

Leelanau County Board of Commissioners
Executive Board Session – Tuesday, October 5, 2021
Tentative Minutes

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.

Prayer:

Donald Libby, Pastor, Holy Rosary Catholic Church, Cedar, Michigan.

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

Approval of Agenda:

Chairman Bunek stated that he received two requests that he would like to add to the agenda under Communications, Proclamations, Presentations; #1, a land acknowledgment and #2, a reading about Columbus Day.

Commissioner Lautner stated that she has had requests from parents who are wondering where it stands with the State budget and the funding for the Health Department Funding, with the mask mandate and all that and she doesn't know the answer. She would like to request an attorney opinion.

Administrator Chet Janik stated that he can give Commissioners whatever they want.

Commissioner Lautner said that she is looking for an opinion, and that the Administrator could help with that before Tuesday night.

Janik said that how about under his update, the Board can ask and he can reply to the best of his knowledge.

Commissioner Lautner said, that we can still get an opinion if we think it's necessary, we don't need Board approval to get an opinion?

Janik replied that he wasn't sure what the question is, but that he can try to answer it.

Commissioner Lautner replied, "Ok."

Janik stated that he has had dialogue with them regarding general issues about this.

Commissioner Lautner stated that the other part is, maybe we could talk about that to, the Covid funding the Health Department received for whatever, did it go for bonuses for employees? How do we find that out? Is that something that we should talk about? Is that an answer that we can get today?

Janik replied, "How about during my update you can ask me and I can follow up?"

Commissioner Lautner said, "Alright."

Janik said that if he doesn't know the answer, then he can follow up on it.

Commissioner Lautner said, "Ok, but before Tuesday I think we need a couple answers to those two issues, because I am getting a lot of requests for that. Alright, thank you."

Commissioner Robbins asked for clarification from Chairman Bunek regarding the late additions.

MOTION BY RUSHTON THAT THE AGENDA BE APPROVED AS AMENDED. SECONDED BY ROBBINS.

Discussion – None.

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

NO – 0

MOTION CARRIED.

Public Comment:

The following guests spoke in person at the meeting: Ellen Fred, Cedar; Taylor Moore, Maple City; Ann Schlueter, Lake Leelanau.

Letters were received from the following individuals: Ann Schlueter; Lois Bahle; Jim Carpenter; Barbara Conley, M.D.; Darlene Doorlag; Jacquelyn C. Kendall; Alice Littlefield; Carolyn Rentenbach; Rebecca Reynolds; Maureen Fletcher; Mary Tonnenberger.

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

<https://www.leelanau.gov/meetingdetails.asp?MAId=2212#handouts>

Communications, Proclamations, Presentations –

Administrator Update:

Administer Janik shared with Commissioners that it is a great time to canoe or kayak down the Crystal River and the salmon have arrived.

Senior Services Director April Missias introduced the new Senior Services Resource Coordinator, Gail Carlson, who started on September 29, 2021, and the new Senior Services Care Coordinator, Victoria Maggio, who started on September 22, 2021.

Janik stated that it is official that as of Friday, October 1, 2021, the Cherry Capital Airport is now an authority. Janik requested Chairman Bunek to give an overview of what happened.

Chairman Bunek stated that it was a signing day to change from a commission to an authority.

He said that with coordination how wonderful things can go, and now there is a representative from Gaylord that has joined.

Janik passed out the tokens of appreciation from the Cherry Capital Airport Authority to each Commissioner.

Cherry Capital Airport Director Kevin Klein shared with Commissioners the model airplane that was given to the County for the dedication on behalf of the authority, and described the unique symbol it holds.

Janik stated the County received payment from the Cherry Capital Airport Authority of \$1.00, which was given to Chairman Bunek, on behalf of Leelanau County, for payment of the airport. Chairman Bunek stated that the \$1.00 will be placed inside a plaque with a caption and placed in the Administrator's Office.

Janik stated that the Veronica Valley walkway is almost completed, and the Myles Kimmerly grub shack will be moved by October 31, 2021. The birch tree within the Veteran's Memorial may need to be removed due to disease, and he has the Conservation District forester investigating the Maple trees on the campus for cracks.

Janik recognized Commissioner Soutas-Little's birthday, presenting her with a pie.

Northwestern Regional Airport Authority Agency Update:

Cherry Capital Airport Director Kevin Klein gave an update with a PowerPoint. Klein answered questions from Commissioners.

The PowerPoint can be viewed at the following link: (pages 2-10)

https://www.leelanau.gov/downloads/10052021_executive_board_pkt_rev_opt.pdf

Klein informed Commissioners regarding possible expansion according to studies of passenger traffic, and they will move to a financial study for a new terminal.

Commissioners thanked Klein for the presentation and all the hard work put forth in becoming an authority.

Leelanau County Family Coordinating Council Agency Update:

Leelanau County Family Coordinating Council Coordinator Sharon Vreeland gave an update with a PowerPoint. Vreeland answered questions from Commissioners.

The PowerPoint can be viewed at the following link: (pages 11-18)

https://www.leelanau.gov/downloads/10052021_executive_board_pkt_rev_opt.pdf

Land Acknowledgement:

Commissioner Wessell said he would like to see the item carried forward to the Regular Session meeting.

Chairman Bunek agreed to move the Land Acknowledgment to the Regular Session.

Columbus Day:

Lawrence Buncek read a statement regarding Columbus Day, October 11, 2021, a National Holiday.

Action Items –

Lake Leelanau Study Update:

Janik informed Commissioners that the study is ready for presentation and that the Lake Leelanau Lake Association has selected Lake Biologist Brian Price to update the Board, but he is in Italy, so when he returns he will be here for the presentation.

Leelanau County Towers – Potential Disassembled Tower Sale Recommendation:

Emergency Management Director Matt Ansorge updated the Board that the U.S. Forest service is still interested, and that when negotiating with a federal agency it appears, it takes longer than normal. He hopes to have something to the Board by next Tuesday at the regular session meeting.

Leelanau County Towers – Towers Bid Update:

Ansorge stated that the deadline to submit bids is October 6, 2021, and he has been communicating with the vendors in regards to concerns that there has not been a soil geological study of the base here on campus. If the County was to perform those studies, it protects the vendors and could save over \$100,000.00 in the bid. Ansorge said the approximate cost of the soil study is anywhere between \$2,500.00 to \$3,000.00. He said he would like to postpone the deadline until March 1, 2021, to give prospective bidders time to receive the study and give time for the vendors to utilize the results for the best possible bid.

Ansorge informed Commissioners that the Maple City tower still has a October 6, 2021, deadline and he will update at the Board at the Annual Meeting on October 12, 2021.

Chairman Bunek said there is consensus to move the Leelanau County Towers – Tower Bid Update to the Regular Session on October 12, 2021.

Senior Services – Acceptance of Bay Area Senior Advocates (BASA) Donation:

Senior Services Director April Missias was present.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ACCEPT CONTRIBUTIONS FROM THE BAY AREA SENIOR ADVOCATES FOR SENIOR SUPPORT TOTALING \$2,500.00 AND BE PLACED INTO LEELANAU COUNTY SENIOR SERVICES' BASA GRANT ACCOUNT #281.000.000.678.000. SECONDED BY ALLGAIER/LAUTNER.

Discussion – None.

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

Chairman Bunek called for a break at 10:23 a.m., and called the meeting back to order at 10:34 a.m.

Equalization – Approval of the Leelanau County Apportionment Report, L-4402:

Interim Equalization Director Andrew Giguere was present and reviewed with Commissioners the L-4402 Apportionment Report via a PowerPoint. Giguere informed Commissioners that Leland Township has a millage request on the ballot on November 2, 2021, and the report will need to be adjusted if the millage passes.

The PowerPoint can be viewed at the following link:

https://www.leelanau.gov/downloads/2021_apportionment_report_10052021.pdf

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE COUNTY APPORTIONMENT REPORT (L-4402). SECONDED BY ROBBINS.

Discussion – None.

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

Administration – Approval of the 2022 Appropriations Act Resolution and the 2022 Budget Rules:

Janik stated when the Board met regarding budgets over the summer that this is the resolution to act at the public hearing to approve the 2022 Budget.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD TO THE REGULAR SESSION MEETING ON OCTOBER 12, 2021, THE APPROVAL OF THE 2022 APPROPRIATIONS ACT RESOLUTION AND THE 2022 BUDGET RULES. SECONDED BY RUSTHON.

Discussion – Clarification what the resolution covers.

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

Administration – Public Hearing on the 2022 Budget – 7:15 p.m., October 12, 2021:

Janik stated that the public hearing will be part of the Annual Meeting and recess at 7:15 p.m. for the hearing.

Chairman Bunek clarified the hearing will start after public comment during the regular session.

MOTION BY RUSHTON TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO SET UP A PUBLIC HEARING ON THE 2022 BUDGET AT 7:15 P.M. ON OCTOBER 12, 2021. SECONDED BY LAUTNER.

Discussion – None.

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

Administration – Establishment of Finance and Human Resources Directors Positions;

Administration – Transfer of Accounting and Payroll Functions to Finance Director Position;

Administration – Stipend Clarification for Non-Mandated Services:

Janik stated that with Agenda Items #5c, #5d, and #5e the Board has several options. You can deal with these individually as they are in your meeting packet, or if you wish to, you can do it

with one motion to pass the resolution that was distributed today, and emailed to you yesterday that covers those items. You do have the option of separating them, and it is the advice from the County attorney and audit firm that you do officially establish the positions, as part of the process. The 2022 Budget does have the funds allocated to create the positions, and officially establish them. As well, you will need to make a determination regarding the Clerk's stipend.

Commissioner Wessell stated that he is uncomfortable taking action on these before the public hearing. When we become commissioners, we hope to think that we leave the County better off when we leave than when we came. We have spent a lot of time talking about these positions, but we have not had an implementation plan, we have not yet had the cost impact analysis report, we have not yet talked about the Clerk's role or the Chief's role in the transition, and we have not yet heard from the Administrator about an implementation plan. He said he thinks it is too soon to take action on any one of these actions until we have heard from the public and until there is an implementation plan. He contacted the Administrator this week and told him that he had concerns about the real costs, concerns about the process, and concerns about implementing. He said that he is not here to try and reverse what we spent the summer on and he knows he was on the losing side of that argument, but he thinks that until we hear from the public that we can't take action on these. And us voting on these today then tell the public, "We don't really care what you say during the budget hearing." So, he would like to move these forward without taking action until after the public hearing. He stated that he believes we are moving on something that does not serve us well, we don't know the implementation plan, we don't know the true costs, and we don't have any knowledge of the problems we are creating in next year's audit cycle. We are sitting here with an Administrator that has told us that he will be leaving sometime, we're sitting here saying to the Clerk that we are taking away your responsibilities, and it is not the time to make major changes without being very, very careful. So, he thinks we can't take action on it until we have a plan. He said that now, if we want to have a plan before next week to take action on, then let's do that. But to approve this, and approve without knowing the costs, and stated that he would be perfectly comfortable with approving in the budget moving this to the contingency account level line item and then charge the Administrator and Clerk's office with an implementation plan. But whatever the County attorney says, he needs to say that it does not make any sense to him to take action without seeing how we are going to spend that money.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE ADMINISTRATION ESTABLISHMENT OF FINANCE AND HUMAN RESOURCES DIRECTOR'S POSITIONS; TRANSFER OF ACCOUNTING AND PAYROLL FUNCTIONS TO THE FINANCE DIRECTOR POSITION; STIPEND CLARIFICATION FOR NON-MANDATED SERVICES UNTIL THE PUBLIC HEARING ON OCTOBER 12, 2021, TO TAKE ACTION. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Allgaier stated that in addition to that she has real concerns about Action Item #5e. We are talking about taking away a stipend but have we clearly delineated exactly what the non-mandated services that the Clerk performs are; and just because we are saying we are going to create two new departments, does that mean she doesn't have other duties? There has not been any analysis done and should be required.

Commissioner Lautner commented that she thinks Chet already answered that.

Chairman Bunek stated that Commissioner Allgaier has the floor.

Commissioner Lautner apologized.

Commissioner Allgaier said that she is very uncomfortable voting as well, and would like a very, very clear delineation from the Clerk on that.

Commissioner Lautner said, "Isn't that what Chet answered in the email? Said specifically what that was for and what it did. It's in your emails."

Commissioner Allgaier replied, "I did."

Commissioner Lautner said "Ok, but this is the only non-mandated function that is served."

Commissioner Allgaier stated that she would like to hear from the Clerk.

Commissioner Wessell said that he understands that Chet obtained a legal opinion, but during a transition year, during an implementation year we need to see what role will the Clerk and the role of the Chief Deputy Clerk have during the transition. On the day that we create this, it doesn't take away it all. We can't have January 1st come and have everyone who is not familiar with what's been going on relieve themselves of any responsibility. We need to very carefully work with the Administrator and the Clerk to phase it in. He stated that he wishes we weren't doing it at all, but we are – so now we need to plan it and phase it in responsibly.

Janik said that he can try to clarify some of these questions, and obviously this is a very emotional issue with strong opinions and so forth. The majority of you have made the decision, and it's his job to implement that. So, by passing this, the money is in the budget for the salaries and fringe based on the decision from the budget work sessions. It has been advised from both the County's attorneys and auditor to pass a motion to create the positions effective 1/1/2021. It does not mean that they have to be filled by January 1st, and they can be filled upon going through the process to find a successful candidate. This gives you the legal option to go forward, and in terms of the implementation it would depend on if there is a successful candidate and when he or she could start the position. So, it doesn't have to be January 1st, it just takes effect January 1st. We have talked about different things with HR, whether it will be part-time or full-time, and as Commissioner Robbins brought up there could be interest from local units of government to form partnerships and be researched. Simply, this is a technical requirement that if you are going to put the funds in the 2022 budget, you should establish the positions as of January 1st. It could be filled January 1st, February 1st, March 1st or July 1st; it just depends on the process. He is trying to take the politics out of it, but if you are going to budget for them, you must establish them. Also, in terms of the stipend, if you read the resolution, it is upon successful transition and there is no specific date on that. The resolution does talk about establishing the job descriptions, duties and so forth, and going through the proper legal posting.

Commissioner Lautner stated that is not all true; in fact, we may even say we are re-establishing the Finance Department, because we did have a finance department.

Janik said, "It is not currently."

Commissioner Lautner said, "Right, I just wanted to make that point."

Commissioner Soutas-Little asked Janik that if the funds go into contingency, that amount, because as Commissioner Wessell said the majority did want to move forward with this, but does that preclude the ability to move forward, and create these positions? When they are ready to.

Janik replied that if you are going to create these positions contingency is in the General Fund that can be used for many different items, but for these specific positions it should not be there, and the majority voted in September decided not to put it into contingency.

Commissioner Soutas-Little thanked Janik for the clarification. She stated that since she made the motion for the stipend, finance is not the only non-mandatory function that the Clerk does. She does a lot of others, including training and other kinds of things, so to remove it just based on changing the Finance Department doesn't necessarily have to occur. Because what we did was, we were rewarding her for doing an outstanding job, that in many ways with a lot of different things, were not necessarily part of the mandated responsibilities.

Janik stated, if you read the motion, the stipend is at the sole discretion of the Board, whether you choose to continue it or not.

Commissioner Soutas-Little confirmed she read the motion.

Janik continued that it said any removal or any duties. Once again, he is trying to take the politics out of it, but if you read the motion and you have the legal opinion it is up to the Board, you don't have to take it away, but you do have that option.

Commissioner Soutas-Little said exactly and that was her point.

Commissioner Lautner said, "But the discussion was all on the Finance Department; it was on the Finance Department."

Commissioner Allgaier stated but that is not what the motion says. It says for non-mandated that are performed or supervised and it will end upon ceasing to perform and or supervise any non-mandated services, and it does not specify which services. And we have to be very, very careful.

Commissioner Lautner stated that her request for that was for overseeing the Finance Department, so that was why.

Chairman Bunek announced that Commissioners were getting off topic, and reminded them that the discussion is to be about the motion to wait to take action until after the public hearing.

Commissioner Wessell stated there are four (4) out of seven (7) commissioners sitting at this table that have said, "I don't know how we are going to keep an HR person busy." He wants that money in a contingency account, so that we leave our options open and we implement the will of the four (4) people that voted for this re-organization until we know better about the duties, Michelle's role, Jen's role, Chet's role, and who the new county administrator is. He said

he is not trying to overrule the decision of the four (4), but if there are four (4) out of seven (7) sitting at this table that don't think we need an HR person, he has a hard time going to the public at the meeting next week and recommending \$180,000.00 in this budget, and here is what we want to do with it, but we really don't know what we want to do with it. So, that's why he wants the public hearing, wants it in a contingency account and then implement in a smart way and a planned way, so that we can look at the voters and say we haven't spent more than we need to. But we think this is the plan that we want to do, and he lost on that, and he didn't want to take finance out of the Clerk's Office, and he lost. He didn't want an HR Department, and he lost. You decided it, but now it's his job as a commissioner to say that it needs to be done responsibly, and be honest with the public.

Commissioner Lautner stated for that reason she understands what Commissioner Wessell is trying to do in complicating this. But as the attorney said to move forward these positions, we need to pass these, which means that we need to move forward Monday night by creating the positions, and she will not be supporting the motion, and thinks it is really important for the public to have the vision, so she will vote no.

Commissioner Allgaier said that one of the things that has always been important about this Commission is how careful we are with our taxpayer's money; their hard-earned dollars. We mention wanting to save them pennies, so she cannot support creating a position we don't even know we need either. She said she thinks that is a "slap in the face" to the taxpayers; that's their money, those are their tax dollars we are to be careful custodians of, and creating a position on a wing and prayer is not careful. She said that she has objected to the process for funding something we don't even know we need.

Commissioner discussion ensued regarding clarifying the motion on the floor.

Commissioner Robbins said what he is saying is why is everybody going back and forth; what's the difference with what happened two weeks ago with Early Childhood, when we changed that vote the next week? So, we don't even have to vote on Commissioner Wessell's motion that is out there, and we can change our vote either way, so what are we fighting for? He said that since May 18th he has not received one complaint from one citizen against this until this week. Where has everybody been during the budget? They had every opportunity to come for public comment, send him emails, call him, and not one showed up until this week on his computer.

Commissioner Allgaier said she just needs to say there sure were a lot emails over the summer and they were addressed to everybody.

Commissioner Robbins said that he did not get one, you can look at his computer and you can even get I.T. Director Ron Plamondon.

Commissioner Allgaier confirmed that she has received many emails regarding the topic.

Chairman Bunek clarified that the motion on the floor is to move 5c, 5d and 5e to next week.

Commissioner Lautner restated that Commissioner Wessell's motion is to move this forward to next week after the public hearing. Which the public hearing is before everything anyway, correct? So, what this does then is say we are not authorizing these positions? Delaying the

decision to authorizing these positions until next week? She said that is what this motion is doing. She continued that everything is after the public hearing next week, and this is a delay tactic.

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE THE ADMINISTRATION ESTABLISHMENT OF FINANCE AND HUMAN RESOURCE DIRECTOR'S POSITIONS; TRANSFER OF ACCOUNTING AND PAYROLL FUNCTIONS TO THE FINANCE DIRECTOR POSITION; STIPEND CLARIFICATION FOR NON-MANDATED SERVICES UNTIL THE PUBLIC HEARING TO TAKE ACTION. SECONDED BY SOUTAS-LITTLE.

Discussion – None.

ROLL CALL: Wessell – YES; Allgaier – YES; Bunek – NO; Lautner – NO; Robbins – NO; Rushton – NO; Soutas-Little – YES.

AYES – 3 NO – 4

RECOMMENDATION FAILS.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVAL OF RESOLUTION #2021-XXXX AUTHORIZING THE CREATION AND HIRING OF HUMAN RESOURCES DIRECTOR AND FINANCE DIRECTOR POSITIONS REPORTING TO THE COUNTY ADMINISTRATOR. SECONDED BY RUSHTON.

Discussion – Commissioner Lautner asked for clarification from the Administrator if the resolution takes care of everything. Janik replied that it takes care of Agenda Items #5c, #5d, and #5e, in one motion.

Commissioner Wessell asked if the resolution could be taken one at a time?

Commissioner Rushton asked for a point of order.

Commissioner Soutas-Little requested the motion to be separated.

Chairman Bunek stated that if there is more than one, and you ask to have them divided, then that is a legitimate reason. It will still be the same motion, but will be voted on one at a time.

Commissioner Lautner stated the motion is for the resolution and that the resolution includes both, and you consider it a resolution for each.

Chairman Bunek stated that if we are to divide the resolution up that there will be at least four different things we are going to look at. One would be Finance, one would be Human Resources, one would be the transferring of the Accounting to the Director/Administrator, and the other one would be the stipend clarification for non-mandated services. So, we would have to do four if that's okay and everybody understands that.

Commissioner Lautner said, "Four or five that way, but that's OK, whatever you think."

Chairman Bunek said, so for the first vote, let's say we do Finance first, and we will do them as roll call votes he believes.

Chief Deputy Clerk Zywicki confirmed with Chairman Bunek that there would be four roll call votes, with Lautner making the motion that is on the floor.

Commissioner Rushton requested clarification for each vote before commissioner's vote.

Chairman Bunek said the first one is to establish a finance director position.

Commissioner Lautner requested to have added with oversight by the County Administrator for 1/1/2022 or upon?

Chairman Bunek said, "That would be only three, that's correct."

Commissioner Lautner said, "Whichever you want to do it."

Chairman Bunek said that could be part of it and that he was going to do that under the finance director separate, but believes it is OK to put it in as part of that motion. So, the first motion would be for the Finance Director to be under the Administrator.

Commissioner Lautner replied, "OK."

Commissioner Allgaier said, "To create a Finance Director and have it under the Administrator."

Chairman Bunek replied, "Create the Finance Director position and put it underneath the Administrator."

Chief Deputy Clerk Zywicki asked for clarification regarding a date.

Commissioner Lautner replied, "I would say effective January 1, 2022, or upon the successful hiring of the Finance Director."

Commissioner Rushton asked if she could offer some language.

Chairman Bunek said, "I'm thinking it would be a resolution similar to this, it will just be a separate one."

Janik replied, "What we would do is use the same language and just make separate resolutions, I think that is what you are saying Chairman Bunek?"

Chairman Bunek replied, "Yes."

Commissioner Rushton said, "So, for clarification the motion will read something like; The creation of the Human Resources director position, with department oversight reporting to the County Administrator effective January 1, 2022.

Chairman Bunek said, "That will be the second motion basically, because you said Human Resources."

Commissioner Rushton said, "I'm sorry, Finance Director. Creation of Finance Director, with department oversight reporting to the County Administrator effective January 1, 2022, pending the approval of the Budget she would assume. Is that what we are voting on?"

Chairman Bunek replied, "Correct."

Chief Deputy Clerk Zywicki said, "Finance Director creation."

Chairman Bunek replied, "Yes."

**ROLL CALL: Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – NO;
Wessell – NO; Allgaier – NO; Bunek – YES.**

AYES – 4 NO – 3

RECOMMENDATION PASSES.

Chairman Bunek said, "Alright, so the second one would be the Human Resources using the same wording."

Commissioner Wessell asked, "Will there be discussion?"

Chairman Bunek replied, "Yes."

Commissioner Wessell said he would like to make a quick re-statement that we have agreed at this table the majority of us that we don't know what this person would do, and we have agreed that we don't think it is a full-time job. This is an opportunity, however we feel about the other two motions, to save some money and move forward. He said that whoever we get as a new Administrator could handle our HR function, and we do not need to create and pay for a position when we know our Administrator is leaving. He stated that we do not know what this person would do, we haven't had grievances, we haven't had any issues, and this would be a time to change your vote, that is what collaboration is about. We lost on one, but we don't have to lose on all of them. We could save the taxpayers \$100,000.00 at no risk at all of losing any service to anybody. So, please consider your vote on this one, and vote no on this one, and let's reduce the cost of government by \$100,000.00, at least.

Commissioner Allgaier said she would like to add to Commissioners Wessell's comment that it is \$100,000.00 per year, every year.

Commissioner Rushton stated that she can appreciate your concern in regards to this, and as we go out there and look for a new administrator, we are not guaranteed that we will have someone that has a strong suit in Human Resources. It is a very specialized area, and she does not necessarily disagree that putting a full-time, five days a week person on may be the answer. As you well know that she reached out to a service that could provide those skills to the Board, which was rejected. We have options such as part time, partnering with other communities and townships, who also find they need the services, but hiring full-time is not something they can budget towards. So, there is an opportunity for partnerships there, which she thinks is a great idea; however, at this time she encourages this Board to vote for that Human Resources Director, as it is needed on campus to support the people that work here in this environment. And as far as the cost, she thinks there are a lot of different avenues to support.

Chief Deputy Clerk Zywicki said, "Human Resources Director creation."

Chairman Bunek replied, "Yes."

Commissioner Rushton said, "Creation of the Human Resources director position, with department oversight reporting to the County Administrator, effective January 1, 2022."

ROLL CALL: Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – NO; Wessell – NO; Allgaier – NO; Bunek – YES.

AYES – 4 NO – 3

RECOMMENDATION PASSES.

Chairman Bunek stated this vote is for the transfer of Accounting and Payroll functions to the Finance Director position.

Commissioner Rushton asked, "Will that include oversight reporting to the County Administrator?"

Bunek replied, "Yes."

ROLL CALL: Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – NO; Wessell – NO; Bunek – YES; Allgaier – NO.

AYES – 4 NO – 3

RECOMMENDATION PASSES.

Commissioner Allgaier asked for clarification of the resolution. She stated that if there are non-mandated activities that continue, then there shouldn't be any action taken today?

Janik clarified for Commissioner Allgaier that when you are looking at the resolution it is stated in the last chapter.

Commissioner Allgaier continued that it says, "After positions are filled", but she believes there are non-mandated duties that would not go with the Finance and HR positions' responsibility. Allgaier stated that she needs more clarification on what duties the Clerk does that are also not mandated, and perhaps there are several that the Clerk does that won't be filled by these two positions. She continued that there is just too much that is unknown, and so, this is premature to do a motion because Commissioners do not have the facts.

Commissioner Lautner said, "I think that we can pass this motion today. I have not heard from the Clerk that there are any other non-mandated services that she is performing that she would not continue to perform as a service. She has been the highest level of service to our citizens throughout. So, if there is something she is doing that is not mandated today, and chooses not to do in the future, I would expect then that service would probably fall on either the new finance director or HR director. That would be my guess, because I find that hard to believe, but I would guess if that's where that would be. Because I am trying to think of anything else, racking my brain to think of what else is not mandated that is being done now. So, should that be the case, I think we can cover that bridge, or cross that bridge when we come to it."

Commissioner Soutas-Little said, "There is a significant amount that is being done that is not mandated. Training is one of the big things. There is no requirement."

Commissioner Lautner interrupted and said, "Election's training?"

Commissioner Soutas-Little said, "It is not required that she does what she does, it is not required that she"

Commissioner Lautner interrupted and said, "It falls on the state then."

Chairman Bunek said to Commissioner Lautner, "Please, she has the floor."

Commissioner Lautner said, "I'm sorry, I'll let her answer."

Commissioner Soutas-Little said (looking to Commissioner Lautner), "Thank you, it is not required that she also handle with the local units of government their various resolutions, questions, and all that she does, which is a huge amount of work that she does at the time. It is not required that she does passport photos, weddings, and I can go on. (Commissioner Lautner nods her head.) So, there are a lot of things, and if you do listen to the tape when this discussion was had, it was not based solely on finances. The discussion was because of the busyness of the office, the many responsibilities, and including non-mandated and mandated responsibilities. So, for that reason, I really can't support this at this time."

Commissioner Allgaier said, "I just want to comment on the word "guess" that was used. I sure don't want to take away somebody's money guessing that probably everything is covered."

Commissioner Rushton said, "I believe we all appreciate that the Clerk sets herself apart, and goes outside her job mandated duties, but when we start rewarding, it was my understanding the whole premise of the increase was because of the Finance and HR responsibilities that the Clerk had. When we start passing out stipends for what we thought was a specific job over and above her office duties, then if we leave that stipend in place, we better look at every other department to find what they're doing outside their mandated services and extraordinary their efforts for the citizens of this County. My understanding was, as I said, it was for her extra duties with Finance and HR. I will support the motion to transfer this stipend or eliminate the stipend. If this Board wants to look at all of our departments and pass out stipends, I suggest we start there, and not single out one department for a stipend that was allocated for jobs. I remember when we took away stipends from the Register of Deeds Office, when she was handling Remonumentation, and there was a concern about that. And what about Trudy Galla's office; how much does she go outside the box? I mean there is a whole host of people in this County in departments that go above and beyond. So, I will not support mainlining a stipend at this point and time. Thank you."

Commissioner Wessell said, "I am not arguing to keep or get rid of the stipend, I am arguing for the way we handle ourselves, and our process. We are talking about a Clerk, who we have ostracized all summer from any discussion of this process, and all I'm suggesting is that we talk to the Clerk, and we do what's right. If you adjust people's pay, you talk to them, you don't talk about them, you talk with them. So, I would just like to defer this until we have an opportunity to talk to the Clerk, talk to the Administrator, and then make the right decision. And if we indeed are not having her continuing doing extra responsibilities, then I am not arguing to pay that. All I am saying is let's be respectful about how we treat staff and during this whole process we have worried staff. We have silenced the Administrator; we have ostracized the

Clerk and ignored the finance director (points to Chief Deputy Clerk Zywicki). All I am asking is that we treat our employees and our elected officials as adults and responsible people. And let's bring Michelle to the table and say "Michelle, we think this is what we ought to do, talk to us about it", and then make a decision. Thank you."

Commissioner Robbins said, "Thank you Commissioner Wessell, again I go back to May 18th, I asked the Clerk in the meeting to sit down and want to talk about it. I think her words was, "It's never going to happen", to that effect, I don't want to be quoted. But I did ask her (while pointing to the presentation table), and I remember her remark. We could have had a lot of discussions these last three (3) or four (4) months, but we haven't. And I will share with you today", "I am here for the employees, that's what this is all about!"

Commissioner Allgaier said, "I am glad you are here for the employees (while looking at Commissioner Robbins); however, if I was an employee and people were making the changes the way these changes are being made, I would wonder what planet you are on. Because if you are going to make a change for the employees you talk to them, and you involve them in the planning. We still haven't heard from the Clerk. Can we put that in? How can we do that, how do we know? Because this motion says nothing about what these services are. This motion for non-mandated services that are performed and/or supervised, period. It doesn't say what kind, what they're for, there is no delineation here, and there is no specificity. I cannot vote for something that I don't have facts and details. We have to respect our employees, we have to involve them, we have to ask them they are the experts, they are always the experts, and they know so much more on how to run this County than we do. They are down on the ground doing it, interacting with the people, making this happen and we have to respect them and talk to them."

Commissioner Rushton said, "This is according to the resolution?" (held up the document)

Chairman Bunek said, "Yes, this is the stipend clarification for the non-mandated services, as presented in the resolution."

Commissioner Rushton said, "Okay."

ROLL CALL: Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – NO; Wessell – NO; Bunek – YES; Allgaier – NO.

AYES – 4 NO – 3

RECOMMENDATION PASSES

Chairman Bunek called for a break at 11:53 a.m., and the meeting resumed at 12:05 p.m.

County Clerk – Non-Union Uniform/Gun Allowance Request:

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE UNIFORM AND GUN ALLOWANCE FOR THE FOLLOWING NON-UNION PERSONNEL THROUGH PAYROLL, WITH APPROPRIATE TAXES WITHHELD, IF RECEIPTS ARE NOT PROVIDED:

SHERIFF / \$100.00 GUN / \$575.00 UNIFORM – FOR A TOTAL OF \$675.00

UNDERSHERIFF KIESSEL / \$100.00 GUN / \$575.00 UNIFORM – FOR A TOTAL OF \$675.00

**UNDERSHERIFF MORGAN / \$33.32 GUN / \$191.98 UNIFORM – FOR A TOTAL OF \$225.00
TWO (2) COURT BAILIFFS / \$150.00 UNIFORM – 2 @ \$75.00 UNIFORM EACH
EXPENSES TO COME FROM #101.225.301.703.742**

MARINE DEPUTIES:

**ONE (1) SENIOR OFFICER @ \$150.00
THREE (3) JUNIOR OFFICERS @ \$100.00 EACH, FOR A TOTAL OF \$300.00
EXPENSES TO COME FROM 101.225.331.703.742.**

SECONDED BY RUSHTON.

Discussion – None.

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

American Rescue Plan Act (ARPA) – Special Session Date:

Janik informed Commissioners to bring their calendars with them to next Tuesday to confirm a date for a special session.

American Rescue Plan Act (ARPA) – Draft Resolution Accepting Funds:

MOTION BY WESSELL TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE LEELANAU COUNTY RESOLUTION #2021-XXXX, ACCEPTING U.S. DEPARTMENT OF TREASURY STATE AND LOCAL CORONAVIRUS FISCAL RECOVERY AMERICAN RESCUE PLAN FUNDS ALLOCATION PRIORITIZATION. SECONDED BY ALLGAIER.

Discussion – None.

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

Leelanau County Rural Broadband Inventory Survey Next Steps – Developing a County-Wide High-Speed Broadband Plan Discussion:

Commissioner Soutas-Little provided a suggested motion for discussion to each Commissioner. She explained that now that the County has been blessed with an excellent tool, which is the internet sufficiency study that was done by Chris Scharrer of DCS Technology Design, LLC., we now know where our areas are located, and where we have no internet, insufficient internet, sources of ISP service, and plans for ISPs in the future.

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO ENGAGE WITH DCS TECHNOLOGY DESIGN, LLC, AS A CONSULTANT TO WORK WITH THE LEELANAU INTERNET FUTURES TEAM (LIFT) TO DEVELOP A COUNTY-WIDE PROPOSED PLAN FOR EXPANSION AND IMPLEMENTATION OF HIGH-SPEED BROADBAND SERVICES TO ALL RESIDENTS AND BUSINESSES CURRENTLY NOT HAVING BROADBAND ACCESS. CONSULTANT FEE NOT TO EXCEED \$5,500.00, WITH FUNDS TO COME FROM THE ARP FUNDING; WAIVE BOARD POLICY ON BIDS; PLAN DEVELOPMENT COMPLETED BY JANUARY 30, 2022. SECONDED BY ALLGAIER.

Discussion – Commissioner discussion ensued.

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

Solid Waste Council Recommendations – Proposed Increase in Annual Lease Payment for All Recycling Sites:

Planning Director Trudy Galla was present and informed Commissioners how the 2020 election came through and the funding source for Recycling.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE AN INCREASE IN ALL LEASE PAYMENTS FOR THE RECYCLING SITES OF \$3,600.00 PER YEAR (\$300.00/MONTH), STARTING JANUARY 1, 2022. SECONDED BY ROBBINS.

Discussion –

MOTION BY SOUTAS-LITTLE TO AMEND TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE AN INCREASE IN ALL LEASE PAYMENTS FOR THE RECYCLING SITES OF \$5,000.00 PER YEAR (\$416.67/MONTH), STARTING JANUARY 1, 2022. SECONDED BY ALLGAIER.

Discussion – Commissioner discussion ensued.

AYES – 3 (Soutas-Little, Allgaier, Robbins)

NO – 4 (Bunek, Lautner, Rushton, Wessell)

RECOMMENDATION FAILED.

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE AN INCREASE IN ALL LEASE PAYMENTS FOR THE RECYCLING SITES OF \$3,600.00 PER YEAR (\$300.00/MONTH), STARTING JANUARY 1, 2022. SECONDED BY ROBBINS.

Discussion – None.

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

NO – 0

RECOMMENDATION PASSES.

Labor Negotiations – Proposed Closed Session:

MOTION BY LAUTNER TO MOVE TO CLOSED SESSION FOR LABOR NEGOTIATIONS. SECONDED BY RUSHTON.

Discussion – None.

ROLL CALL: Lautner – YES; Robbins – YES; Rushton – YES; Soutas-Little – YES;

Wessell – YES; Allgaier – YES; Bunek – YES.

AYES – 7 NO – 0

MOTION CARRIED.

Meeting adjourned for closed session at 12:50 p.m.

MOTION BY RUSHTON TO RESUME AFTER CLOSED SESSION. SECONDED BY SOUTAS-LITTLE/ALLGAIER.

Discussion – None.

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

NO – 0

MOTION CARRIED.

Meeting resumed at 1:10 p.m. after closed session.

Solid Waste Council Recommendations – Proposed Amendment to the Recycling Site Agreement, Solon Township:

Planning Director Trudy Galla was present.

MOTION BY ALLGAIER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE A ONE-YEAR EXTENSION TO THE AGREEMENT WITH SOLON TOWNSHIP FOR A RECYCLING SITE, AND SEND THE ONE-YEAR EXTENSION TO THE SOLON TOWNSHIP BOARD FOR CONSIDERATION. SECONDED BY SOUTAS-LITTLE/ROBBINS.

Discussion – None.

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

Solid Waste Council Recommendations – Proposed Extension to the Recycling Site Agreement with Suttons Bay Public School:

Planning Director Trudy Galla was present and informed Commissioners that there has been email correspondence with Suttons Bay Schools regarding a proposed Extension.

Chairman Bunek stated that the superintendent of Suttons Bay Schools has called him and has asked for a meeting on October 12, 2021, at 9:00 a.m. on this topic.

MOTION BY SOUTAS-LITTLE TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO MOVE FORWARD THE SOLID WASTE COUNCIL RECOMMENDATIONS – PROPOSED EXTENSION TO THE RECYCLING SITE AGREEMENT WITH SUTTONS BAY PUBLIC SCHOOL – TO THE REGULAR SESSION ON TUESDAY, OCTOBER 12, 2021. SECONDED BY RUSHTON.

Discussion – None.

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

Non-Union Pay Scale Review/Update:

Janik informed Commissioners that he has done some casual work and stated that Chief Deputy Clerk Jennifer Zywicki has been busy finishing up the budget and have not been able to meet, so he would like to hold off until next month.

Review of Financials:

Chief Deputy Clerk Zywicki distributed the updated changes reflected within the 2022 Proposed to Adopt Budget and answered Commissioner questions.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Commissioner Allgaier said that the Substance Abuse Collation supports the LIFT program.
- Commissioner Wessell stated that Community Mental Health is in search of a new CEO.
- Commissioner Rushton said that she missed the opioid meeting, and it was a challenge to try to get to both engagements. She is excited about the new relationship beginning with LIFT, and is thrilled to have them as part of the team. The goal was always to reach down and touch the children, and now it is happening.

Public Comment:

None.

Commissioner Comment:

Discussion ensued between Commissioners regarding Agenda items additions and Board Rules.

- Commissioner Soutas-Little thanked Commissioners for passing the proposal for the plan regarding broadband, and spoke with Commissioner Lautner who expressed that she is willing to join in on the meetings. She said that she is happy to be moving forward and it will be helpful to the community.

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 \$103,554.85. SECONDED BY RUSHTON.

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 \$4,960,940.35. 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 1:39 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

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