

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, March 9, 2021
Approved 3/16/2021

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.

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
	#2	Debra L. Rushton	PRESENT
	#3	William J. Bunek	PRESENT
	#4	Ty Wessell	PRESENT (via Zoom Anna Maria Island, FL)
	#5	Patricia Soutas-Little	ABSENT (with prior notice)
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Approval of Agenda:

Chairman Bunek commented that he has received one late addition request from the Sheriff's Office and requests to add Action Item #1C, hire two Marine Safety Deputies.

MOTION BY LAUTNER THAT THE AGENDA BE APPROVED AS AMENDED. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)

NO – 0 ABSENT – 1 (Soutas-Little)

MOTION CARRIED.

Public Comment:

Chairman Bunek stated the telephone number to call for any individuals wishing to make public comment. The following individuals spoke during public comment via telephone: Jay Johnson, Empire Township.

Letters were received from the following individuals: Steven Mikowski, Honorable Robert A. Cooney and all copies can be viewed at the following link:

https://www.leelanau.gov/downloads/steve_mikowski_pc_03092021.pdf

https://www.leelanau.gov/downloads/corres_86th_dist_ct_endorsement_03092021.pdf

Communications, Proclamations, Presentations:

Administrator Update:

Administrator Chet Janik publicly thanked County Clerk Michelle L. Crocker for her 40 years of service on March 4, 2021, with Leelanau County. Crocker thanked everyone for their support over the years and appreciates the recognition.

Administrator Janik announced that Building Official Paul Hunter is retiring April 9, 2021, and thanked Hunter for his service. Interviews were held in February to find Hunter's replacement,

and an in-house candidate Amber Weber, was offered and has accepted the Building Official position on interim basis for six-months. Janik will revisit the offer after the interim period is over with the assumption that it could become permanent in the fall of 2021. Janik also introduced to Commissioners John Schaub, the County's new Electrical Inspector, who has replaced retired employee Ted Klumpp.

Janik updated Commissioners regarding changes relative to Covid restrictions. The Commissioners Meeting Room can now accommodate up to 25 guests. The current Open Meetings Act modifications will expire on March 31, 2021, and after which a majority of the Commissioners will need to be physically present at meetings. There will be more updates to come from the State of Michigan regarding timeframe requirements within the next week or two for future meetings, and Board policy may need to be updated. On March 31, 2021, the Government Center building will re-open with many restrictions lifted, as it did from May 2020 to November 2020, with all Covid guidelines followed.

Director of Emergency Management/9-1-1 Matt Ansorge was present and updated the Commissioners that the Benzie/Leelanau Health Department (BLDHD) has received more vaccine doses within the last two weeks. Last month the BLDHD was receiving approximately 400 doses a week and within the last two weeks they have received 1,400, and an additional 1,000 doses. Since more vaccines have opened up, Governmental Center employees received a link where they could sign up to receive their first vaccine on March 10, 2021. Postal workers, grocery store employees, and Road Commission employees can now register as well. Senior Services Director April Missias and her staff are now able to sign up and schedule the appointments for seniors aged 65 and older that do not have the capability to do so themselves.

Bay Area Transportation Authority (BATA) Update:

Director of Communications and Development Eric Lingaur was present from BATA with an update to the Board of Commissioners via a PowerPoint. Lingaur responded to questions from Commissioners.

The PowerPoint can be viewed at the following link:

https://www.leelanau.gov/downloads/bata_2021_leelanau_county_presentation.pdf

Leland Dam Authority Update:

Leland Dam Authority Chairman and Drain Commissioner Steve Christensen and Dam Authority member John Popa gave an update via Zoom with a PowerPoint. Christensen answered questions from Commissioners.

The PowerPoint can be viewed at the following link:(pages 2-13)

https://www.leelanau.gov/downloads/03092021_executive_board_pkt_rev_opt.pdf

Board of Public Works:

Chairman Bunek stated the Board of Public Works update will be deferred until the Regular Session meeting on March 16, 2021.

Action Items –

Mutual Aid Agreement with the National Park Service - Dispatch Services:
Director Ansonge was present.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ALLOW THE BOARD CHAIRMAN AND DIRECTOR OF EMERGENCY MANAGEMENT/9-1-1 TO SIGN A GENERAL AGREEMENT WITH THE SLEEPING BEAR DUNES NATIONAL LAKESHORE TO CONTINUE PROFESSIONAL SERVICES BEING PERFORMED BETWEEN THE LEELANAU COUNTY DISPATCH CENTER AND NATIONAL PARK SERVICE. SECONDED BY LAUTNER/ROBBINS.

Discussion – none.

**AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Mutual Aid Agreement with the National Park Service - Sheriff's Office:
Sheriff Mike Borkovich and Undersheriff James Kiessel were present.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE GENERAL AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF INTERIOR NATIONAL PARK SERVICE AND THE LEELANAU COUNTY SHERIFF'S OFFICE REGARDING EMERGENCY LAW ENFORCEMENT ASSISTANCE, PENDING REVIEW BY CORPORATE COUNSEL, AND ALLOW THE BOARD CHAIR TO SIGN THE CONTRACT UPON APPROVAL. SECONDED BY RUSHTON.

Discussion – none.

**AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Late Addition #1 – Sheriff's Office – Hire two Marine Safety Positions:
Sheriff Mike Borkovich and Undersheriff James Kiessel were present.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE SHERIFF'S OFFICE HIRING TWO (2) MARINE SAFETY DEPUTY SEASONAL POSITIONS. SECONDED BY ROBBINS/ALLGAIER.

Discussion – none.

**AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Oak Wilt Blight Update:

Kama Ross, District Forester with the Leelanau Conservation District Office, was present before Commissioners via Zoom with a PowerPoint update on advocating and to educate regarding Oak Wilt Blight. Ross responded to questions from Commissioners.

The PowerPoint can be viewed at the following link:

https://www.leelanau.gov/downloads/oak_wilt_kama_ross_03092021.pdf

Commissioners thanked Ross for the presentation and for her dedication to educating the Public on Oak Wilt Blight.

Chairman Bunek called for a brief recess at 10:36 a.m. and called the meeting back to order at 10:47 a.m.

Emergency Management – Potential Renewal of 9-1-1 Surcharge:
Director Ansonge was present.

MOTION BY LAUTNER TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE STAYING STATUS QUO FOR THE ANNUAL ANC-500 COLLECTION AND REMITTANCE REPORT AND HAVE THE 9-1-1 DIRECTOR AND COUNTY CLERK COMPLETE THE REQUIRED FORMS AND SUBMIT THEM AS REQUIRED. SECONDED BY WESSELL.

Discussion – none.

**AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Emergency Management – Dispatcher Vacancy:
Director Ansonge was present.

MOTION BY RUSHTON TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE REQUEST FOR THE DIRECTOR OF EMERGENCY MANAGEMENT/9-1-1 TO FILL THE VACANT DISPATCHER POSITION. SECONDED BY LAUTNER.

Discussion – none.

**AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Planning/Community Development – 2021 Scrap Tire Grant Application:
Planning/Community Development Director Trudy Galla was present regarding the Agenda item and addressed questions from Commissioners.

MOTION BY LAUTNER TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE A 2021 SCRAP TIRE RECYCLING GRANT APPLICATION BE SUBMITTED ON BEHALF OF LEELANAU COUNTY BY THE DUE DATE OF APRIL 2, 2021. SECONDED BY ALLGAIER.

Discussion – none.

**AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)
NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.**

Parks and Recreation Recommendation – Contract with Savin Lake Services, Pond Weed Eradication:

Drain Commissioner Steve Christensen present via Zoom regarding the Agenda item, and addressed questions.

MOTION BY LAUTNER TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE AN AGREEMENT WITH SAVIN LAKE SERVICES FOR WEED ERADICATION AT VERONICA VALLEY PARK AT A COST NOT TO EXCEED \$2,475.00; FUNDS TO COME FROM

#101.850.756.801.000, PENDING COUNSEL REVIEW AND APPROVAL. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)

NO – 0 ABSENT– 1 (Soutas-Little) RECOMMENDATION PASSES.

Prosecuting Attorney – Assistant Prosecuting Attorney, Proposed Salary Adjustment:

Prosecutor Joseph Hubbell and Assistant Prosecutor Tristian Chamberlain present. Hubbell stated he is requesting to take \$8,907.80 from within the 2021 Budget to cover a wage increase for Chamberlain for 2021. Chamberlain reviewed a PowerPoint presentation with Commissioners.

The PowerPoint can be viewed at the following link:(pages 55-61)

https://www.leelanau.gov/downloads/03092021_executive_board_pkt_rev_opt.pdf

Chamberlain handed out an updated Wage and Fringe on the Assistant Prosecutor for 2021 showing the status quo and one for if the raise is implemented.

Hubbell informed the Board of Commissioners that he wishes for Chamberlain to succeed him in office, as he plans on one more term and feels that this is an investment in this position with Chamberlain.

Commissioner Wessell said he appreciates the presentation and stated how fortunate the County is to have Chamberlain on staff. The concern he has is that problems could arise by taking individual requests for salary adjustments outside of a formal review process for all Non-Union positions. He believes it has been some 20 years since salaries have been looked at, and at this time he will not support this increase.

Commissioner Robbins requested statistics as to caseload, number of complaints, etc. – numbers being handled from the Prosecutor’s Office to justify the wage increase.

Commissioner Lautner recapped the Prosecutor’s Office staffing with this position being added within the past five years, and wanted to clarify that there will be a “domino effect” in supporting this today. Benefits are a large portion of the package to work here in Leelanau County and it isn’t just about the wage.

Commissioner Rushton asked for clarification on if the wage was an individual wage increase, or is it the position that will receive the afforded increase for any future Assistant Prosecutor and that the timing is not right.

Commissioner Bunek stated with no motion made, that concludes discussion.

Senior Services – Contract with Leelanau Christian Neighbors:

Senior Services Director April Missias was present. The contract is not yet ready. Missias responded to questions regarding age distribution, statistics, and unmet needs.

MOTION BY LAUTNER TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS MOVE FORWARD TO THE REGULAR SESSION TO APPROVE A CONTRACT WITH LEELANAU COUNTY SENIOR SERVICES AND LEELANAU CHRISTIAN NEIGHBORS FOR THE DISTRIBUTION OF GRAND TRAVERSE BAND 2% ALLOCATION FUNDS TOTALING \$20,600.00, TO SUPPORT SENIORS WITH FOOD PANTRY SERVICES AND FINANCIAL ASSISTANCE THROUGH ITS NEIGHBORHOOD ASSISTANCE MINISTRY PROGRAM, BEGINNING MARCH 16, 2021, PENDING COUNSEL REVIEW AND APPROVAL. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 5 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)

NO – 1 (Bunek) ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Senior Services – Acceptance of Areas Agency on Aging of Northwest Michigan Donation, MIPPA Project:

Missias present before Commissioners regarding the Agenda Item.

MOTION BY RUSHTON TO RECOMMEND THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ALLOW LEELANAU COUNTY SENIOR SERVICES TO ACCEPT A CONTRIBUTION FROM THE AREA AGENCY ON AGING OF NORTHWEST MICHIGAN FOR PROVIDING SENIORS WITH MIPPA BENEFICIARY OUTREACH ASSISTANCE TOTALING \$680.00, AND PLACED INTO LEELANAU SENIOR SERVICES - CONTRIBUTIONS FROM OTHER AGENCIES, ACCOUNT #281.000.000.677.000. SECONDED BY WESSELL.

Discussion – none.

AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Septic Records Pilot Program Update:

GIS Analyst Rob Herman present before Commissioners and gave an update on how the mapping project is coming along.

Janik informed Commissioners that if there is interest to move forward past these maps, then the BLDHD would need to request collaboration and hire a consultant with the Health Department Board or this Board requesting more.

Commissioners thanked Herman for his hard work on this project and Janik will update the Board at the Regular Session if there will be future projects.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE SEPTIC RECORDS PILOT PROGRAM UPDATE TO THE REGULAR SESSION ON TUESDAY, MARCH 16, 2021, FOR FURTHER REVIEW. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Electronic/Cellular Device Etiquette Policy:

Janik updated the Commissioners on the information he received from Attorney Matt Nordfjord, of Cohl, Stoker & Toskey, P.C. The County currently does have a phone policy, which has been included in the meeting packet and an additional email has been sent from Nordfjord to Commissioners clarifying what can be added to the Board rules going forward.

Virus Resolution:

Chairman Bunek informed the Commissioners that he was trying to accomplish this resolution in February with the previous proposed resolution. The resolution would look at strategies of reducing fees, permits, and taxes for the residents of the County. The resolution will affect the County's budgets and millages and the goal is to give back to the citizens of the County, and with every employee receiving \$500.00 then that amount should be given back to the taxpayers.

Janik stated that there could be a new CARES Act with federal funding coming to counties and of the 83 counties, the projection is \$4,258,060.00 for Leelanau County. There is a conference call on Thursday for all County Administrators and once more specifics are known, there can be discussion at next Tuesday's meeting. This could mean more funds for County businesses.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE VIRUS RESOLUTION FORWARD TO THE REGULAR SESSION TUESDAY, MARCH 16, 2021. SECONDED BY LAUTNER.

Discussion – Commissioner Wessell said he is in favor of partnerships and ways of providing support to agencies that provide services to our citizens, but does not recommend a resolution for this matter. Commissioners Lautner and Rushton encouraged a tax credit.

AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 0

ABSENT – 1 (Soutas-Little)

RECOMMENDATION PASSES.

Administration – Benzie/Leelanau District Health Department Funding Options:

Janik informed Commissioners that currently there are federal funds that are supporting the BLDHD and with possible additional CARES Act funding, the recommendation is to wait and see where the financials fall. If there is a need, then it can be added to the agenda when necessary with updates forth coming.

Administration – Corporate Counsel Contract Discussion – Renewal Option:

Janik updated Commissioners on the contract expiring in May of 2021 with Cohl, Stoker & Toskey, P.C. There has been discussion in the past on going out for bids or to simply look for a proposal from Cohl, Stoker & Toskey, P.C.

Chairman Bunek stated there is Consensus with Commissioners to stay with Cohl, Stoker & Toskey, P.C., and the Administrator can request a proposal for a three-year term.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE CORPORATE COUNSEL CONTRACT DISCUSSION FORWARD TO THE REGULAR SESSION ON TUESDAY, MARCH 16, 2021. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Rushton, Wessell, Allgaier, Bunek, Lautner, Robbins)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Administration – Commissioner Replacement iPad Options:

Janik informed Commissioners that he has had discussions with I.T. Director Ron Plamondon about updating the Commissioner iPads to the new iPad Air 8 model. The current iPad's are several years old and applications are less likely to work as technology updates.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS THE PURCHASE OF EIGHT (8) APPLE IPAD AIR (WITH FUNDS TO COME FROM #101.100.101.970.010). SECONDED BY WESSELL.

Discussion – Janik responded to Commissioner questions regarding the differences between Ipad models.

AYES – 6 (Allgaier, Bunek, Lautner, Robbins, Rushton, Wessell)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Administration – Anti-Bias Training Update/Options:

Janik discussed with Commissioners options relative to Anti-Bias training for County employees on with several options available:

- Betsy Williams, Training Specialist and Business Development with Northwestern Michigan College (NMC), present via Zoom to update the Commissioners on training NMC can offer that is based on the needs of the County and looks forward to putting together an Anti-Bias training proposal. The NMC training option offers a 2-hour session on site with staff, and is similar to the training sessions previously held on other topics. The employees get involved and have discussions with each other during the training to help cover the topic completely.

- Janik said Attorney Matt Nordfjord has policies that can be implemented, and a draft copy has been supplied to the Commissioners for review for the Leelanau County Board Policy Title VI Plan and the Non-Discrimination Policy.

- Chairman Bunek stated that he has looked into two sets of Professional Development DVDs with topics on discrimination and harassment. There is also an online option that may work best for the County. If the training is done by DVD or online, then this option would work for all employees and future new hires.

- Commissioner Robbins said he has reached out to Grand Traverse County Sheriff Tom Bensley and Grand Traverse County has a free program that they would be willing to share with Leelanau, which is another option that can be reviewed.

Commissioner Wessell said he is in favor of the Title VI Policy option to be implemented and would also like to see the possibility of a Title VII Policy as well. He stated that the Community has reached out to Commissioners wanting to see more diversity on Boards and Commissioners, and likes the idea of a package deal for training with department heads and Janik giving the Commissioners their opinions on what the staff feels they would like to see implemented.

Janik suggested that he can get samples of training products and the Commissioners can look into what NMC has to offer, with a possibility of a combination of training techniques. Janik will also look into a Title VII Policy.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE ANTI-BIAS TRAINING UPDATE/OPTIONS FORWARD TO THE REGULAR SESSION ON TUESDAY, MARCH 16, 2021. SECONDED BY WESSELL.

Discussion – none.

AYES – 6 (Allgaier, Bunek, Lautner, Robbins, Rushton, Wessell)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Review of Financials:

No discussion.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

Janik reported that Pete Leabo, Contractor, has started the awning project on the front of the Government Center.

Public Comment:

Chairman Bunek stated the telephone number to call for any individuals wishing to make public comment. The following individuals spoke during public comment via telephone: John Fletcher (and letter on file). https://www.leelanau.gov/downloads/leelanau_county_may_2020_covid_plan.pdf

The following spoke in person at the meeting: Dave Brigham, Leelanau Township; Mike Birtles, Leelanau Township.

Commissioner Comment:

- Commissioner Lautner stated that there are many trees that fall under the same situation like Oak Blight with various trees and plants locally here in our County. This Board supports and helps fund the Soil Conservation District and MSU-E, along with other agencies that work specially with these types of situations.
- Commissioner Rushton commented on mask wearing, stating that “short of wearing a N95 mask, which was discussed with the Health Department Physician, he agreed that cloth masks and the flimsy blue masks that are distributed are really ineffective in protecting”. She continued although when “we” enter and leave the building we do wear them to make you feel better. She stated that as Commissioners “we” are granted the opportunity to not wear a mask while at this counter with the petitions in place per Governor Whitmer.
- Commissioner Allgaier stated she wears a KN95 mask which is deemed very effective and gives her lots of room to breathe as it stands out and prefers it to cloth masks. Particles travel in the air and she appreciates the comments. She wears the mask to protect herself and everyone around her. She looks forward to when society can return to some semblance of normalcy.

Approval of Financials —

Amendments & Transfers:

None.

Miscellaneous Fund Transfers and Amendments:

None.

Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVAL OF CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$60,643.46. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Post Audit Claims and Accounts:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVAL OF POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT \$1,560,933.19. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Robbins, Rushton, Wessell, Allgaier, Bunek)

NO – 0 ABSENT – 1 (Soutas-Little) RECOMMENDATION PASSES.

Adjournment:

Chairman Bunek adjourned the meeting at 12:43 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

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