

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, August 10, 2021
Approved 9/21/2021

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
	#5	Patricia Soutas-Little	PRESENT
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Prayer:

Kathleen Moyer, CSP, First Church of Christ, Scientist, of Glen Arbor, opened with a prayer.

Approval of Agenda:

MOTION BY WESSELL THAT THE AGENDA BE APPROVED. SECONDED BY LAUTNER.

Discussion – None.

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

NO – 0

MOTION CARRIED.

Public Comment:

The following guests spoke in person at the meeting: Barb Connelly, Northport; Sam Getsinger, Bingham Township.

Letters were received from the following individuals: Nancy Doughty, Elmwood Township; Bob Martel, Cedar; Celeste Crouch, Glen Arbor; Alma Vasquez; Toni Craig, Maple City.

All public comment copies can be viewed at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2170#handouts>

Communications, Proclamations, Presentations –

Administrator Update:

Chairman Bunek stated that the Administrator update will be postponed until the Regular Session on Tuesday, August 17, 2021, when the Administrator is in attendance.

Early Childhood Update, Benzie-Leelanau District Health Department:

Michelle Klein, RN, MA, Director of Personal Health, with the Benzie-Leelanau District Health Department, was present to update Commissioners on Early Childhood.

The PowerPoint presentation can be viewed at the following link: (pages 2-12)
https://www.leelanau.gov/downloads/08102021_executive_board_agenda_pkt_opt.pdf

Klein answered Commissioner questions and Commissioners thanked her for the update.

Michigan State University, Extension Update:

MSU Extension District Director Jennifer Berkey, and Community Food Systems Educator Rob Serrine Ph.D. gave an update with a PowerPoint.

The PowerPoint presentation can be viewed at the following link: (pages 13-30)
https://www.leelanau.gov/downloads/08102021_executive_board_agenda_pkt_opt.pdf

Commissioners thanked Berkey and Serrine for the update.

Action Items –

County Clerk – Election Canvassers:

County Clerk Michelle L. Crocker was present to update Commissioners that two members of the Leelanau Board of County Canvassers will expire on November 1, 2021, which is one (1) Republican and one (1) Democratic. She stated that the county committee of each political party is required to provide the County Clerk with the names of three nominees for the party's expiring seat on the Board no later than September 1, 2021. The current expirations are for Republican Judy Teichert and Democrat Donna Dodd. Crocker said that she will bring the names forward to the Board at the September Executive Board meeting.

Commissioner Rushton stated she would like to see the information before the September Executive Board meeting.

County Clerk – Acceptance of State Grant:

County Clerk Michelle L. Crocker was present and informed Commissioners on the changes in requirements effective October 1, 2021, for the State of Michigan MIDC LARA grant.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE GRANT #2022-57 BETWEEN THE STATE OF MICHIGAN MIDC LARA AND LEELANAU COUNTY FOR THE GRANT PERIOD OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, WITH AN AUTHORIZED BUDGET OF \$259,052.32. FUNDING TO COME FROM FY STATE GRANT CONTRIBUTION \$206,736.62 AND LOCAL SHARE CONTRIBUTION \$52,315.70, AS PRESENTED. SECONDED BY ROBBINS.

Discussion – Questions from Commissioners answered by Crocker.

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

NO – 0

RECOMMENDATION PASSES.

County Clerk – Approval of Contract for MIDC Services with Jarboe & Pfeil:

County Clerk Michelle L. Crocker and Attorney Paul Jarboe of Jarboe & Pfeil, Attorneys were present for Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE ITS POLICY ON BID REQUIREMENTS, AND PENDING COUNSEL REVIEW AND APPROVAL, ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH ATTORNEY PAUL JARBOE, OF JARBOE & PFIEL, ATTORNEYS, AS THE INDIGENT DEFENSE ATTORNEY – ADMINISTRATOR FOR LEELANAU COUNTY IN THE AMOUNT OF \$45,000.00, FOR THE PERIOD OF OCTOBER 1, 2021 – SEPTEMBER 30, 2022; FUNDS TO COME FROM FUND #260, INDIGENT DEFENSE FUND. SECONDED BY LAUTNER.

Discussion – None.

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

Sheriff's Office – Acceptance of Donations to the Marine Division:

Undersheriff James Kiessel was present for Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT AN ANONYMOUS DONATION IN THE AMOUNT OF \$500.00 TO ACCOUNT NUMBER 101.000.000.674.006. SECONDED BY LAUTNER.

Discussion – None.

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

Sheriff's Office – Acceptance of Donations to the Marine Division:

Undersheriff James Kiessel was present for Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT AN ANONYMOUS DONATION IN THE AMOUNT OF \$7,500.00 FOR THE MARINE DIVISION TO ACCOUNT NUMBER 101.000.000.674.006. SECONDED BY LAUTNER.

Discussion – None.

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

Sheriff's Office – 2022 Secondary Road Patrol Program Grant Application:

Undersheriff James Kiessel was present for Commissioner questions.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ALLOW THE SHERIFF'S OFFICE TO APPLY FOR THE 2022 FISCAL YEAR SECONDARY ROAD PATROL GRANT THROUGH THE MICHIGAN OFFICE OF HIGHWAY SAFETY AND AUTHORIZE THE CHAIRMAN OF THE BOARD TO SIGN THE APPLICATION. SECONDED BY WESSELL.

Discussion – None.

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

Chairman Bunek called for a break at 10:38 a.m., and called the meeting back to order at 10:48 a.m.

Solid Waste Council – Purchase of Cameras for Recycling Sites:

Planning Director Trudy Galla was present to update Commissioners that the Solid Waste Council and Planning Department have worked for some time on acquiring cameras for the recycling sites for monitoring and surveillance of illegal use and dumping.

Galla informed Commissioners she placed a “Request for Quotes” on the bidnet website, which the County uses for all quotes, bids, and proposals, but received no quotes or bids. She stated that three companies have reached out to her.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS MOVE THE SOLID WASTE COUNCIL PURCHASE OF CAMERAS FOR RECYCLING SITES FORWARD TO THE REGULAR SESSION ON TUESDAY, AUGUST 17, 2021. SECONDED BY SOUTAS-LITTLE.

Discussion – Questions from Commissioners answered by Galla.

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

Planning/Community Development – Annual Capital Improvement Plan (CIP) Update:

Chairman Bunek stated to move the Planning/Community Development – Annual Capital Improvement Plan (CIP) to the Budget Work Session today.

Planning/Community Development – Use of Housing Funds – Potential Contract with NMCAA:

Planning Director Trudy Galla was present for this agenda item and explained to Commissioners the use of Housing Funds.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE ITS POLICY ON BID REQUIREMENTS AND ENTER INTO AN AGREEMENT WITH THE NORTHWEST MICHIGAN COMMUNITY ACTION AGENCY (NMCAA) TO CONDUCT HOUSING EMERGENCY PROJECTS USING LEELANAU COUNTY’S PROGRAM INCOME, SUBJECT TO FINAL REVIEW AND APPROVAL BY CORPORATE COUNSEL. SECONDED BY RUSHTON.

Discussion – None.

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

Probate/Family Court – Safe Haven/Child & Family Services Agreement (2% Allocation):

Family Court Probation Officer Ryan Douglass was present for Commissioner questions.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE CONTRACT BETWEEN LEELANAU COUNTY AND CHILD AND FAMILY SERVICES, SAFE HAVEN FOR THE DISTRIBUTION OF THE 2% TRIBAL COUNCIL ALLOCATION FUNDS FOR \$5,000.00 AS DRAFTED BY LEELANAU COUNTY’S CORPORATE COUNSEL. SECONDED BY ALLGAIER.

Discussion – None.

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

Probate/Family Court – Acceptance of MDHHS Raise The Age Grant:

Family Court Probation Officer Ryan Douglass was present for Commissioner questions.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT \$37,985.00 FROM THE FY 2022 APPROPRIATIONS FOR MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES RTA-2022 (RAISE THE AGE) TO COVER COSTS WHICH ARE INCURRED BY THE COURT THAT ARE NOT REIMBURSED THROUGH THE CHILD CARE FUND. SECONDED BY SOUTAS-LITTLE.

Discussion – None.

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

NO – 0

RECOMMENDATION PASSES.

Leland Dam Authority Recommendation – CAD Designed Ladder System:

Drain Commissioner Steve Christensen and Maintenance Director Jerry Culman II were present for Commissioner questions.

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE QUOTE FROM ACE WELDING OF TRAVERSE CITY, FOR THE CAD DESIGN OF A LADDER AND PLATFORM AT THE LELAND DAM, PENDING COUNSEL REVIEW AND APPROVAL, IN AN AMOUNT NOT TO EXCEED \$975.00; FUNDS TO COME FROM #805. SECONDED BY ALLGAIER.

Discussion – Commissioners stated their positions on the motion.

Commissioner Soutas-Little withdrew her motion with support from Commissioner Allgaier.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD THE LELAND DAM AUTHORITY RECOMMENDATION – CAD DESIGNED LADDER SYSTEM TO THE REGULAR SESSION ON TUESDAY, AUGUST 17, 2021, AND ASK THE ADMINISTRATOR AND MAINTENANCE DIRECTOR TO GET THE BOARD A RECOMMENDATION. SECONDED BY SOUTAS-LITTLE.

Discussion – Chairman Bunek stated that the maintenance hasn't been done since 2006, and he added that the County should contract with a company to do the routine maintenance. He continued that with proper drawings the project may not be completed until well into next year, and he said he feels that the routine maintenance is the top priority.

Commissioner Allgaier asked Culman, "It was true that the bearings haven't been greased since 2006?"

Culman answered, "Yes."

Commissioner Allgaier asked Culman, "Why?"

Culman replied that the movement of the dam varies with the amount of rain and so he manually adjusts more often than not.

Commissioner Soutas-Little asked Culman, "Are there companies that do this type of routine maintenance?"

Culman replied that he assumes there are, but he isn't sure how they would access the area without the ladder. He continued that each piece of the project needs to be completed before the next project can be completed. Culman said that after he leaves, he wants it safe for whoever does the work in the future. He stated that he and Christensen could come back to the Board with more fine-tuned information.

Commissioner Soutas-Little asked Culman, "You need this ladder for other access and not just for the routine bearing maintenance?"

Culman replied, "Yes, that is correct."

Commissioner Robbins asked if it was possible if Culman thought he could find out before next week the cost of having somebody come in and grease the bearings. Robbins stated that since the Commissioners are just getting into budget, maybe the ladder could be worked into next year's budget.

Christensen stated that the budget is already tight for this year and next, but could be modified.

Chief Deputy Clerk Jennifer L. Zywicki clarified for Commissioners regarding adjusting the 2021 budget for expenses incurred, and yet to be expended for 2021.

Commissioner Rushton stated that she has the Capital Improvement Plan (CIP) in front of her and does not understand why this process has not been thought out a little bit more long-term. She stated that the CIP is a five-year plan, so all of the things on the wish list, whether it is required, not required, mandated, not mandated, and if there are big projects, as the Board typically looks at the CIP at budget time to see what kind of expenses the County will be faced with for the whole year are not in it. Rushton continued that when she searches the plan for the dam projects that there is \$11,000.00 listed for five (5) years. She said that it is a handicap to the Board because Commissioners are not getting the big picture of what needs to be done over the course of five (5) years.

Christensen explained to Commissioners that the agreement that went through the Dam Authority to the Board of Commissioners was laid out in great detail in the event the Board decided to access the Special Assessment District or not.

Chairman Bunek and Commissioner Soutas-Little confirmed the Board received the document stating expenses of \$40,000.00 each year over the next ten years.

Christensen stated that he does have the document back at his office, and that he did not transfer those figures to the CIP.

Administration Executive Assistant Laurel Evans informed Commissioners that she believed it was discussed during open session and that she could research and forward the documents to the Board.

Commissioner Lautner asked Zywicki, "Has the Dam fund gone over budget every year?"

Zywicki replied, "Yes."

Commissioner Lautner continued that the Board of Commissioners should have the big picture, and a clear revenue stream. She stated that it is clear that maintenance is not being kept up, and it is also clear that Commissioners need to get on top of all of this. Lautner said that as far as revenues, that if \$40,000.00 is not adequate, then Commissioners should be going back and re-visiting the idea of the Special Assessment District. She continued that the Board shouldn't be paying 100 percent of the costs.

Evans informed Commissioners that as part of The American Rescue Plan, there is a category of infrastructure and the dam would fall into that category.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD THE LELAND DAM AUTHORITY RECOMMENDATION – CAD DESIGNED LADDER SYSTEM TO THE REGULAR SESSION ON TUESDAY, AUGUST 17, 2021, AND ASK THE ADMINISTRATOR AND MAINTENANCE DIRECTOR TO GET THE BOARD A RECOMMENDATION. SECONDED BY SOUTAS-LITTLE.

Discussion – None.

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

Parks & Recreation Commission – Fishpond Walkway RFP Recommendation:

Parks and Recreation Commission Vice Chairman Dave Barrons, Drain Commissioner and Parks and Recreation member Steve Christensen, along with Parks and Recreation Commission/Road Commission member John Popa were present to explain the proposed changes to the main fish pond at the Veronica Valley Park.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE BID FROM ELMER'S CRANE AND DOZER FOR THE CONSTRUCTION OF A FISHPOND PATHWAY AT VERONICA VALLEY PARK AN THE AMOUNT NOT TO EXCEED \$23,500.00; FUNDS TO COME FROM 101.850.756.970.00. SECONDED BY WESSELL.

Discussion – Barrons, Christensen and Popa answered Commissioner questions.

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

Administration – Approval of Annual MERS Conference Officer Delegate:

Executive Assistant Evans informed Commissioners that the 2021 Annual MERS conference will be held in person. She stated that the employees have already voted and have selected an employee who will go as their delegate, and that Administrator Janik is the County's officer delegate.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE APPOINTMENT OF ADMINISTRATOR CHET JANIK AS THE OFFICER DELEGATE TO ATTEND THE 75TH ANNUAL MERS CONFERENCE AND TO APPOINT COUNTY CLERK MICHELLE L. CROCKER AS THE ALTERNATE OFFICER DELEGATE AT A COST OF \$205.00 PER PERSON. FUNDS TO COME FROM BOARD OF COMMISSIONERS TRAVEL LINE #101.100.101.860.000 AND BOARD OF COMMISSIONERS EDUCATION LINE ITEM #101.100.101.960.000. SECONDED BY ALLGAIER.

Discussion – None.

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

Administration – Boards and Commissions Openings:

Evans updated Commissioners that she is in the process of searching for replacements and discussed the current roster of appointees that are not choosing to run again. She explained there is an opening on the Solid Waste Council, but that Planning Director Galla may look into a different structure before going forward with finding a replacement.

Chairman Bunek stated he would like to invite Tribal members to County Commissions.

Administration – ARP funds Update:

Chairman Bunek requested the ARP funds update move forward to the Regular Session on Tuesday, August 17, 2021.

Administration – Broadband Study Update:

Commissioner Soutas-Little updated Commissioners that the Broadband study is nearly completed and will soon be available.

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE ADMINISTRATION – BROADBAND STUDY UPDATE FORWARD TO THE REGULAR SESSION ON TUESDAY, AUGUST 17, 2021 FOR ANY ADDITIONAL INFORMATION ON THE UPDATE. SECONDED BY RUSHTON.

Discussion – None.

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

Review of Financials:

Chief Deputy Clerk Jennifer L. Zywicki answered Commissioner questions regarding the GEI, Consultant invoices for Drain Districts, Graphic Sciences invoices for the Register of Deeds, and also what MPELRA subscription invoice for the Administrator stood for.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Commissioner Wessell stated that the CEO from Northern Lakes Community Mental Health has retired and the acting CEO is working with some Leelanau County citizens about children's mental health. He continued that he received a message from her yesterday and she would like to meet with the Chairman of the Board and talk through the gaps here in the County.

- Commissioner Rushton stated that a couple weeks ago at the Airport Board meeting had a “Bond” burning fire because the bond has been paid off and the airport is now debt free. She continued that it is believed that the airport is the only one in the Country that is debt free.
- Commissioner Allgaier announced that the Laundry Project received a \$50,000.00 donation from an estate.
- Commissioner Soutas-Little announced that the donation was made by the estate of Jim and Bobby Eggert, who were neighbors of hers, and passed away shortly after each other with no children and so the couple donated to many local projects. Soutas-Little continued that Networks Northwest has a new Opioid Workforce Project Grant, which is very different in that they are helping people not just with the social standpoint but to help them find a job.
- Commissioner Rushton commented that the Community Corrections has a similar program.

Public Comment:

None.

Commissioner Comment:

None.

Approval of Financials —
Amendments & Transfers:

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVAL OF FUND TRANSFER #21-005. SECONDED BY WESSELL.

Discussion – None.

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

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 \$45,066.35. SECONDED BY WESSELL.

Discussion – None.

**AYES – 7 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier, Bunek)
NO – 0 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 \$2,084,357.43. SECONDED BY WESSELL.

Discussion – None.

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

Adjournment:

Chairman Bunek adjourned the meeting at 12:30 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

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