

**LEELANAU COUTY BOARD OF COMMISSIONERS
EXECUTIVE BOARD MEETING – TUESDAY, AUGUST 11, 2020**

Approved 12/15/2020

Proceedings of the meeting are being recorded (audio and video) 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.

Meeting called to order by Chairman William J. Bunek at 9:00 a.m. Today's meeting is being held at the Government Center, 8527 Government Center Drive, Suttons Bay, Michigan and via Zoom.

Chairman Bunek led 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	Anthony Ansong	PRESENT
	#2	Debra L. Rushton	PRESENT
	#3	William J. Bunek	PRESENT
	#4	Ty Wessell	PRESENT
	#5	Patricia Soutas-Little	PRESENT
	#6	Carolyn Rentenbach	PRESENT (via Zoom)
	#7	Melinda C. Lautner	PRESENT

Communications, Proclamations, Presentations —

Administrator's Update:

Administrator Janik thanked MSU Extension and the Master Gardener club for all their hard work on the grounds here at the Government Center. He also thanked the Senior Services staff for delivering meals and all their hard work in supporting the Senior Citizens with home visits. The Poor Farm Barn at Myles Kimmerly Park is going to be getting a facelift with new paint and a new sign. Once the project is completed the Board will be invited to come and see the completed work. Janik wished a Happy Birthday to Commissioner Rushton, and presented her with a cherry pie.

Housing Action Committee Update:

Lois Bahle, Frank Clemmons and Susan Oriel, Housing Committee members were present via Zoom, and the presentation is on file with the County Clerk's Office.

Commissioners thanked the Committee members for the presentation and all the hard work put into the report, along with the County staff that assist the Committee.

Michigan State University Extension Agency Update:

Jennifer Berkey, MSU District 3 Director, Annette Kleinschmit, Leelanau County Office Manager, J. Robert Sirrine, PhD, Community Food Systems Educator, and Nate Walton were all present via zoom for the Leelanau County 2019-2020 Annual report, and the presentation is on file with the County Clerk's Office.

Approval of Agenda / Late Additions or Deletions:

Chairman Bunek noted that four late requests have been received –

Late Addition #1, Clerk, Account Clerk Vacancy – add under Action Item #4C; Late Addition #2, Request for a pop-up display from National Archive – add under Action Item #4D; Late Addition

#3, Resolution to Condemn Racism in Leelanau County – add under Action Item #5C; and Late Addition #4, Resignation of Road Commissioner Thomas Eckerle – add under Action Item #5C.

MOTION BY WESSELL TO APPROVE THE AGENDA AS AMENDED. SECONDED BY LAUTNER.

Discussion – None

AYES – 7 (Wessell, Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)

NO – 0

MOTION CARRIED.

Public Comment:

- Many emails and letters received are on file with the Clerk's office.
- John Popa, Bingham Township. Popa is representing himself as an individual and is suggesting to the County Board that in the future appoint Road Commissioners instead of having an election. He feels that by election it does not ensure qualified individuals are appointed to this important board.

Action Items —

Sheriff's Office – Secondary Road Patrol Grant Renewal:

Undersheriff Steve Morgan present via Zoom for questions and comments.

MOTION BY RUSHTON TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO ALLOW THE SHERIFF'S OFFICE TO APPLY FOR THE FISCAL YEAR 2021 SECONDARY ROAD PATROL GRANT, AND IF AWARDED THE GRANT, PARTICIPATE IN THE SECONDARY ROAD PATROL PROGRAM. SECONDED BY LAUTNER.

Discussion – Undersheriff Morgan answered questions.

AYES – 7 (Rushton, Ansorge, Bunek, Lautner, Rentenbach, Soutas-Little, Wessell)

NO – 0

RECOMMENDATION PASSES.

Sheriff's Office – Acceptance of Anonymous Donation (General):

Sheriff Mike Borkovich present for questions and comments.

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO ALLOW THE SHERIFF'S OFFICE TO ACCEPT A DONATION OF \$5,000.00 FROM AN ANONYMOUS CITIZEN TO BE PLACED IN THE SHERIFF'S OFFICE GENERAL DONATION LINE #101.000.000.674.000. SECONDED BY WESSELL.

Discussion – Sheriff Borkovich stated there is not currently a specific place for these funds and then will be set in a general donation line for the Sheriff to use at the discretion of the office.

AYES – 7 (Lautner, Ansorge, Bunek, Rentenbach, Rushton, Soutas-Little, Wessell)

NO – 0

RECOMMENDATION PASSES.

Planning/Community Development – Acceptance of Capital Improvement Plan (CIP):

Trudy Galla, Planning Director, presented the CIP for 2020-2025 via Zoom

https://www.leelanau.gov/downloads/2020_cip_final_draft_832020.pdf

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO APPROVE (OR ACCEPT) THE 2020 THROUGH 2025 CAPITAL IMPROVEMENT PLAN FOR LEELANAU COUNTY. SECONDED BY RUSHTON.

Discussion – The CIP 2020-2025 will be discussed at Budget Review.

AYES – 7 (Lautner, Ansorge, Bunek, Rentenbach, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Information Technology – Request to Purchase Office 365:

Ron Plamondon, I.T. Director, present via Zoom to request a conversion from the current email location to leelanau.gov.

MOTION BY ANSORGE TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO APPROVE THE PURCHASE OF OFFICE 365 CONVERSION PROJECT WITH SAFETY NET IN THE AMOUNT OF \$10,050.00, WITH FUNDS TO COME FROM DATA PROCESSING FUND #636. SECONDED BY SOUTAS-LITTLE.

Discussion – None.

AYES – 7 (Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Leelanau County Towers – Proposed Government Center Tower RFP Update:

Matt Ansorge, EMS/911 Director, present via Zoom, updated the Board regarding different options with using the current tower on the Government Center campus. The engineer and project management for the current tower have commented that there is a possibility to improve the tower to help the needs requested for both cellular and ISP service.

MOTION BY RENTENBACH TO MOVE THE PROPOSED GOVERNMENT CENTER TOWER RFP UPDATE TO THE REGULAR SESSION BOARD MEETING. SECONDED BY RUSHTON & SOUTAS-LITTLE.

Discussion – None.

AYES – 7 (Rentenbach, Ansorge, Bunek, Lautner, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Leelanau County Towers – EDA (Economic Development Authority) Grant Update:

Commissioner Soutas-Little updated the Board with the progress in finding tower sites County-wide for the grant application.

Accounting Department Vacancy:

MOTION BY ANSORGE TO RECOMMEND TO THE BOARD OF COMMISSIONERS THAT THE LEELANAU COUNTY CLERK BE AUTHORIZED TO FILL THE VACANT ACCOUNT CLERK POSITION IN HER OFFICE. SECONDED BY RUSHTON.

Discussion – None

AYES – 7 (Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

“Rightfully Hers” Pop-up Display:

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO ALLOW THE DISPLAY DEVELOPED AND SENT OUT BY THE NATIONAL ARCHIVES TO COMMEMORATE THE 100TH YEAR 2020, OF THE 19TH AMENDMENT TO THE US CONSTITUTION, WHICH GRANTED WOMEN THE RIGHT TO VOTE DISPLAY TO BE SET UP IN THE LOWER LEVEL FOR 30 DAYS. SECONDED BY WESSELL.

Discussion – Questions regarding policy and clarification from Administrator Janik. Discussion ensued regarding timeframe and policy for Government Center requests.

AYES – 3 (Rentenbach, Soutas-Little, Wessell)

NO – 4 (Ansorge, Bunek, Lautner, Rushton) RECOMMENDATION FAILED.

MOTION BY ANSORGE TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO MOVE THE RIGHTFULLY HERS POP-UP DISPLAY TO THE REGULAR SESSION MEETING TO GAIN ADDITIONAL INFORMATION. SECONDED BY WESSELL AND RENTENBACH.

Discussion – Administrator Janik to follow up with the display coordinator.

AYES – 4 (Ansorge, Rentenbach, Soutas-Little, Wessell)

NO – 3 (Bunek, Lautner, Rushton) RECOMMENDATION PASSES.

Break taken at 10:57 a.m.

Resumed at 11:07 a.m.

Administration – FY-2020 MAC Dues:

Administrator Janik presented to the Board the dues paid from 2003 to 2019.

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO APPROVE THE 2020-2021 MICHIGAN ASSOCIATION OF COUNTIES (MAC) DUES IN THE AMOUNT OF \$10,930.00; FUNDS TO COME FROM BOARD OF COMMISSIONERS MEMBERSHIP DUES AND FEES, #101.100.101-807.000. SECONDED BY WESSELL.

Discussion – None.

AYES – 7 (Lautner, Ansorge, Bunek, Rentenbach, Rushton, Soutas-Little, Wessell)

NO – 0 RECOMMENDATION PASSES.

Proposed Board Policy on Cash Management:

Administrator Janik informed the Board that prior to this policy, as the County did not have one.

MOTION BY ANSORGE TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO APPROVE THE ATTACHED BOARD POLICY ON CASH MANAGEMENT, AS PRESENTED. SECONDED BY RUSHTON.

Discussion – None.

AYES – 7 (Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little, Wessell)

NO – 0 RECOMMENDATION PASSES.

Road Commission/Dam Authority/Board of Public Works – Appointments and Qualifications Procedure:

Commissioner Bunek voiced concern that the Board of Public Works and Leland Dam Authority has not met this year and this is a good time to talk about these boards.

Administrator Janik recommended reviewing the Dam Authority and the Board of Public Works setup, as currently it is compromised of the Road Commission members, with the addition of the Drain Commissioner, Steve Christensen, to the Leland Dam Authority.

Commissioner Ansorge recommended getting opinions from those that are serving and Board members on a Committee similar to when the movement was from three to five Road Commissioners to split off.

Commissioner Soutas-Little concurred with Commissioner Ansorge saying she feels it is time to separate those that have the necessary qualifications and interest in serving on the Dam Authority and Board of Public Works. If we could look into treating them as stand alone committees, that is a viable option.

Commissioner Lautner said she would like to wait until there is a fifth member so that the Board can make sure that we would want that person to serve. The whole Road Commission was shaken up and as far as the salary and benefits go, those are based on doing the work of all three boards.

Commissioner Wessell said he would like future discussions regarding oversight of the Dam Authority and the Board of Public Works, along with how business is being conducted at the Road Commission.

Commissioner Rushton requested copies of job duties in regards to the Dam Authority, Public Works and Road Commission.

Administrator Janik to contact counsel to get a legal opinion and update the Board as soon as he receives it. It is advised within the law that the Board of Commissioners appoint a new Road Commissioner within a reasonable amount of time.

MOTION BY ANSORGE TO ACCEPT THE LETTER OF RESIGNATION OF TOM ECKERLE FROM THE LEELANAU COUNTY ROAD COMMISSION. SECONDED BY SOUTAS-LITTLE AND LAUTNER.

Discussion – None.

AYES – 7 (Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little, Wessell)

NO – 0

RECOMMENDATION PASSES.

Discussion ensued regarding the procedures and questions regarding how to fill the vacancy on the Road Commission, with a recommendation from Administrator Janik to move forward with a verbal update next week.

Resolution to Condemn Racism in Leelanau County:

MOTION BY WESSELL TO RECOMMEND TO THE BOARD TO MOVE FORWARD TO THE REGULAR SESSION BOARD MEETING LEELANAU COUNTY RESOLUTION #2020- XXX, RESOLUTION TO CONDEMN RACISM IN LEELANAU COUNTY. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioners would like to see language changes on the resolution. Commissioner Wessell and Commissioner Rushton will meet to revise the wording the of Resolution to contain Commissioner's concerns.

AYES – 7 (Wessell, Ansorge, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)
NO – 0 **RECOMMENDATION PASSES.**

CARES Act – First Responders Hazard Pay Premium Program:

Administrator Janik updated the Board on the changes in the Hazard Pay Premium Program modifications. Counties can now apply in advance prior to making the payments and seek approval. Law Enforcement and dispatchers are eligible with a maximum allotment of \$1,000.00, but the amount can be set by the Board.

Commissioner Rushton stated that she thought there is a movement to have a roll back on payroll taxes, but at this time it is unknown. A letter was received to each Commissioner from the Union, which states the associated costs to the stipend is only payroll taxes and no other fringe benefit.

Commissioner Lautner stated that if the Board would like to put this together then it will need to prevent inequity, since all employees have worked hard during these times.

Sheriff Mike Borkovich was present to answer Commissioner questions.

Commissioner Rushton said she understands the work of the police and fire agencies and realizes that the work done can bring the virus home. There is a cost for this program especially in these times when the Board is looking at what the funding is from this date and forward. There is a clear understanding that we should be in pretty good shape financially for next year and with that in mind it should be with this Board that we allow the CARES Act to be applied for.

MOTION BY RUSHTON TO APPLY FOR FUNDING FOR CARES ACT – HAZARD PAY PREMIUM PROGRAM FOR EMPLOYEES FOR THE LAW ENFORCEMENT OFFICE, DISPATCH DEPARTMENT, AND SENIOR SERVICES DEPARTMENT.
Fails for lack of second.

Commissioner Bunek said he is not in favor of this program, and as elected officials, there will need to be hard choices made and this is one of those with hard times amongst us.

Commissioner Wessell said he is in favor of the program to support our employees.

Commissioner Rentenbach said she is in favor of this program, with Senior Service Employees included.

Commissioner Rushton said she is in favor of this program for the Law Enforcement Office/Departments and Senior Services Department.

Commissioner Lautner said she wants to recognize everyone versus the 59 employees listed to receive a bonus. She is concerned that employees who have gone over and above their regular duties will not receive the bonus and this could create inequity within the group to single out

Law Enforcement. Everyone has been stressed regarding the Covid 19 pandemic and to say this is free money, which is not true, and is that really a reason to take it? Inequity could be created within the Law Enforcement for those who were not Covid 19 exposed and receive the same amount as someone who was exposed.

Sheriff Borkovich said he would like to work together with the Board if there is concern about legacy costs and could the amount be lessened to help with those additional costs. Commissioner Bunek and he agree about the money being spent on this, but many, many entities have supported their deputies. This is not a generic situation, as everybody in America is going through this stress due to Covid, but the best way to say this is that you don't do what we do. If you don't do what we do, and he understands what Commissioner Lautner is struggling with, where do you draw the line? We are the hands-on people, the people who get called when you are sleeping, we are working and giving it our all. He would like to see a compromise if even the Board could give \$850 or \$800, something that he knows the employees would be very appreciative of. He knows where your heart is at and he also understands about borrowing against the future generations.

MOTION BY RUSHTON TO RECOMMEND TO THE BOARD OF COMMISSIONERS FOR THE BOARD OF COMMISSIONERS TO APPLY FOR FUNDING UNDER THE CARES ACT – FIRST RESPONDERS HAZARD PAY PREMIUM PROGRAM FOR THE LAW ENFORCEMENT OFFICE EMPLOYEES AT \$1,000.00. SECONDED BY WESSELL.

Discussion – Questions regarding who and how much this will cost the County. Request of the Administrator find out the full cost of a stipend at \$1,000.00, \$800.00 or \$500.00, along with the total number of employees of both locations for this type of payment.

MOTION AMENDED BY SOUTAS-LITTLE TO RECOMMEND TO THE BOARD OF COMMISSIONERS FOR THE BOARD OF COMMISSIONERS TO APPLY FOR FUNDING UNDER THE CARES ACT – FIRST RESPONDERS HAZARD PAY PREMIUM PROGRAM FOR THE LAW ENFORCEMENT OFFICE EMPLOYEES AT \$1,000.00, WITH TOTALS REGARDING ADDITIONAL COSTS TO BE PRESENTED AT THE REGULAR MEETING. SECOND AMENDED BY ANSORGE.

Discussion - Commissioner Lautner recommended to the Board to move to support all of the County Employees by cost sharing with the Federal CARES Act, and thanked the Sheriff's Office for all their hard work.

Chairman Bunek requested a vote on the amended motion.

**AYES – 7 (Soutas-Little, Ansorge, Bunek, Lautner, Rentenbach, Rushton, Wessell)
NO – 0 RECOMMENDATION PASSES.**

Chairman Bunek then requested a vote on the original motion.

**MOTION BY RUSHTON TO RECOMMEND TO THE BOARD OF COMMISSIONERS FOR THE BOARD OF COMMISSIONERS TO APPLY FOR FUNDING UNDER THE CARES ACT – FIRST RESPONDERS HAZARD PAY PREMIUM PROGRAM FOR THE LAW ENFORCEMENT OFFICE EMPLOYEES AT \$1,000.00. SECONDED BY WESSELL.
AYES – 6 (Rushton, Ansorge, Lautner, Rentenbach, Soutas-Little, Wessell)
NO – 1 (Bunek) RECOMMENDATION PASSES.**

Sheriff Borkovich thanked the Board for supporting the Sheriff's Office and said he feels it is the reason we have the County that we live in.

Community Development Block Grant (CDBG) Reimbursements:

Administrator Janik updated the Board that Leelanau County has been awarded \$360,000.00 and this includes local unit of government for expense reimbursements due to Covid 19. A meeting will be held tomorrow with the Fire Chiefs and a Zoom meeting with townships on Friday at 10 a.m. The Health Department will be invited and this could apply to Senior Services staff for all the meal deliveries. The local units cannot apply, but the County applies and as a group the County receives the benefit to reimburse expenses.

MOTION BY RENTENBACH TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO MOVE FORWARD TO THE REGULAR SESSION THE CDBG REIMBURSEMENTS. SECONDED BY WESSELL.

Discussion – None.

**AYES – 7 (Rentenbach, Ansorge, Bunek, Lautner, Rushton, Soutas-Little, Wessell)
NO – 0 RECOMMENDATION PASSES.**

August 18, 2020, Suggested Work Session Agenda Items:

Administrator Janik has invited Eric Johnston, Director of Environmental Health Benzie-Leelanau Health Department, to be present. Topics currently to be discussed are clean water levels, township ordinances, and Commissioner Ansorge has a list of recommendations to be added to the agenda.

POAM (Police Officers Association of Michigan) Negotiations Update:

MOTION BY RUSHTON TO MOVE INTO CLOSED SESSION FOR DISCUSSION OF NEGOTIATIONS. SECONDED BY LAUTNER.

Discussion – None.

**ROLL CALL: Rushton – YES; Ansorge – YES; Bunek – YES; Lautner – YES;
Rentenbach – YES; Soutas-Little – YES; Wessell - YES.**

AYES – 7 NO – 0 MOTION CARRIED.

Break taken at 1:03 p.m.

Back in session 1:28 p.m.

MOTION BY ANSORGE TO MOVE BACK INTO OPEN SESSION. SECONDED BY RUSHTON.

Discussion – None.

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

MOTION BY RENTENBACH TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO MOVE THE POAM NEGOTIATIONS UPDATE FORWARD TO THE REGULAR SESSION. SECONDED BY RUSHTON.

Discussion – None

**AYES – 7 (Rentenbach, Ansorge, Bunek, Lautner, Rushton, Soutas-Little, Wessell)
NO – 0 RECOMMENDATION PASSES.**

Review of Financials:

Commissioner Lautner posed questions with Claims and Accounts and Commissioner Rushton stated concerns about cell phone account invoices and the birch tree scale remedy at Old Settler's Park.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

Administrator Janik remarked that he and Cherry Capital Airport Director, Kevin Klein and Grand Traverse County Administrator, Nate Alger met yesterday and they are trying to restart the process on the airport governance. There was a joint tri-county judicial meeting last week with Commissioner Lautner and Administrator Janik attending to discuss a potential deficit in funding for both Circuit Court and District Court with no plan at this time to correct the deficit. It was confirmed that court employees in Grand Traverse County received the stipend from unemployment for their furlough Fridays in July 2020. It alluded to inequity within the employees and judges for vacation time. Commissioner Lautner asked for a plan for 2020 to rectify the deficit. The amount of the deficit is anywhere from \$350,000.00 to \$400,000.00, with Leelanau County responsible for 11% allocation of the cases between the tri-county circuit. Currently the Courts have their own judicial orders for re-opening which appears will continue with remote access only to the end of the year.

Public Comment:

- John Popa, Bingham Township. Popa spoke in favor of a committee to appoint Road Commissioners.

Commissioner Comments:

- Commissioner Rentenbach thanked the voters of Leelanau County for their support of the Senior Services and Road Commissioner millages on August 4, 2020.

Approval of Financials —

Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS APPROVAL OF CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$94,567.39. SECONDED BY RUSHTON.

Discussion – None.

AYES – 7 (Lautner, Ansorge, Bunek, Rentenbach, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Post Audit Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE BOARD OF COMMISSIONERS APPROVAL OF POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$1,194,058.63. SECONDED BY WESSELL AND RUSHTON.

Discussion – None.

AYES – 7 (Lautner, Ansorge, Bunek, Rentenbach, Rushton, Soutas-Little, Wessell)
NO – 0 **RECOMMENDATION PASSES.**

Adjournment:

Chairman Bunek adjourned the meeting at 1:51 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

Jennifer L. Zywicki, Chief Deputy Clerk for
Michelle L. Crocker, Leelanau County Clerk