (2) NEW VEHICLES FOR THE BUILDING SAFETY FLEET. SECONDED BY SOUTAS-LITTLE.

Discussion – brief.

AYES – 2 (Robbins, Soutas-Little)

NO – 0

RECOMMENDATION CARRIED.

Late Fee Process Review:

Discussion began with Commissioner Soutas-Little referencing the Building Safety Committee meeting of June 15, 2022, where an instance of the late fee process had been discussed in regards to an appeal of fees. The minutes of that meeting can be seen at the following link:

http://leelanau.gov/downloads/approved_building_safety_06152022_unbound.pdf

Commissioner Soutas-Little said she had thought this would be used for something more for the basis of safety issues but understands the Building Safety Department had rights to require it and did. Soutas-Little said she thinks there is a bit of a grey area there.

Weber and Sessoms responded to the specific compliances and communications that had taken place and why that fee had been applied. Weber said there were safety issues in question and briefly reviewed those items required for tents and igloos.

Weber commented it is hard to make building safety a friendly place but also service oriented. She does want to make it easier for people to comply. Discussion continued between members regarding communications for incentives to comply and safety issues. Ample forewarning and communication will be given and Weber stated that fees will not be assessed if there is open communication and each party knows what is happening to remedy a situation.

Brief discussion continued.

Any Other Items:

Discussion began regarding setting the next meeting date and Administrator Janik suggested to wait until Weber and Hubbell can firm up a process and the fee information.

Commissioner Soutas-Little asked if Weber is in need of anything else currently and Weber responded that a thought is on the back burner to possibly hire someone specifically for plan review at some point.

Brief discussion continued regarding fuel cost estimates and post-pandemic costs.

Discussion Items:

None.

Board Member Comment:

Chairman Soutas-Little thanked Weber for her work.

Public Comment:

None.

Adjournment:

Committee Chairman Soutas-Little adjourned the meeting at 11:02 a.m.

Patricia Soutas-Little, Committee Chairman
Building Safety Committee

Alison Middleton, Administrative Deputy Clerk for
Michelle L. Crocker, Leelanau County Clerk