

Leelanau County Board of Commissioners
Regular Session – Tuesday, May 16, 2023
Approved 6/20/2023

Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link: <https://www.leelanau.gov/meetingdetails.asp?MAId=2514#video> and <https://www.youtube.com/watch?v=3GbkFV1ef00>

Meeting called to order by Chairman Ty Wessell at 7:00 p.m. Today's meeting is being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan.

Pledge of Allegiance/Moment of Silence:

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

<u>Roll Call:</u>	District #1	Jamie Kramer	PRESENT
	#2	James O'Rourke	PRESENT
	#3	Doug Rexroat	PRESENT
	#4	Ty Wessell	PRESENT
	#5	Kama Ross	PRESENT
	#6	Gwenne Allgaier	PRESENT
	#7	Melinda C. Lautner	PRESENT

Guests present.

Approval of Minutes:

#139-05162023 Regular Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE MINUTES, AS PRESENTED, OF WORK SESSION, TUESDAY, MARCH 21, 2023 (@6:00 P.M.); EXECUTIVE SESSION, TUESDAY, APRIL 11, 2023; SPECIAL SESSION, TUESDAY, APRIL 11, 2023; WORK SESSION, TUESDAY, APRIL 18, 2023; REGULAR SESSION, TUESDAY, APRIL 18, 2023; CLOSED SESSION, TUESDAY, APRIL 18, 2023; EXECUTIVE SESSION, TUESDAY, MAY 9, 2023; EXECUTIVE SESSION, TUESDAY, MARCH 8, 2022; EXECUTIVE SESSION, TUESDAY, APRIL 12, 2022; REGULAR SESSION, TUESDAY, JULY 19, 2022; SPECIAL SESSION, WEDNESDAY, SEPTEMBER 14, 2022; COMMITTEE OF THE WHOLE, THURSDAY, SEPTEMBER 22, 2022; SALARY TASK FORCE, WEDNESDAY, NOVEMBER 16, 2022. SECONDED BY O'ROURKE.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0

MOTION CARRIED.

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell made the following suggested changes: Action Item #12a Cherryland Electric Agreement Review/Recommendation, scratch the word "Recommendation"; #12b Landowner Agreement Review/Recommendation, scratch the word "Recommendation" ; Action Item #15 Leland Dam Authority – Budgetary Discussion, should be Leland Dam Authority Budget, scratch the words "Budgetary Discussion" as it is an Action Item; Action Item #11 Resolution, should

indicate Women's Resource Center and remove the words "Children's Advocacy" as this is for Domestic Violence Prevention; #17a(ii) Potential Policy and Board Rules of Order and Procedure Updates is in the hands of the County's Attorney and can be removed; shift Action Item #17c up with item #1 and handle together.

Administrator Allen had four items she wished to add as late items – wanted to have an Action Item #16b added – Late Addition Request #2 – Staffing Level Adjustment Request; Action Item #16c – Finance/Audit Committee (Committee of the Whole) – meeting request; Action Item #16d – Building & Grounds Committee – meeting request; Action Item #16e – Personnel Manual Draft Reword. Chairman Wessell said that is a lot to change on the agenda.

#140-05162023 Regular Session

MOTION BY O'ROURKE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS AMENDED. SECONDED BY REXROAT.

Discussion – none.

AYES – 7 (O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner)

NO – 0

MOTION CARRIED.

Public Comment:

The following individuals spoke in person:
Steve Mikowski and Bill Wiesner.

The public comments can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2514#handouts>

Commissioner Comment:

None.

Communications, Proclamations, Presentations –

Administrator Allen commented that she would like to present the concept of a "Certificate of Recognition". The certificate was signed by the Board Chairman, Vice-Chairman and County Administrator: On behalf of the citizens of Leelanau County, the Leelanau County Board of Commissioners is honored to present this certificate to Eric Carlson for his 25 years of service as a journalist for the *Leelanau Enterprise*. Mr. Carlson has faithfully kept both residents and visitors of Leelanau County alike informed of news and events on both a local and national scale. Your dedication and hard work have made a significant impact, and we are honored to recognize your contributions. Allan stated that it is intended that the Certificate of Recognition would be provided to Mr. Carlson at the upcoming event recognizing his retirement. The event is May 24, 2023, from 3:00 p.m. to 5:00 p.m.

Consent Agenda Items:

Chairman Wessell read the following statement: The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with by one motion without discussion. Any Commissioner may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion. Such request(s) will be automatically respected and will not need a second.

No requests were received to remove any items.

#141-05162023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. SECONDED BY REXROAT.

Sheriff's Office – Marine Safety Program Grant Acceptance:

#142-05162023 Regular Session

● TO ACCEPT THE MARINE SAFETY PROGRAM (FEDERAL FUNDING) FROM THE STATE OF MICHIGAN IN THE AMOUNT OF \$40,100.00 IN SUPPORT OF THE 2023 MARINE SAFETY PROGRAM AT THE SHERIFF'S OFFICE AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT FOR SUBMISSION TO THE STATE.

Leelanau Township Tower – Engineering Study Recommendation, Machin Engineering:

#143-05162023 Regular Session

● TO WAIVE ITS POLICY ON BID REQUIREMENTS AND ALLOW THE COUNTY BOARD CHAIRMAN TO SIGN AN AGREEMENT WITH MACHIN ENGINEERING TO PERFORM SURVEYING AND ENGINEERING WORK NECESSARY FOR DRIVEWAY IMPROVEMENTS FOR THE LEELANAU TOWNSHIP TOWER PROJECT.

Equalization – Approval of Leelanau County L-4029 Tax Rate Request:

#144-05162023 Regular Session

● TO APPROVE A MILLAGE RATE THAT DOES NOT EXCEED THE MAXIMUM ALLOWABLE MILLAGE LEVY (COLUMN 9) AND PLACE THAT MILLAGE RATE IN COLUMN 10 AS THE MILLAGE RATE REQUESTED TO BE LEVIED ON JULY 1 AND RETURN THE L-4029 TO THE EQUALIZATION DIRECTOR.

Solid Waste Council – GFL Amendment #1 to Recycling Services Agreement:

#145-05162023 Regular Session

● TO APPROVE THE FIVE (5) YEAR CONTRACT EXTENSION WITH GFL, ENVIRONMENTAL, WITH AN EXPIRATION OF JUNE 30, 2028.

Monumentation/Re monumentation – Renewal of Peer Group Agreements – Grand Traverse Surveying, Holmberg Land Survey, and O'Non Land Surveying:

#146-05162023 Regular Session

● TO APPROVE THE MONUMENTATION/REMONUMENTATION PEER GROUP AGREEMENTS AS PREPARED BY CORPORATE COUNSEL, WITH: O'NON LAND SURVEYING, HOLMBERG LAND SURVEY, AND GRAND TRAVERSE SURVEYING FOR \$700 EACH, WITH COSTS TO COME FROM 101.475.245.

Monumentation/Re monumentation – Renewal of Peer Group Agreements – Leelanau Land Surveying:

#147-05162023 Regular Session

● TO APPROVE THE MONUMENTATION/REMONUMENTATION PEER GROUP AGREEMENT WITH LEELANAU LAND SURVEYING AS PREPARED BY CORPORATE COUNSEL, WITH COSTS TO COME FROM 101.475.245.

Senior Services – Approval of Records Retention Schedule and Disposal:

#148-05162023 Regular Session

● TO APPROVE OF THE LEELANAU COUNTY SENIOR SERVICES RECORDS RETENTION AND DISPOSAL SCHEDULE PREPARED BY LEELANAU COUNTY'S CORPORATE COUNSEL.

Senior Services – Agreement Renewal, RLK Investments, Inc., d/b/a Comfort Keepers:

#149-05162023 Regular Session

• TO WAIVE ITS BID POLICY AND APPROVE LEELANAU COUNTY SENIOR SERVICES TO ENTER INTO A CONTRACT WITH RLK INVESTMENTS INC., DBA COMFORT KEEPERS, TO PROVIDE PERSONAL CARE, RESPITE CARE, HOMEMAKING, MEDICATION MANAGEMENT, FOOT CARE, TRANSPORTATION, AND PERS SERVICES AT THE RATES AS PRESENTED BEGINNING JUNE 1, 2023 THROUGH MAY 31, 2024.

Parks and Recreation Commission – Approval of Annual Fish Purchase, Laggis Fish Farms, Inc.:

#150-05162023 Regular Session

• TO WAIVE ITS BID POLICY AND APPROVE THE PURCHASE OF FISH FROM LAGGIS' FISH FARM OF GOBLES, MICHIGAN, FOR THE VERONICA VALLEY PONDS IN AN AMOUNT NOT TO EXCEED \$7,332.00; FUNDS TO COME FROM #101.850.756.727.000.

Administration – Grand Traverse Band of Ottawa and Chippewa Indians 2% Allocation Requests, First Cycle – Parks & Recreation Commission/YouthWorks – Invasive Species Mitigation, \$22,000.00:

#151-05162023 Regular Session

• TO APPROVE THE PARKS AND RECREATION COMMISSION'S GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS 2% ALLOCATION APPLICATION ON BEHALF OF THE CHILD & FAMILY SERVICES YOUTHWORKS PROGRAM, AS PRESENTED.

Discussion – none.

AYES – 7 (Allgaier, Kramer, Lautner, O'Rourke, Rexroat, Ross Wessell)

NO – 0

MOTION CARRIED.

Late Addition Request #1 – Out of State Travel, Equalization GIS Analyst Robert Herman, San Diego, CA:

Equalization Director Andrew Giguere was present before Commissioners and addressed the request. Discussion and comments about the flattering comments received of the County's GIS web presence and that Herman's registration fee has been waived.

The document information can be found at the following link:

https://www.leelanau.gov/downloads/la01_eq_oos_travel_esri_final.pdf

#152-05162023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE TRAVEL FOR GIS ANALYST ROB HERMAN TO ATTEND THE ESRI USER CONFERENCE, JULY 10-14, IN SAN DEIGO, CA, WITH FUNDS TO COME FROM THE EQUALIZATION DEPARTMENT'S BUDGET #101.475.225.860.000. SECONDED BY O'ROURKE.

Discussion – Chairman Wessell commented on the hard work by Herman.

AYES – 7 (Allgaier, Kramer, Lautner, O'Rourke, Rexroat, Ross Wessell)

NO – 0

MOTION CARRIED.

Thirteenth Circuit Court – Approval of Resolution #2023-006, FY 2024 MDOC Grant:
13th Circuit Community Corrections manager Sherise Shively present for the Agenda Item.

#153-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE COUNTY RESOLUTION #2023-006, 13TH CIRCUIT COURT COMMUNITY CORRECTIONS FY 2024 GRANT APPLICATION, FOR SUBMISSION TO THE MICHIGAN DEPARTMENT OF CORRECTIONS, AS PRESENTED. SECONDED BY REXROAT.

Discussion – none.

ROLL CALL: Lautner – YES; O'Rourke – YES; Rexroat – YES; Ross – YES; Wessell – YES; Allgaier – YES; Kramer – YES.

AYES – 7 NO – 0

MOTION CARRIED.

**Leelanau County Resolution #2023-006
13th Circuit Court Community Corrections
Grant Application to MDOC for FY 2024**

WHEREAS, on May 16, 2023, the Leelanau County Board of Commissioners approved submission of the yearly Plans and Services Grant Application to the Department of Corrections, Office of Community Corrections; and,

WHEREAS, the grant is for one year starting with October 1, 2023, in the amount of \$321,000.00; and,

WHEREAS, now, the application requires approval from the Leelanau County Board of Commissioners to continue funding for the next fiscal year with no changes or amendments.

NOW, THEREFORE, BE IT RESOLVED by this Board of Commissioners, that Leelanau County approves the submission of the 13th Circuit Court Community Corrections FY2024 Grant Application to Michigan Department of Corrections/Office of Community Corrections, as presented.

Children's Advocacy Resolution – Women's Resource Center (WRC):

Commissioner Kramer commented on the Women's Resource Center services women in the area receive. WRC takes care of women who are survivors of domestic violence and do so in an anonymous way. They are notoriously under funded with surrounding states allowing far more funding. Kramer introduced the WRC Executive Director Juliet Schultz and thanked Commissioners for the opportunity. Schultz talked about survivors and WRC being the emergency safety net. She explained the history of WRC and the need for funding.

Chairman Wessell commented and referred to the second to last paragraph to Commissioners and those in attendance.

County Clerk Crocker asked if the last paragraph could be updated to show the current Representatives. Consensus given.

#154-05162023 Regular Session

MOTION BY KRAMER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE LEELANAU COUNTY RESOLUTION #2023-007, RESOLUTION BY THE

LEELANAU COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF THE WOMEN'S RESOURCE CENTER'S RESOLUTION REQUESTING THE GOVERNOR AND THE STATE LEGISLATURE TO REJECT FUNDING CUTS AND PRIORITIZE SUSTAINABLE STATE FUNDING FOR DOMESTIC VIOLENCE AND SEXUAL ASSAULT SERVICES. SECONDED BY ALLGAIER.

ROLL CALL: Kramer – YES; Lautner – YES; O'Rourke – YES; Rexroat – YES; Ross – YES; Wessell – YES; Allgaier – YES.

AYES – 7 NO – 0

MOTION CARRIED.

**Leelanau County Resolution #2023-007
Resolution by the Leelanau County Board of Commissioners in Support
of the Women's Resource Center's Resolution Requesting the Governor
and the State Legislature to Reject Funding Cuts and Prioritize Sustainable
State Funding for Domestic Violence and Sexual Assault Services**

WHEREAS, since 1975, the Women's Resource Center for the Grand Traverse Area (WRC) has been protecting, sheltering, and empowering people impacted by domestic and sexual violence, and is the only provider of domestic and sexual violence services in Benzie, Grand Traverse, Kalkaska, and Leelanau counties; and

WHEREAS, the WRC provides an invaluable service to the Leelanau County community through free and confidential counseling, emergency shelter, transitional housing, advocacy, education, and a 24-hour emergency helpline for survivors of domestic and sexual violence; and

WHEREAS, the WRC has experienced a significant increase in demand for its services in recent years, and a decrease in available federal funding necessary to support its facilities and staff, which has placed a financial strain on its ability to continue to meet the community's needs; and

WHEREAS, the WRC expects there to be cuts to Crime Victim's Rights funding for this upcoming fiscal year, which would severely impact the WRC's ability to provide supportive client service, crisis line operations, legal assistance, housing services, and intervention programs, and could also result in a reduction in the number of shelters for persons in need; and

WHEREAS, the anticipated reduction in funding would limit the WRC's ability to maintain current staffing levels and meet the increasing needs of those it serves; and

WHEREAS, on March 22, 2023, the WRC Board of Directors adopted a Resolution urging the Governor, the State Legislature, the MDHHS Director, and Michigan's two U.S. Senators to reject deep funding cuts to domestic violence and sexual assault service providers in upcoming years, and to ask the State of Michigan to make these vital services a priority for State General Fund and General Purpose funding, thereby maximizing state dollars to receive Federal matching funds.

NOW, THEREFORE, BE IT RESOLVED, the Leelanau County Board of Commissioners hereby declares its support for the Women's Resource Center for the Grand Traverse Area and its March 22, 2023, Resolution urging the Governor and the Michigan Legislature to reject deep funding cuts to domestic violence and sexual assault service providers in upcoming years, and

to ask the State of Michigan to make these vital services a priority for State General Fund and General Purpose funding, thereby maximizing state dollars to receive Federal matching funds.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Michigan Department of Health and Human Services Director Elizabeth Hertel, State Representative Betsy Coffia, U.S. Senator Debbie Stabenow, and U.S. Senator Gary Peters.

Leelanau Township Tower – Cherryland Electric Agreement Update:

Emergency Management / 911 Director Matt Ansoerge was present. Ansoerge commented on the current draft that is in the packet before Commissioners. Ansoerge said that “we” have been working on the Leelanau Township Tower for over a year and have identified some partners in order to accomplish the project. Cherryland Electric is one and the Township of Leelanau is the other. Cherryland Electric is looking to give capital upfront and the terms of the agreement are before the Board and there is a 25-year agreement where they can place equipment on four towers for no monthly rental cost. The equipment is very minimal compared – one antenna and equipment in the shelter – to others and the loading would be minimal also. Cherryland will foot the bill to bring the electricity to the site. Ansoerge continued that Cherryland was brought in for another project to install the electric and that was a little over \$14,000.00 in cost. It will be longer to get electricity to this site, a little over 470 feet, and he believes that it could be a savings of \$50,000.00 - \$75,000.00. He continued he is open to hearing any questions the Board may have as he is going back and forth with the attorneys to iron out the language, and the length of term.

Commissioner Rexroat questioned the other three towers and Ansoerge said that currently there is no equipment on them from Cherryland. Ansoerge said that they used to be on the central tower, but that has been removed and the lease vacated. Rexroat asked why do they want to be on the towers then. Ansoerge said it is not for communication and it is their business model and it is to monitor meters and it is easier and more efficient. Ansoerge said that he probably shouldn't get into the nuts and bolts; however it is for non-commercial use. Rexroat asked if there was any information on such devices with other entities and what revenue they produce. Ansoerge replied that we don't have anything like that and we can only compare what equipment they are putting on our tower. We can compare the antenna they have which is comparable in size to some currently on the tower, so it does fit into the tower fee schedule and he can figure what their rent would be on the tower. Ansoerge said that realistically the footprint would take them 12.5 years to accumulate. Rexroat asked if he could provide that to the Board in a number format. Ansoerge replied he didn't want to make that public, but he can provide the number.

Commissioner Ross asked how do we know that Cherryland will contribute up to 40% but not exceed \$200,000.00 if we don't have a cost yet. Ansoerge replied that their contribution will be the lesser of the two – either 40% or \$200,000.00. The RFP's will be available the end of the month.

No further questions at this time and no action.

Leelanau Township Tower – Landowner Agreement Update:

Ansoerge was present and stated the property owner, Brian Mitchell, also owns the property that the Omena Tower sits on and he is very agreeable to have the same terms for the proposed Leelanau Township site as the Omena site. He continued that this will be a very quick negotiation

and “we” can mirror a lot of the language that is in the Omena Tower contract – obviously updated and there should not be any contention between the County and land owner.

Administrator Allen asked if Ansoerge could speak on how the revenue will be used and what this tower provides for the residents of the County.

Ansoerge responded to the Administrator that with the terms that “we” will agree to, with the Mitchells, there will be no land rent and we will not pay them quarterly for the land. The County will split the revenue 50/50 with the Mitchells like in Omena. So every dollar that comes in, they will receive \$0.50 and what that does, depending on the carriers on the tower – say if there was one cellular carrier on the tower, it will take 13 years to get the return on the investment or \$300,000.00 versus (not audible).

Administrator Allen said that she was referring to the revenue from the towers that supports 9-1-1 operations and that the revenue currently is about 16%. She also asked about the tower and implication for services.

Ansoerge stated the site was identified because Leelanau Township is the most underserved township in Leelanau County for cellular and broadband purposes. For 9-1-1 reasons and accesses to 9-1-1, access to cellular and access to broadband, and that Chairman Wessell has been very adamant about being part of this group from the beginning has been helpful in moving this along. This tower should be a very good fit for the citizens of Leelanau Township.

Chairman Wessell said Leelanau Township has committed \$100,000.00 but will not receive any income. They are just putting the money in upfront.

Commissioner Lautner stated the RFP for the tower will be included on the list when we have that and Hartesvelt responded.

Chairman Wessell called for any other questions.

Administrator Allen said that “we” anticipate the results of the RFP will be provided and a financial overview at the June meeting.

Brief comments continued.

Monumentation/Remonumentation Grant Agreement:

#155-05162023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE 2023 REMONUMENTATION GRANT IN THE AMOUNTS OF \$40,273.00, AND AUTHORIZE ONLINE SIGNATURE AND SUBMITTAL OF THE GRANT BY DIRECTOR GALLA. SECONDED BY ROSS.

Discussion – none.

AYES – 7 (Allgaier, Kramer, Lautner, O’Rourke, Rexroat, Ross, Wessell)

NO – 0

MOTION CARRIED.

Local Units of Government – Approval of Floodplain Resolutions/Intergovernmental Agreements:
Building Official Amber Weber was present and explained the Floodplain Resolution and the Intergovernmental Agreements and that her office is the enforcement agent of this. Weber responded to questions and noted the townships that have opted to not participate.

#156-05162023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT FOR THE NATIONAL FLOOD INSURANCE PROGRAM AS PRESENTED. SECONDED BY ROSS.

Discussion – Commissioner Lautner asked if it is a resolution or not and Clerk Crocker responded that that was the question that she asked last week. She will not be assigning a resolution number. A roll call vote is up to the Commissioners.

ROLL CALL: Allgaier – YES; Kramer – YES; Lautner – YES; O'Rourke – YES; Rexroat – YES; Ross – YES; Wessell – YES.

AYES – 7 NO – 0

MOTION CARRIED.

Leland Dam Authority – Budgetary:

#157-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE REINSTATING THE REQUESTED FUNDING OF \$66,600.00 FOR FUND #805, TO FUND THE REPAIR OF BOTH THE WALKWAY AND CONTROL ROOM ROOF AT THE LELAND DAM. SECONDED BY ROSS.

Discussion – Commissioner Rexroat wanted to confirm that this just restores the budget and bids will be required for the repairs or any work.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Administration – Grand Traverse Band of Ottawa and Chippewa Indians 2% Allocation Requests, First Cycle – Potential Leelanau County Historic Preservation Society/Barn Use Committee (not on agenda):

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS 2% ALLOCATION REQUEST ON BEHALF OF POOR FARM/BARN THE LEELANAU COUNTY HISTORIC PRESERVATION SOCIETY/BARN USE COMMITTEE (amount not known). SECONDED BY ALLGAIER.

Discussion – Commissioner Lautner asked what the amount is. Allen asked if Commissioners received it under separate cover and no one received back-up paperwork. The request amount would not have been in the Executive Minutes as the request was created after the meeting. Allen apologized as she was under the impression it was provided to the Commissioners and she sees that it was not. Chairman Wessell commented that he has heard about a figure around \$25,000.00 although he does not know the amount and he does believe it was to be sent to Commissioners and was not. Comments if the Commissioners would want to support without the dollar amount and have it sent out tomorrow. Discussion ensued and there was no consensus to do that. Commissioner Lautner said that the County is already asking for some, the County thinks it is really important, and since there is a limited amount of money, she would like to know the amount that they are looking for and we don't want to work against ourselves, but we do want to ask for the money and she would rather have a number in it and not leave it wide open.

Comments continued.

Commissioner Allgaier would support a five-minute recess to get an amount for the request and Commissioner Lautner said an idea of the scope of the project.

Chairman Wessell called for a five-minute break at 8:02 p.m. as Commissioners were not provided with the request and want to know the dollar amount.

Chairman Wessell called the meeting back to order at 8:10 pm.

Further discussion now ensued and Commissioner Lautner thanked the Administrator for locating the paperwork for review. Lautner continued that this tells what they hope to do which is make the Poor Farm Barn facility available for limited seasonal public assembly for residents and visitors with all of the requirements for the Americans with Disabilities Act. Lautner continued with comments and the benefit of this request/proposal.

Commissioners asked for the motion to be re-read with the amount in.

#158-05162023 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS 2% ALLOCATION REQUEST ON BEHALF OF POOR FARM/BARN THE LEELANAU COUNTY HISTORIC PRESERVATION SOCIETY/BARN USE COMMITTEE IN THE AMOUNT OF \$76,000.00 AS PRESENTED. SECONDED BY ALLGAIER.

Discussion on the amount of the request and to leave the amount at \$76,000.00.

AYES – 7 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke, Rexroat.

NO – 0

MOTION CARRIED.

Commissioners expressed concerns with receiving the information on this so late and hopes it will be tightened up.

Administration – Staffing Level Adjustment Request on behalf of Interim Finance Director:

Administrator Allen said that this is to address concerns regarding staffing levels. The FY Budget Rules #5 and #6 deal with staffing levels and the responsibility for this falls to the Finance Director and the Chief Administrative Officer. The Board needs to approve amendments to these.

Interim Finance Director Cathy Hartesvelt gave the reasons for the request and differentiated and expanded on Allen's comments. Allen gave further comments. Hartesvelt responded to questions.

#159-05162023 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE INTERIM FINANCE DIRECTOR'S REQUEST TO PAY REGULAR WAGES TO PATTY KILBOURN FOR THE FIRST WEEK OF MAY 2023 FOR OVERLAP/TRAINING AS NEEDED FOR THE NEW ADMINISTRATIVE LEGAL SECRETARY AND LEGAL SECRETARY. SECONDED BY KRAMER.

Discussion – Commissioner O'Rourke thanked Patty Kilbourn for her work and she did a fantastic job as well as Stacy Lamb and thanked them for the service.

AYES – 7 (Allgaier, Kramer, Lautner, O'Rourke, Rexroat, Ross, Wessell)

NO – 0

MOTION CARRIED.

Chairman Wessell thanked Hartesvelt for catching this.

Commissioner O'Rourke commented that he would suspect that this will come up more over the next couple of years. Chairman Wessell commented that he would believe that the Administrator will add this to her agenda for the next Department Head meeting.

Administration – Finance/Audit – Committee of the Whole meeting to review the 2023 Audit findings:

Administrator Allen commented that the Finance/Audit Committee is the full Board of Commissioners and as we prepare internally and once that is done it is usually brought before the full Board at a Commissioner meeting. She is suggesting because this audit is unique, that a deeper dive be done and she would like to have either a special meeting or a Committee of the Whole. She does not have a date yet, but is working on it. It may be the first week of June.

Clerk Crocker also suggested that there are other items that need to be done and the audit does need to be accepted. She gave dateline of when the items should be completed to review, although it is not required as Principal of Rehmann Steve Peacock will go page by page. Crocker also said that a lot of the information is new to Commissioners that may not be familiar with how a County Audit works.

Commissioner Allgaier said she cannot be here the first week of June.

Administration – Building & Grounds meeting to address Security & Facility Management discussion:

Administrator Allen would like to have a Building and Grounds Committee to discuss the facade issue/project, and some other safety issues to evaluate. She also said it could go to the Executive Committee.

Commissioner Lautner said to take this right to the Executive Committee and if there is anything that is needed to be kicked back to the Committee, it can be discussed then.

Chairman Wessell confirmed that it starts with the Executive Committee.

Administration – Personnel Manual Draft Rework:

Administrator Allen commented that she met with the County Clerk Michelle Crocker and had some more detailed conversation. Crocker, as someone that has done HR in the past, has a great deal of comments and thoughts. Those things have not had the opportunity to be incorporated into the document. Allen said she would like to take another pause and have a meaningful conversation between the HR Director, herself, and the Clerk to make sure that we are referencing current policy, cleaning it up, and making it similar. She asked Commissioners to pause on the review and this is not a race. Allen thought that a draft may be brought forward in June.

Per Diem Discussion – Review/Potential Approval of Inclusive List of Commissioner Per Diem Assignments:

Chairman Wessell stated the only changes are those that are mandated by law. Discussion about the MAC appointments.

Administrator Allen stated this document has been updated to reflect agency payments. If there are certain committees or commissions that need a determination from the Board, for example, the Board of Commissioners need to make a decision on how they want to handle Per Diem and mileage for the Board of Public Works, the Leland Dam Authority, and a new appointment for Northern Michigan Counties Association, which has been requested by Commissioner Allgaier as a standing Committee?

Commissioner Allgaier stated that of the 20-25 Counties that meet, Leelanau County is one of the very few that does not and has not had a Commissioner attend for years. Administrator Janik just went and previously there was a Commissioner that attended, but retired and no one has picked up this appointment. It is called Northern Michigan Counties Association and she attended on Monday and found it very valuable. They discuss the issues they are having, how they are dealt with and they also receive reports from Deena Bosworth who is the Director of Governmental Affairs through MAC. She thinks it is about time to be represented with a Commissioner like the other Counties. She also mentioned the Northern Michigan Regional Substance Abuse Oversight Board and Leelanau County was the only County to not send a Commissioner Representative and this is something that Commissioners want to consider next January.

Chairman Wessell stated he would like to take this in steps. Action Item #17a is on the list without Authorities.

Commissioner Allgaier questioned if this is the addition of Per Diem.

Administrator Allen commented that since we have a standard of \$70 for a full day and \$40 for a half day and requested that Interim Finance Director Hartesvelt clarify how this is determined.

Hartesvelt replied how this is applied and it is approximately 3.5 hours for a half day and over that is a full day.

Administrator Allen suggested that we utilize the same structure for the three items that are "*" that we utilize for all of our meetings \$70/\$40 and in terms of the mileage that would be appropriate as well if so determined by the Board also.

Commissioner O'Rourke asked how many meetings does MAC have and Commissioner Allgaier responded one per month.

Commissioner Kramer stated we are missing about half of the list here.

Administrator Allen replied "we" are taking care of the Commissioners first, these are some that were addressed originally, and then come back with other appointments. We will bring back a second set with the Committees.

Commissioner O'Rourke stated these are the only changes, the rest is standing.

Chairman Wessell responded nobody suggested any changes to our regular assignments that are not mandated by law. We have a Couple of gaps that were filled in.

Commissioner Lautner said that under Planning Commission she has been serving on the Housing Action Committee and she is suggesting that that one go back to Per Diem. Commissioner O'Rourke said that should be added and Commissioner Allgaier agreed and thought that it was handled.

Chairman Wessell offered that although he and Allgaier attend, they would not be eligible as they are attending on their own.

Commissioner Ross asked why the Benzie Health Department is not included. Commissioner Lautner and Chief Deputy Zywicki indicated that BLDHD pays the Per Diem.

Chairman Wessell stated that the Board of Commissioners all serve as the Board of Public Works and those meetings are attached to the Executive Committee. Wessell continued that he doesn't see an additional stipend for that as it might be a full day.

County Clerk Crocker responded, as she said she was being looked at, that she just had this conversation last week with Administrator Allen. The Resolution that established the BPW and the LDA, and on one of those two, you have two elected officials that serve on those and the Resolutions indicate that a salary will be established on both of those. These are all duties outside of the statutory duties required for all the positions. So what does that mean as far as setting a salary. It is a separate entity and Crocker just had this conversation with Executive Assistant Laurel E. Evans and Administrator Allen. Crocker has not had a chance to contact Attorney Perrone. These are separate bodies that were created – what does the establishment of a salary mean? We do need that clarity and the salary could be Per Diem. Crocker continued that she has reviewed the Michigan Compiled Laws.

Discussion ensued on the topic of these two resolutions and the need for clarity.

Chairman Wessell stated we are talking about Commissioner Per Diem. What we do for the Elected Officials that are part of the Board of Public Works is a separate issue. For Commissioners it may just extend the day.

Discussion ensued.

Chairman Wessell stated that the Leland Dam Authority should be a Per Diem for the Commissioner appointed and Commissioner Lautner said that if there is an elected official serving on it and it is during the day, they should not receive a separate Per Diem.

Discussion ensued among Commissioners regarding partial days, full days, the BPW, and meeting dates, salaries, and Per Diem.

Chairman Wessell stated for the Dam Authority that is separate and there is a Commissioner appointed to that and that is a Per Diem. Comments continued. Allen stated her recommendation is to make consistent with the rest. Wessell stated that if we don't fill in a number we will be back meeting about this again. Comments continued about salaries and Per Diem.

Commissioner Rexroat asked about the first issue, which is very confusing.

Commissioner Allgaier added that MAC Ag and Tourism is not part of MAC and is a separate Board. Commissioner Lautner asked if it is part of MAC and Allgaier restated her initial comment. Commissioner Rexroat said he is glad there is pushback on this so that it is understood.

Discussion ensued.

#160-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE SCHEDULE INCLUDING THE BOARD OF PUBLIC WORKS, LELAND DAM AUTHORITY, NORTHERN MICHIGAN COUNTIES ASSOCIATION WHICH MEETS ONE TIME PER MONTH, AND THE HOUSING ACTION COMMITTEE UNDER THE PLANNING COMMISSION (ONE COMMISSIONER), PER COUNCIL REVIEW. SECONDED BY O'ROURKE & REXROAT.

Discussion – question by Commissioner Allgaier.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Potential Approval of MAC Conference/Committee Per Diem Requests – Per Diem for MAC Agriculture & Tourism Committee (Commissioner Allgaier):

Comments by Commissioner Lautner regarding MAC. Lautner prefers to do MAC by making a motion of who will be going and then they are paid. Chairman Wessell tried to clarify that the motion that was presented is what Lautner is saying – Commissioners will go and get reimbursed for expenses because it is outside of Per Diem. Lautner stated she thinks they should be brought to the Board individually in advance. Questions – Allgaier asked for approval in advance because she read Board Policy and she asked for approval and it was voted on. The motion was then set aside because it was included with Land Bank, Brownfield and Airport concerns. When we set aside the entire motion, the approval got set aside. Allgaier stated she has never asked for Per Diem to go to a conference before and she wouldn't always do that. She went alone and she did the work and felt okay about it. She is not thinking that she would always do that but she went alone and did work and she did report back. She is bringing it up again because it was approved and we realized that it was set aside.

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE REGISTRATION, TRAVEL OR MILEAGE REIMBURSEMENT FOR ANY COMMISSIONERS FOR ANY WORKSHOPS, COMMITTEES, SUBCOMMITTEES OR STUDY GROUPS, WITHOUT PER DIEM, FOR COMMISSIONERS IF APPROVED, IN ADVANCE BY A MAJORITY OF THE COUNTY BOARD OF COMMISSIONERS. SECONDED BY O'ROURKE.

Discussion ensued about things that come up that need emergency approval. Commissioner O'Rourke stated that the Administrator should be able to make that call. Commissioner Lautner stated it should fall under the Travel Policy. Clerk Crocker stated that the way it is worded is if you do not get advanced approval then everyone will go to whatever they want. Discussion continued. Commissioner Allgaier asked why the motion says without Per Diem because if you have advance approval, you will get Per Diem.

Commissioner Lautner had not seen this ahead of time and she thinks that the intent is good. When she thinks about all of the things that she could go to and have gone to on her own in the past, she would be bringing the Board one or two a month if it fell under that. Her point is do we want to open up the door to what is beyond this list – she's not sure that they do. She thinks we could blow our budget up.

Commissioner Rexroat stated that whatever policy we do, it depends on our prudence and integrity on how we do our job. He is not as concerned about that as some as this is just part of our job. Rexroat stated that he shouldn't have to ask every time he does something because that is just part of the job. He does not have a problem with the motion because everyone here should act with integrity and responsibility.

Commissioner O'Rourke asked for clarification that this does not apply to our standard committees. Chairman Wessell replied only when we are going as a Commissioner, but not the Representative Commissioner.

Commissioner Allgaier stated she is very confused because there is a motion here to change Board Policy on Per Diem for conferences and she is reading 17Bi and 17Bii and that was about a request that she made prior to the motion being set aside to get a legal opinion. That is late addition #18 to change Board policy. She was just asking if we could reintroduce a motion that was set aside inadvertently and she could turn in her expense report and the Ag and Tourism Committee. She asked if we are changing Board policy.

Crocker responded to questions and offered clarification.

Discussion ensued on the motion on the floor.

#161-05162023 Regular Session

MOTION BY LAUTNER TO TABLE. SECONDED BY REXROAT.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Per Diem For MAC Conference (Commissioner Allgaier | Commissioners):

Discussion on virtual meetings and discussion on the MAC Agriculture and Tourism meeting.

Commissioner Lautner said the meetings are zoom, it is cheaper for the County. If you can attend those by zoom and unless they fall within a certain amount for mileage, Lautner does not believe you can receive Per Diem for zoom attendance. Commissioner Allgaier is certainly free now to attend via zoom with no Per Diem.

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPOINT A COMMISSIONER FOR THE MAC (MICHIGAN ASSOCIATION OF COUNTIES) AG AND TOURISM AND THAT THAT APPOINTMENT BE ALLOWED FOR ZOOM ATTENDANCE ONLY, UNLESS PRIOR APPROVAL BY THE BOARD OF COMMISSIONERS. SECONDED BY O'ROURKE.

Discussion – Commissioner Allgaier commented if someone is willing to do that, that is great. She gave the example that the next meeting of the AG and Tourism is the first day of her vacation. Allgaier commented that it is a commitment to sit down, attend and view and she questioned if this would also allow for Per Diem. Commissioner Rexroat said that you have been appointed and you would get a Per Diem even if it is a meeting via zoom. Commissioner Lautner said that no,

we do not do that and she questions if it is even legal. Allgaier commented that Family Coordinating Council (LCFCC) meets via zoom and Commissioners get Per Diem. What is the purpose of Per Diem – sitting in a meeting. Commissioner Rexroat questioned what is the purpose of the meeting – whether you are physically at the meeting or sitting in front of a computer. You are spending the time.

Motion withdrawn.

Per Diem for NMCA (Northern Michigan Counties Association) Delegate | Commissioner Allgaier:
Earlier motion.

Review Of Financials:

Interim Finance Director responded to questions specifically on the Drainage District invoices.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Commissioner Allgaier gave an update on Northern Michigan Counties and said it is very interesting and worthwhile. She commented on everything they are learning and the issues they are reviewing – from the State Budget, Personal Property Tax Exemption for Small Businesses that will be going into effect, increased public health, possible increase in the earned income tax credit. She also commented on the gravel issue and it doesn't look good and there is a worldwide shortage of sand. There is a shortage and it looks like people may be given the ability as to where they will mine for gravel, they are working hard on revenue sharing, and she addressed other topics.

Public Comment:

The following individuals spoke in person:

Bill Wiesner, Steve Mikowski, County Clerk Michelle L. Crocker, and John C. Harbottle.

The public comments can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2514#handouts>

Commissioner Comment:

- Commissioner Lautner commented on the Memorial Day service that will be held at 10:00 a.m. on May 29, 2023, at the Veteran's Memorial.

- Commissioner O'Rourke thanked all for working together, but thinks that "we" can do better.

- Chairman Wessell commented that he takes responsibility for how things went. Per Diem is important to him and brought 4-5 different ideas. Wessell said that we are not supposed to fix problems that don't need fixing and thought that there were some inconsistencies and thought we were doing something wrong. Apologizes for the way it went. Wessell also apologized for the meeting and the late additions. All supposed to know what is to happen. Wessell responded to Commissioner O'Rourke, that yes we can do better.

- Commissioner Kramer added that we need snacks.

Approval of Financials —

Amendments & Transfers:

#162-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2023 AMENDMENT #23-007, #23-008, #23-009, AND #23-010. SECONDED BY ROSS/O'ROURKE.

Discussion – none.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

#163-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2023 FUND TRANSFER #23-003. SECONDED BY REXROAT.

Discussion – none.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Miscellaneous Fund Transfers and Amendments:

None.

Claims and Accounts:

#164-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$221,570.04. SECONDED BY REXROAT, O'ROURKE & ROSS.

Discussion – none.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Post Audit Claims and Accounts:

#165-05162023 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$2,512,288.06. SECONDED BY ROSS.

Discussion – none.

AYES – 7 (Lautner, O'Rourke, Rexroat, Ross, Wessell, Allgaier, Kramer)

NO – 0

MOTION CARRIED.

Adjournment:

Motion by Lautner to adjourn.

Chairman Wessell adjourned the meeting at 9:37 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

Michelle L. Crocker, Leelanau County Clerk
Clerk-Leelanau County Board of Commissioners