

Leelanau County Board of Commissioners
Regular Session – Tuesday, January 16, 2024
Tentative Minutes

Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link: <https://leelanau.gov/meetingdetails.asp?MAId=2633#video>

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:

Commissioner Kramer was asked to lead the Pledge of Allegiance to the Flag of the United States of America, followed by a moment of silence.

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

Guests present.

Approval of Board Minutes:

#011-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE MINUTES OF SPECIAL SESSION, TUESDAY, AUGUST 15, 2023; SPECIAL SESSION, TUESDAY, AUGUST 29, 2023; REGULAR SESSION, TUESDAY, NOVEMBER 21, 2023; PUBLIC HEARING, TUESDAY, NOVEMBER 21, 2023; CLOSED SESSION, TUESDAY, DECEMBER 12, 2023; SPECIAL SESSION, FRIDAY, DECEMBER 29, 2023; EXECUTIVE BOARD SESSION, TUESDAY, JANUARY 9, 2024. SECONDED BY ROSS.

Discussion – none.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 ABSENT – 1 (Rexroat)

MOTION CARRIED.

Approval of Agenda / Late Additions or Deletions:

Chairman Wessell said that Consent Agenda Item #6 – Teamster Union Letter of Understanding needs to be moved to the first Action Item. Question raised as to why the Committee of the Whole meeting on January 24, 2024, was moved from Consent to Action and Wessell responded that he had heard concern from one person to discuss it. Commissioner Ross said she supports it being under Action Items.

#012-01162024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA AS AMENDED. SECONDED BY KRAMER.

Discussion – none.

AYES – 6 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0 ABSENT – 1 (Rexroat)

MOTION CARRIED.

Communications, Proclamations, Presentations:

Administrator's Update:

Planning Director Hire/Reporting/Designee - Administrator Allen spoke about this last week where she brought a resolution from 2011 that addressed the Planning Director based on the Planning Act and only the Board of Commissioners has the authority to hire/fire the Planning Director. There is also a letter in the Commissioners packet from Planning and Community Development Director Trudy Galla regarding her understanding of the Resolution. Allen continued that we currently have an Interim Planning Director and one other staff in the office and Administrator Allen said she does not have the authority to hire even a Senior Planning Director, so out of respect, Commissioners should say how long they are going to move along with an Interim Planning Director and Allen wants to be respectful of those within the Department.

BATA Update & Legal Representation:

Administrator Allen checked with the Clerk's Office about past RFPs and she also checked with the Prosecutor regarding an Attorney and based on that she was able to identify one local firm, and will remind the Board that legal counsel suggested to do an RFP and meet the objectives of the BOC Rules. The only concern is if it becomes an urgent issue, it may take some time. If the Board so chooses, Allen could proceed with RFPs. Commissioner Allgaier asked if Allen would be asking for an RFP to see what they would charge? Allen replied it would be to put a proposal together so it might be a contract negotiation and litigation and is confident it would exceed the budget rules.

Chairman Wessell stated we should know about the status of BATA on January 24, 2024, and it may be resolved.

Commissioner Kramer replied hopefully it will be resolved. If the leg work is done and we have someone — Administrator Allen interjected that the Board could also authorize her to waive the bid policy — Commissioner Kramer continued she doesn't think that it is a bad idea.

Chairman Wessell stated whenever we identify that person (Attorney firm), Commissioners would need to approve an agreement.

Commissioner Ross commented about being proactive now and a plan; but to ask someone to prepare an RFP, Ross is not comfortable with the expenditure of Commissioner Kramer's time and energy for something we might know in nine days.

Administrator Allen commented the firm she has contacted knows of no conflict and there are several attorneys that do municipal counsel, but may have conflict. She will have more information on January 24.

Cohl, Stoker & Toskey, P.C. Legal Counsel Contract Renewal:

Administrator Allen stated there were two documents that were provided. ● First the contract and then an addendum, both are attached. ● Allen met with the Leelanau Township Supervisor and shared information about Brownfield. The consultants from Fishbeck were here regarding Brownfield for potential funds for hazardous waste cleanup and they were appreciative.

Commissioner Lautner asked Chairman Wessell before the meeting if he had spoken with Cohl Stoker & Toskey, specifically Attorney Nordfjord, and he had. Lautner continued that she also

received a call from Nordfjord as well. Attorney Nordfjord wanted to clarify there was probably a misunderstanding last week with the information Commissioners were receiving as to what Commissioners are allowed to do amongst ourselves once they are out of this room. Commissioners are not allowed to poll and are not allowed to line our votes up. Basically Commissioners cannot deliberate and cannot do business outside of this table. Commissioners can talk one-on-one and it is good practice to not talk to more than three outside of this meeting on any one issue. Nordfjord will be here in February and he will clarify – before we go any further, do not do business outside of this table.

Commissioner Ross stated she doesn't understand the miscommunication and Commissioners are encouraged to talk to each other outside of this Board room and that is okay. Ross is real interested to hear Nordfjord's thoughts on that. Ross continued that she clarified with Administrator Allen that the Board of Commissioners is still responsible for hiring a Planning Director and she (Allen) cannot go forward with any interviews or applications.

Administrator Allen said "we" did conduct two interviews and it was fortuitous that the Senior Planner was made the Interim as it would not have been appropriate. The Board will need to decide in the next month or two the duration of the Interim Planning Director and how the Board wishes to move forward – appoint a designee, a committee, or take action themselves and move forward. So there are options.

Chairman Wessell said it will be on the February agenda.

Chairman Wessell said that he also consulted with Galla and if the Resolution gets changed, there must be a Public Hearing and they can appoint a designee.

Commissioner Allgaier does not see a reason to change what has been done, but to clarify Gail Myer was one of the applicants and we want to give her a chance to do the job.

Administrator Allen introduced Jill Rowley as the new Executive Assistant. Allen continued that the temporary/interim Assistant injured her back and they had thought she would be a bridge in the office, but she is out so Allen and Rowley are doing the best they can and everyone has been supportive.

Public Comment:

Kevin Gay; Judge Marian Kromkowski; Rolf VonWalhausen; Bill Weisner; and Kerry O'Non.

Written comments and/or handouts can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2633#handouts>

Commissioners Comments:

- Commissioner Allgaier would like to give an update on the Community Futures Energy Task Force. There are Federal Grants for Energy Efficiency. We are in the process of writing a grant that would pay for Solar which would save the County about \$40,000.00 per year. This is just an application and at this point, the space that the solar would be is as you go up the driveway – on those edges, there is room for solar, the extra parking lot isn't big enough. Allgaier continued about working to access grant money and bring those working on this back here to serve us all and save \$40,000 per year. It will be on the February agenda.

- Commissioner O'Rourke commented that in no way, shape, or form will there be solar panels in view of the Veterans Memorial.

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.

#013-01162024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE CONSENT AGENDA, MINUS ITEM #6. SECONDED BY O'ROURKE.

Sheriff's Office – Acceptance of Anonymous Donation for Purchase of Medical Bags:

#014-01162024 Regular Session

- **TO ACCEPT THE ANONYMOUS DONATION IN THE AMOUNT OF \$12,000.00, MADE TO SHERIFF'S OFFICE AND THEN IN TURN ALLOW THE SHERIFF TO PURCHASE TWENTY-FIVE (25) MEDICAL BAGS FROM BOUND TREE MEDICAL AT A COST NOT TO EXCEED \$11,997.66; FUNDS TO COME FROM ACCOUNT #101.225.301.727.004.**

Conservation District, Approval of FY 2024 Work Orders: Conservation Education and Technical Assistance; Soil Erosion and Sedimentation Control; and Water Quality Monitoring:

#015-01162024 Regular Session

- **TO APPROVE THE CONSERVATION EDUCATION AND TECHNICAL ASSISTANCE WORK ORDERS; SOIL EROSION AND SEDIMENTATION CONTROL; AND WATER QUALITY MONITORING, AS PRESENTED.**

Information Technology – Barracuda Essentials, Annual Maintenance Agreement:

#016-01162024 Regular Session

- **TO APPROVE THE RENEWAL OF THE ANNUAL MAINTENANCE CONTRACT FOR THE BARRACUDA ESSENTIALS SOFTWARE IN THE AMOUNT OF \$8,700.00 FROM REHMANN, WITH FUNDS TO COME FROM DATA PROCESSING FUND #636.**

Solid Waste Council – Bay Area Recycling for Community, Electronics Disposal Agreement:

#017-01162024 Regular Session

- **TO APPROVE THE ELECTRONICS COLLECTION AGREEMENT WITH BAY AREA RECYCLING FOR COMMUNITIES, F/K/A BAY AREA RECYCLING FOR CHARITIES, FOR 2024, AS PRESENTED.**

Senior Services Advisory Committee Update – Potential 2024 Millage Proposal:

#018-01162024 Regular Session

- **TO APPROVE A SENIOR SERVICE MILLAGE RENEWAL TO APPEAR ON THE AUGUST 2024 BALLOT. THIS RENEWAL PROPOSES A LEVY OF UP TO .320THS MILL FOR A DURATION OF TWO (2) YEARS, COVERING THE PERIOD FROM 2024 THROUGH 2026.**

Senior Services Advisory Committee Update – Conference Attendance Request:

#019-01162024 Regular Session

- **TO APPROVE GAIL CARLSON, CARE COORDINATOR, TO ATTEND THE AMERICAN SOCIETY ON AGING 2024 CONFERENCE TO BE HELD MARCH 25-28 IN SAN**

**FRANSISCO, CALIFORNIA. FUNDS TO COME FROM THE SENIOR SERVICES
EDUCATION AND TRAVEL ACCOUNTS.**

Discussion – none.

AYES – 6 (Ross, Wessell, Allgaier, Kramer, Lautner, O'Rourke)

NO – 0 ABSENT – 1 (Rexroat)

MOTION CARRIED.

Action Item:

Teamsters Union Letter of Understanding:

Administrator Allen, Commissioner Lautner, and Chairman Wessell met with Legal Counsel on this matter and recommended that there be two separate Letters Of Understanding with the Union for the recent hiring of a FOIA Coordinator and the second related to an issue with the Sheriff's Office regarding a one-hour unpaid lunch period, which has been a standard. These documents are provided for the BOC approval.

Chairman Wessell deferred to Commissioner Lautner.

Commissioner Lautner stated the FOIA Coordinator is pretty standard. The issues that came up for concern is the Letter Of Agreement for the Secretary at the Sheriff's Office and the position is listed as a 40-hour work week, if they choose to work through their lunch they get paid for 40 hours. If they choose to take a lunch hour or 30 minutes, they will not be paid for the hour, but they will continue with their benefit package for the 40 hours. Commissioner Lautner clarified for Commissioner Allgaier that when employees work they get credit for days matched for sick leave time, vacation time, MERS, etc. earned. Because this is a 40-hour work week position – no lunch basically – she would be expected to work through. If she does take that hour off – she will continue to earn benefits even though she's not paid for it. The issue raised with employees in the Government Center is because these positions are a 35-hour work week and they are expected to take that one-hour lunch. It was approved by the Union and it does open up more flexibility on this side of the street so they can work up to 40 hours straight time; but they won't get the same benefit packages for working through lunch, but they will get paid for the hour lunch if they work through. We may see changes to some work times for all of the Teamsters employees. We may see employees coming in at 8:30 and leaving at 4:30, coming in at 9:30 and leaving at 5:30. This is going to open up the flexibility within the Government Center for employees. In response to a question, the employees in the Government Center can work through their lunch and be paid for it, but it will not affect benefit status.

Chairman Wessell stated the Department Head or Elected Official would have to approve it. This is recommended by the Attorney.

Commissioners took a brief break to read the documents as requested.

#020-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE LETTER OF AGREEMENT REGARDING ARTICLE 16 AND THE LETTER OF AGREEMENT REGARDING THE FOIA COORDINATOR BETWEEN LEELANAU COUNTY AND TEAMSTERS UNION. SECONDED BY ROSS.

Discussion – brief.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 ABSENT – 1 (Rexroat)

MOTION CARRIED.

Broadband Project – DCS Technology Design, LLC; Agreement Point Broadband Fiber Holdings, LLC:

Interim Finance Director Cathy Hartesvelt present and gave an update.

Drain Commissioner – South Bar Lake Drainage District, Full Faith and Credit:

Drain Commissioner Steve Christensen was present before Commissioners regarding the Resolution.

#021-01162024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE LEELANAU COUNTY RESOLUTION #2024-001, A RESOLUTION PLEDGING THE FULL FAITH AND CREDIT OF THE COUNTY OF LEELANAU, WITHIN CONSTITUTIONAL LIMITATIONS, FOR THE PAYMENT OF THE SOUTH BAR LAKE DRAIN DRAINAGE DISTRICT DRAIN NOTE, AS PRESENTED. SECONDED BY ALLGAIER & O'ROURKE.

Discussion – none.

Roll call: Ross – YES; Wessell – YES; Allgaier – YES; Kramer – YES; Lautner – YES; O'Rourke – YES; Rexroat – ABSENT.

AYES – 6 NO – 0 ABSENT – 1

MOTION CARRIED.

**LEELANAU COUNTY RESOLUTION #2024-001
RESOLUTION PLEDGING THE FULL FAITH AND CREDIT
OF THE COUNTY OF LEELANAU,
WITHIN CONSTITUTIONAL LIMITATIONS, FOR THE PAYMENT
OF THE SOUTH BAR LAKE DRAIN DRAINAGE DISTRICT DRAIN NOTE
(Leelanau County, Michigan)**

WHEREAS pursuant to a petition filed with the Drain Commissioner of Leelanau County, State of Michigan (the "Drain Commissioner"), proceedings have been taken under the provisions of Act 40, Public Acts of Michigan, 1956, as amended (the "Act"), for the construction and establishment of certain drain referred to as the South Bar Lake Drain Project (the "Project"), located in Leelanau County, and which is being undertaken by the South Bar Lake Drain Drainage District (the "Drainage District") in a Special Assessment District (the "Special Assessment District") established by the Drain Commissioner; and

WHEREAS, the Drain Commissioner has determined that the Project is necessary for the protection of the public health, convenience or welfare, and in order to provide funds to pay the costs of the Project, the Drainage District intends to issue the Drain Note in an amount not to exceed \$425,000 pursuant to the Act; and

WHEREAS, the principal of and interest on the Note will be payable from assessments to be made upon public corporations and benefited properties in the Special Assessment District; and

WHEREAS, the Leelanau County Board of Commissioners (the "Board") may, by resolution adopted by a majority of the members of the Board, pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Note pursuant to Section 276 of the Act; and

WHEREAS, the pledge of the full faith and credit of the County to the Note will reduce the cost of financing the Project and will be a benefit to the people of the County.

WHEREAS, the Note is not a private activity bond for purposes of Section 141 of the Internal Revenue Code of 1986 (the "Code");

NOW THEREFORE BE IT RESOLVED BY THE LEELANAU COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. The limited tax full faith and credit of the County of Leelanau is hereby pledged for the prompt payment of the principal of and interest on the Note in a par amount not to exceed \$425,000. In case of any deficiency in the assessments to be made to pay the principal of and interest on the Note as and when due, the County shall pay the amount of such deficiency out of its general funds as a first budget obligation and, if necessary, shall levy ad valorem taxes for such purpose against all taxable property within its limits, subject to constitutional and statutory limitations provided, however, that if it is necessary to reimburse the County for money, it is obligated to advance, it shall be the duty of the Drain Commissioner to at once levy an additional assessment as herein before provided as such an amount as will make up the deficiency pursuant to Section 434 of the Drain Code.

2. Should the County advance County funds pursuant to the pledge made in this Resolution, the amounts shall be repaid to the County from assessments or reassessments made upon benefited properties in the Special Assessment District as provided in the Act.

3. The Drain Commissioner, the County Administrator, the County Clerk, the County Treasurer and any other official of the County, or any one or more of them ("Authorized Officers"), are authorized and directed to take all actions necessary or desirable for the issuance of the Drain Note and to execute any documents or certificates necessary to complete the issuance of the Note, including, but not limited to, any applications including the Michigan Department of Treasury, Application for State Treasurer's Approval to Issue Long-Term Securities, any certificates pursuant paragraph (b)(5) of SEC Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"), and any waivers, certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state securities laws, rules, or regulations and to participate in the preparation of a preliminary official statement and a final official statement for the Note and to sign such documents and give any approvals necessary therefor. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

4. All previous resolutions of the Board of Commissioners of the County, or parts thereof, that are inconsistent with this resolution, are hereby rescinded.

Land Bank Fast Track Authority – Non-Program Income Use Resolution:

County Treasurer John A. Gallagher, III was present regarding the Agenda Item. Gallagher explained the resolution and what has changed is the dollar amount. It is to support the Landbank through the work of retired Planning and Community Development Director Trudy Galla. She understood that there were funds that were eligible to the General Fund and presented the idea for this Resolution to move forward. Approving this will further the Landbank with affordable housing.

Commissioner Lautner questioned Gallagher that perhaps he could give further detail for the public present regarding how this will help with affordable housing, which Gallagher did explain. Comments continued.

#022-01162024 Regular Session

MOTION BY ROSS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE LEELANAU COUNTY RESOLUTION #2024-002, A RESOLUTION TO PROVIDE THE COUNTY LAND BANK FAST TRACK AUTHORITY WITH CAPACITY BUILDING FUNDING FOR ATTAINABLE HOUSING INITIATIVES. SECONDED BY KRAMER.

Discussion – none.

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

AYES – 6 NO – 0 ABSENT – 1

MOTION CARRIED.

**LEELANAU COUNTY RESOLUTION #24 – 002
LEELANAU COUNTY BOARD OF COMMISSIONERS
RESOLUTION TO PROVIDE THE COUNTY LAND BANK FAST TRACK AUTHORITY WITH
CAPACITY BUILDING FUNDING FOR ATTAINABLE HOUSING INITIATIVES**

WHEREAS, in 2009, the County, County Treasurer and the Michigan Land Bank Fast Track Authority entered into an agreement to establish a Leelanau County Land Bank; and

WHEREAS, the Land Bank has grown to be a significant economic development tool in Leelanau County for attainable housing and is the major public responder to the plight of property thrown into tax foreclosure; and

WHEREAS, the need exists for capacity at the Land Bank to deal with management and disposition of the Land Bank's inventory of property; and

WHEREAS, the Land Bank has significant physical assets with value to unlock and redeploy in the future, but faces property management and development challenges currently; and

WHEREAS, the funding provided by state law for Michigan Land Banks does not provide adequate resources to manage property or to apply for funds to properly enhance, develop and dispose of property; and

WHEREAS, there are non-committed CDBG Non-Program Income funds available for the restricted use of attainable housing initiatives within Leelanau County.

THEREFORE BE IT RESOLVED, that the Leelanau County Board of Commissioners authorizes a transfer of \$112,274.04 to the Leelanau County Land Bank to be paid for out of the NON-PROGRAM INCOME CDBG FUND 276 for the purpose of the enhancement, development and disposition of property for attainable housing initiatives in the County.

BE IT FURTHER RESOLVED, that the County Finance Director/Administrator is directed to make any necessary budget adjustments consistent with this resolution.

County Copier Maintenance Agreement Bids:

#023-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE ANNUAL MAINTENANCE AGREEMENT WITH NETLINK BUSINESS SOLUTIONS BASED ON THE BID SUBMITTED WITH YEARLY RENEWALS. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 Absent – 1 (Rexroat)

MOTION CARRIED.

Employee Culture/Climate Survey Recommendations – Discussion for “Moving Forward” – Next Steps:

Chairman Wessell said that he reached out to Dr. Scholten about the raw data request and will entertain discussion. Commissioner Lautner asked for raw data and he (Dr. Scholten) is saying, in a nut shell, that he will not provide any more information. Many gave documentation that backed up their responses and they were buried and will not be heard. Some may be okay with that and she (Lautner) finds that sad that those employees were silenced and she disagrees with all of those comments being buried.

Commissioner Ross supports with what was written by Chairman Wessell and Dr. Scholten. He was asked to do a survey and did not have any stipulation that Commissioners would receive all of the raw data, that was never an expectation. You (Lautner) mentioned information that was given to Scholten in a brown paper envelope and that is not what he agreed to do and it was not part of what was asked. Commissioner Ross thinks it is time to put it behind us and she echoed Judge Kromkowski and the call to move forward and not argue about some employees not being heard, because they still will have a chance to be heard. This conversation is not over, it is just where we want it to start.

Commissioner Kramer stated she whole heartedly disagrees and knows there are a number of people in this building who feel very vindicated and everyone needs to recognize that there are two sides to every story. It is extremely detrimental and unprofessional to put a survey out the way we (the Board) did and put it in front of all employees. Commissioner Kramer continued she did research on best practices for a Climate Survey and it specifically states you don't air it in public, you don't name names. You are essentially becoming the bully and we (Commissioners) need to take responsibility for our role in what just happened here because that was not a professional survey. Kramer said she looked at the documentation and stated it looks like a 7th grade book report. That is not what she expected and not what she thought we as a Board paid

for. When Chairman Wessell drafted this letter, you didn't need to include the things that you did, and it may have had a different outcome had you (Wessell) addressed it as the whole Board seeking this information instead of calling Commissioners out and saying there's Commissioners against him and calling his information biased. Wessell received a reaction from a person that is in line with that. We all need to work on being unbiased, recognizing there are two sides to every story. If we don't step forward as this unbiased, higher-level leadership, we are not going to move any of these employees forward. Kramer said we need to work on governance training but also something different – we need the raw data and need to know the entire story. It was essentially cherry picked; did he intentionally do what he did? Absolutely not. This is not the entire the solution, she appreciates the recommendations; but they need to get an entire picture.

Chairman Wessell wanted to respond to Commissioner Kramer; not only did he reach out to Dr. Scholten that the Board requested that, he sent out the unedited minutes from the discussion with all of the Commissioners comments and the video and he watched the video and he did hear each of our concerns and does disagree with this and he did hear all of your voices.

Commissioner Allgaier was disappointed that people were named. She just assumed that there wouldn't have been specific names and appreciates Judge Kromkowski's list. It is important that Elected Officials and Department Heads work together to improve and encourage communication with and among all staff for the betterment of the County. Department Heads can do a whole lot to work with their own staff with problems that are occurring. If someone, and she is willing, we need to learn, but one of the goals this year with our new Administrator was that kind of talk and healing throughout the building so every Department Head can be resolving issues. Former Commissioner Tonneberger suggested focus groups. We need to learn proper steps to help people learn to address their concerns and work together. We are at the beginning of the road and she (Allgaier) appreciates the letter and the first step.

Commissioner O'Rourke said let's talk about the letter and chain of command. O'Rourke continued about Joe Hubbell, Marian Kromkowski, Jennifer Grant, Mike Borkovich and John Gallagher. He knows all of these people well and has worked for them for several years and are very respected people. This whole thing reminds him of a bad domestic violence. It's time to do what this letter suggests. He doesn't care what it costs to get a CPA in here and referenced the BATA classifieds ad from Steve Mikowski – experienced Finance Director from \$110,000.00 – \$130,000.00. O'Rourke continued that "we've wasted more money than that. What we need to do within 90 days is hire an experienced Finance Director, separate it and get it done. A lot of times feelings get hurt a little bit and he is sorry some names were brought up in this thing".

Commissioner Lautner commented we are expected to go forward with some employee comments but not all employee comments, even anonymously. An email from a fellow Commissioner states they want the employees that were not represented in that survey to come forward and speak up so we can act on facts and not hearsay, yet there are no facts presented with the report – only hearsay. Now, we don't want to move forward that way. Everyone is outside of your box and addressed the letter by Judge Kromkowski. It states to leave all of the identities out which we had made very clear. The letter continues that the Board approved to move forward with the separation of Finance and Human Resources – that has already been done, and yet that is what we hear hammered. The letter continues the Board should do a wage scale study. Commissioner Lautner continued she could see one person of the Elected Officials on the letter that was here during a wage study. So having never lived through a wage study, hell

hath no fury like the results of a wage study. She thinks other things can be done and that is something that is up to this Board. A letter given to Commissioners telling us how to do our job; but everything in the report says you want everyone to stay in their lane. You speak about reasons employees left and spoke to that employee personally, it is not truthful. She continued that everyone needs to stay in their own lanes.

#024-01162024 Regular Session

MOTION BY ROSS TO MOVE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE SURVEY AS PRESENTED AND THIS BOARD MOVE FORWARD ON A PLAN TO INCLUDE ALL VOICES AS WE GO FORWARD, ALL VOICES, ALL VOICES MUST BE HEARD AND CREATE A PLAN TO CREATE A MORE POSITIVE ENVIRONMENT. SECONDED BY OROURKE.

Discussion – Commissioner Ross cannot sit in this room with this level of disrespect, for the employees, for herself, and for the public who has to listen to this. It is time to accept that this is not perfect and move forward with action, listening to as many people as possible.

Commissioner Kramer said if this were her business, and not a government entity, she would be ashamed of how this information was provided to the general public. Kramer continued that she does not think that this board is personally ready and she would like to personally apologize – this is not what she intended as an individual. She hopes that we can start steering everyone in a better direction and this was not the way to heal this county government entity. She doesn't know what is the right action, but accepting this is not the first right action.

Commissioner Allgaier said the survey has happened, but she is not comfortable agreeing to a motion until we figure out what we want to do and she is not comfortable voting on something we need to figure out.

Commissioner Lautner stated the intent of the motion is the most important thing and it is to say that we accept and by accepting it means we approve. She will not support the motion and force this report on this Board of Commissioners as it is not complete and it does not speak to all of the issues and there are many.

Chairman Wessell thinks it is pretty normal business to accept or reject – he will vote yes and accept the report. He is also very uncomfortable sometimes on what we say to the public – we have our own individual style and he's not going to tell Judge Kromkowski that Commissioner Lautner was wrong, but he doesn't agree with her.

**AYES – 4 (Ross, Wessell, Allgaier, O'Rourke)
NO – 2 (Kramer, Lautner) ABSENT – 1 (Rexroat)**

MOTION CARRIED.

Employee Culture/Climate Survey Recommendations – Effective Board Governance Workshop:
Administrator Allen was asked to reach out to MLI Consultant, Chet Janik, former Leelanau County Administrator, to provide guidance on this governance workshop which he is willing to do. She also was asked to speak to Michigan State University's John Amrhein and he is also willing to have a discussion about what he is willing to offer. We have two options for the Board to consider. Chairman Wessell did ask Administrator Allen to reach out to John (Amrhein) from MSU after he (Wessell) heard that department heads and the public had some concerns. That wasn't a

decision, that was just see if there are other options. This would not be as MLI, it would be Chet (Janik) on his own.

Commissioner Allgaier stated she voted for Janik to do this because he knows this County inside and out. A governance workshop is just teaching us what our statutory duties are. It is just a training on what we can do, how we can do it, what is legal, and what the statutory duties are. It is not that he is coming in to talk about other issues – this is just a training. He knows what has been done, knows the role of the Board, and the Administrator, he is free, and she thinks it is appropriate and it was voted on and sees no reason to change that vote.

#025-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS SCHEDULE AN EFFECTIVE GOVERNANCE WORKSHOP WITH CHET JANIK IN JANUARY OF THIS YEAR OR EARLY FEBRUARY. SECONDED BY KRAMER.

Discussion – Commissioner Lautner thanked Commissioner Allgaier, it gets to the bottom line of what the workshop will do and Janik will do a fantastic job. She has sat through these with all individuals. Janik's style is very easy and engages everyone.

Commissioner Ross said that she did vote to move this forward but has been having some important thoughts, listening to some very important people that she respects in this County, not only employees but her constituents and what came back to her again was Chet would do a wonderful job but he is too close and has too much history with what we are trying to change and would just ask until we have Mr. Amrhein presentation on the 24th and how he would approach the governance. Ross continued – let us give a little more thought on do we really want to bring back the old or are we looking to the future that possibly another person with new ideas – we have all heard John speak on ZOOM meetings and with Commissioner training. He is an expert in the field. We need to make a plan in the right direction.

Commissioner Kramer agrees with Commissioner Ross that we need to listen to everyone, which is why we need to have Chet come in and move forward. The combination of both worlds is what we need – historical data and a new way of how to operate and move forward. We're sitting with a Board of mostly newbies and a new Administrator.

Commissioner Allgaier stated a governance workshop is not to address the issues from the survey. It is pure training on our statutory duties. What you (Ross) are talking about is a completely different workshop and that is not what we are to be talking about. Commissioners don't have the option of saying that we don't like that statutory duty, we're going to do something else. It's pretty cut and dry. Allgaier continued that we need to do what Ross wants to do, but it is a completely different area.

Commissioner Ross wants to make sure this Board makes the best decision based on facts.

Chairman Wessell stated we all say we want to hear from the staff so he asked the Administrator to speak on what she heard from department heads.

Commissioner Kramer said it is not relevant and Commissioner Lautner agreed.

Chairman Wessell said he was going to allow, it unless this was a challenge to his decision and Commissioner Lautner said it is.

Chairman Wessell said his decision is being challenged and asked for a vote of those supporting the challenge: Yes was voiced by Commissioners Lautner and Kramer. He called for a vote of those against the challenge: Commissioner Ross voiced a no vote. No other Commissioners voiced a vote. Chairman counted the silent votes as negatives and denied the appeal and asked Administrator Allen to speak.

Administrator Allen appreciates the fact that Judge Kromkowski is still present as she was a part of that meeting. Her part of the discussion was focused on moving forward and focusing on the kernel of information shared during the survey result – one thing that was unifying of all staff was that they agreed that they were committed to civil service and committed to serving the residents of Leelanau County. That was the focal point she discussed and she also spoke about the possibility of a code of conduct on how we will agree to address each other and what will be shared with the Board of Commissioners. It is exactly the same document and asked the leadership team to wait and let the Board of Commissioners take the lead on that and that is what she brought forward. Allen continued that she doesn't believe that she was the one to initiate it at all or take a poll of the employees whatsoever. The only other person in this room that was in that meeting was Judge Kromkowski, Chief Deputy Jen Zywicki was there and took notes. Allen said Zywicki was probably the one who shared the notes.

Chief Deputy Jennifer Zywicki was called to the table and stated that there was a vote. Zywicki stated it was a vote and, Judge Kromkowski started the conversation, the Judge replied and is not audible. Zywicki stated that in her notes, the conversation started as to who selected Chet Janik and Administrator Allen stated it was by Board motion that Chet would be doing the governance and then there was discussion around the table. At that time, Administrator Allen asked those people to raise their hand as to who would want Chet to do the governance. At that point no one raised their hand. Zywicki did raise her hand after and stated it doesn't matter to her if its Chet or MSU. She wants everyone to understand their statutory duties, not just the Board. She stated to the Administrator that Government 101 would be best for all Elected Officials and that Department Heads and the Administrator understand their roles. Yes, there was a vote. No one put their hand up.

Commissioner Kramer stated that she is getting increasingly alarmed at our Administrator moving forward and taking action on things that we as a Board did not discuss - first and foremost, that it is our Boards duty to provide our Administrator with next best action and there have been more times than she can count that our Administrator is taking action without Board approval. This is not sitting well with her at all. This is just another one of those things. Kramer hears they do not want to bring Chet Janik back, but did you (Administrator Allen), bring that to us to go to the Department Heads and take that vote.

Chairman Wessell said the Wednesday after every Executive Committee meeting the Administrator meets with the Department Heads and reviews discussions that take place at the Executive Committee Meeting, that is part of the purpose of the structure and he sees nothing wrong and would expect the Administrator would keep the staff updated.

Commissioner Lautner agrees with the “updating” and is very alarmed with what went on. The Board of Commissioners operate in front of the public and they see our vote. To have our Administrator poll our Elected Officials, on an action Commissioners did, to change that course of action is not all right, it is all wrong - if anyone of those Elected Officials wanted to call us, and she didn't receive a single phone call, there are only 5 on here (the letter) and there are 6 Elected Officials. I see maybe one didn't sign it but someone signed it for them. Not one of them called her. It is inappropriate, it looks like you just want to run this where everyone tells us how to do our job.

Commissioner Ross called for Point of Order. “She doesn't appreciate disrespectful language.”

Commissioner Lautner stated, “Chairman, I have the floor.”

Chairman Wessell stated that it is appropriate and he has to rule on her (Ross') Point of Order.

Commissioner Lautner stated that was not a “Point of Order.”

Chairman Wessell stated (Commissioner) Ross did say Point of Order and he is going to rule on her “Point of Order.”

Commissioner Lautner stated, you're going to cut me off again? Lautner said she would like to finish respectfully.

Commissioner O'Rourke comments toxic, mean spirited.

Chairman Wessell recessed for five minutes at 8:36 p.m.

Chairman Wessell called the meeting back to order at 8:40 p.m.

Chairman Wessell commented that he is denying the Point of Order and asked Commissioner Lautner to continue her comments respectfully.

Commissioner Lautner continued that she does not think that our Sheriff would appreciate “us” telling him how to Sheriff, or telling the Judge how to run her Courts, or the Treasurer how to do his statutory duty of collecting taxes, or our Register of Deeds on how to document their deeds or the Prosecutor would appreciate it. Commissioners have a job and we report to our constituents. We will do the job that they asked us to do and respectfully – everyone needs to be in their offices, do their jobs they are up here to do, and think about it before they start stepping outside of their lanes, allow those down the hall to do their jobs in the fine fashion that they do.

Commissioner Ross is just asking for respect to be shown to everyone in this room. If you have a problem with someone come on down and talk to them. Do not bring it up at a meeting and try to make it worse. Talk about it and communicate. Start by listening and not just accusing.

Commissioner Kramer will vote for this and wants in addition to this some other governance training and also re-address the climate issue because we did a poor job at pushing this through and owe it to all of our employees to do better.

Commissioner Allgaier sees this as a first step as well.

AYES – 4 (Lautner, Wessell, Allgaier, Kramer)
NO – 2 (O'Rourke, Ross) ABSENT – 1 (Rexroat)

MOTION CARRIED.

Finance – Finance Committee Proposed COTW meeting – 1/24/2024:

Consensus to move forward with a Committee of the Whole meeting on January 24, 2024. No motion needed. This meeting is in regards to County Government structures within the State of Michigan and Commissioners will also review the Capital Outlay projects that were not approved in the operational budget.

Approval of 2024 Board Rules and Committee Structure/Process:

County Clerk Michelle Crocker covered the handout of the Board Rules of Order and Procedure. Crocker stated the three issues she was asked to speak about: Point of Order, Call the Question, and Remote Participation. Your rules that you adopt do not address Point of Order; therefore, you have to default to Roberts Rules of Order.

“Point of Order” is always procedural and you can interrupt a speaker and there is no second needed. The Chair will make a determination on the Commissioner request. The audience cannot call Point of Order. An example, when the Clerk needs clarification or to tell the Board they voted on something without a motion, she cannot call Point of Order, she needs to just raise her hand. Point of Order is not debatable; but only used when you are way off topic. When the Chairman makes a ruling, that ruling can be appealed with a motion and a second. “I wish to appeal the decision of the Chair” and it is seconded. It is debatable, but not amendable and it is a majority of those present. Because some of the rules, it has to be of those elected. Some issues like Call the Question, is 2/3 of those serving so it must have five (5) yes votes.

To “Call the Question” it is generally to stop debate, but cannot interrupt a speaker. To Call the Question needs a motion and a second, but again, it cannot be used to interrupt the speaker, and it must pass with 5 votes (2/3 of those elected). “I move to Call the Question,” it's seconded and goes directly to vote. Chairman Wessell stated you must be recognized to Call the Question. Crocker stated an example, it's really not best practice to say I move to say the pens will be blue, second, Call the Question. Then that goes against what your other Board Rules say that every Commissioner will get a chance to speak to an issue. It is a way to limit debate, but again it takes five (5) to pass it even if you only have five Commissioners present then all five need to vote yes for it to pass. In a regular motion, must have four (4) votes in favor.

Clerk Crocker continued that the third issue was about ZOOM, she knows where part of the question came from. It has always been a position as Commissioners that you do not offer legal advice to townships because how Townships and Villages operate is not necessarily how the County operates. When a Commissioner comes in on ZOOM because they are not in attendance of a meeting, under the current, not covid – we are beyond covid, they are a member of the public, not as a commissioner. Commissioners need to be really careful because the question becomes, do we allow that type of participation by the public. There are counties that allow public input every time there is a motion put on the floor. The Chairman in the County's Board Rules of Order and Procedure talks about how the Chair can recognize someone from the public. Crocker continued that she talked with Attorney Stoker today, and Administrator Allen and her have had other conversations with them on other things. The

question becomes, we know Commissioner Kramer was unable to attend, and she is going to use that for reference because it was just last week, and was able to participate on ZOOM, she did not vote and was marked absent within the minutes and marked absent in all of the votes Commissioners took. Through that process she cannot be allowed to deliberate, but the question becomes, again Crocker stated that she is not an attorney, what is deliberation. The case law the attorneys are going to look to, the cases that really carry the state are from Leelanau County for Open Meeting Act violations, specifically Ryant vs Leelanau County Board of Commissioners and Ryant vs Cleveland Township. She does have them, if Commissioners would like to read them. That's where deliberation gets outlined. If you allow the general public to participate, we can. It's okay to have Chris Scharrer present to you via ZOOM. That deliberation issue becomes huge. When Commissioner Kramer was up there, she was not as a Commissioner but as a member of the public, which you don't allow and we don't allow public to call in or be on ZOOM. Commissioners can amend your rules. It is a vote of the Commissioners to allow public comment and it is addressed a little bit in these rules. None of you are in the Military, which is one of the exceptions for ZOOM.

Commissioner Allgaier clarified that during covid, Commissioners could deliberate together, but she does not understand when it changed, if a Commissioner is out of town, we usually let them engage in discussion. So, we could change our rules to allow that.

Clerk Crocker confirmed you could. When Commissioner Kramer was on the screen, she was viewed as a member of the public not as a Commissioner. You don't allow the public to communicate in that way.

Commissioner Allgaier confirmed we need to change that. Obviously, we all know we can't vote on ZOOM.

Commissioner Ross stated we do need to talk to our attorney about it.

Crocker continued your rules do allow for if you were in the military. The Attorney General has ruled if you have a disability that is allowed under the Americans with Disabilities Act (ADA) that it is justifiable participation for an ADA qualified event to participate via ZOOM and that request would have to be presented prior to the meeting to the Chairman who could make that determination. Questions and comments ensued regarding what may be allowable under the ADA exception. From what Crocker learned today, if you (a Commissioner) can't make it to the meeting, you just can't make it and you're going to miss that discussion. But it doesn't stop you as a Commissioner for putting in your thoughts on a specific topic in writing to give to the rest of the Board to become part of the record. Your other option is you can allow more public input. Like she said before, some counties do allow public input after every motion that hits the floor. She's not saying that's what you should do, just that it's another option. Those are the questions she was asked and again she does have the legal opinions from the Ryant vs Leelanau County Board of Commissioners with her and will share.

Commissioner Kramer asked would Commissioners be still be able to attend via ZOOM. Crocker responded no, because you are a member of the public and the public is not allowed to attend on ZOOM, you could watch it like others do on YouTube.

Kramer stated you would be completely outside so you couldn't make public comment then. Crocker stated it doesn't mean the rules cannot be amended but you have to think in terms of the public. Everything in the rules, it is under remote participation, is all relative and there are several levels of it, when it talks about off site participation, it talks about military and then it talks about if you were to amend your rules during COVID and there were several amendments to the Open Meetings Act during that time.

Commissioner Allgaier stated she would like to put that on the agenda for February that we amend our rules to allow ZOOM discussion for Commissioners understanding they cannot vote but can participate. So, if someone is out of town and has valuable information on a topic, we have always done that. Crocker responded we haven't always. Allgaier stated even for the last year, we didn't stop doing it after Covid. Crocker stated correct, but they haven't been able to vote. Allgaier stated no but she thinks that's been valuable. Crocker said Attorney Stoker is willing to ZOOM in and present. You do need to look at it from a public perspective, what are you willing to allow the public to do because the Commissioner that is absent, is like the public. Will you allow the public to participate via ZOOM.

Chairman Wessell said we can bring that back but we certainly want a legal opinion.

Commissioner Ross said she knows it is super confusing but when Commissioner Kramer was up there (ZOOM), Commissioners were calling her Commissioner Kramer so we need total clarification on this because she was public Kramer.

Crocker stated for Commissioners to not get confused with what the County does here and what different Villages and Townships do. They have different attorneys and they receive different legal advice.

Chairman Wessell thanked the Clerk for presenting and he wanted the Commissioners to know that the Chair can always be overruled. He made a decision last week that was out of order and he watched the videos and its painful to watch it sometimes and he should have been called out. That was allowing a public comment at the beginning of the meeting that wasn't related to the agenda as posted. He wanted to be understood that the Chair, all of us can be called out in a polite way. We also can call for question when we think everyone has had their voice heard and is beginning to repeat themselves.

Administration – Approval of Board Rules and Committee Structure/Process:

Public comment that wasn't related to the agenda – amendment to the Rules of Order and Procedure.

Commissioner Wessell would like to pose an addition. Emmet County is about as conservative of a county as we have. They have some Dems and some Republicans on the Board and in the past their meetings haven't always been civil. They as a Commission developed Commissioner Standards of Behavior and they made that part of their rules. There are only seven (7) of them and he would like to read them and see if there would be willingness to insert these as part of our Rules of Order.

Commissioner Lautner asked if we could be place these on next week's meeting so, they can read them over.

Chairman Wessell said as long as we don't approve the Board Rules today.

Commissioner Lautner suggested doing an amendment next week.

Commissioner Ross stated she is not ready to approve the Board Rules with the Open Meetings still needing to be clarified. Otherwise, that would have to be amended also.

Chairman Wessell stated we really need Board Rules in place and we don't have them in place.

Commissioner Ross said so we can always amend is what you're saying.

County Clerk Crocker stated at the Organizational Meeting, Commissioners approved the 2024 Rules of Order and Procedure. They are already in place. The set the Administrator prepared that is in front of Commissioners has two sections in there that were highlighted in yellow that were agreed upon by the Board last week that you are amending. Last year Commissioners amended their Board Rules three or four times. So you do have them in place, it is just an amendment to what you did at Organizational.

Chairman Wessell is asking for willingness to put off until our February meeting so Commissioners can read these and we can get a legal opinion on ZOOM?

Commissioners Ross and Allgaier agreed. Allgaier thinks it's important that if you cannot attend the meeting but have information on a topic you are interested in that you be able to participate in the discussion, understanding, which is what was always done that we can't vote. That is always assumed. If we can do that, she would like to know from the attorney.

Administrator Allen said that the amendment that was proposed, was based on Board discussion at the last meeting is on page 16 and there would be nothing that would preclude the Board from moving forward with the amendment because it speaks to the two different types of Public Comment and how they are specifically handled. If the Board would so consider there's the option to amend this now and can have future amendments at the February meeting.

#026-01162024 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AMENDED RULES OF ORDER AND PROCEDURE OF THE LEELANAU COUNTY BOARD OF COMMISSIONERS AS PRESENTED/UPDATED. SECONDED BY ROSS.

Discussion – none.

AYES – 6 (Allgaier, Kramer, Lautner, O'Rourke, Ross, Wessell)

NO – 0 ABSENT – 1 (Rexroat)

MOTION CARRIED.

Review of Financials:

Interim Finance Director Cathy Hartesvelt was present before Commissioners and responded to questions. Commissioner Kramer thanked Hartesvelt for reminding her to get her expenses in over the weekend.

Committee Reports, Recommendations, and Resolutions:

None.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

- Commissioner O'Rourke stated that it was reported in the *Traverse City Record-Eagle* that total passenger movement at the Cherry Capital Airport was 700,000; but, it was actually 700,699 people. He continued that come spring there will be 18 non-stop flights.
- Commissioner Allgaier gave an update on Brownfield and addressed some projects for tax dollars to help renovate and restore older buildings. She referenced that in Empire there is an old school house and gave the history and potential.
- County Clerk Michelle Crocker stated that the Board of Commissioners Meeting Room is going to serve as the Early Voting site for Leelanau County.
- Chairman Wessell stated we are due for our Administrator Evaluation. Our timeline was Administrator Allen would present to us a self-evaluation in written form, along with an instrument Commissioners should complete and return. The documents should be returned by 2/1/2024 to Chairman Wessell and he is going to send them on 2/2/2024 to Attorney Matt Nordfjord at Cohl, Stoker & Toskey, P.C. Nordfjord will bring each individual report to the Executive Committee and Allen can choose to do the evaluation in open session or closed session. She must be here. Wessell continued that she (Allen) spent most of the weekend doing her self-evaluation. The form was approved back in November and Attorney Nordfjord will write the final report and he has done these for lots of Counties and will provide the raw data. Wessell did ask him about Commissioner signatures. Once presented, it is public information. Wessell asked the Commissioners to sign their evaluation and provide it in a sealed envelope and he will send in one envelope to the Attorney.

Public Comment:

The following individuals spoke in person: John Gallagher III; Renee Wyler; Otto Mork; Judge Marian Kromkowski; Stephen Tostige; Kerry O'Non; Bill Weisner; and Rick Robbins.

Commissioner Comments:

- Commissioner Ross would like to say her phone number and email are on the County Website. "If you want to photograph or video me while we're sitting around talking, that would be great; but they're obviously leaving now so they don't hear me" If you have a problem, or a concern that something could be done better, please reach out to us. She's happy to listen to it in public comment but thinks it would be more productive if we sat down and listened to each other to see how we can make things better, not just accuse wrong doing. That's incorrect.
- Commissioner O'Rourke stated from the survey we "definitely need to separate finance from Jen and Michelle's office." We need Jen and Michelle to reconcile the books. He suggests we go out and hire an experienced Finance Director and move the wage up to \$100-120K and he is a little bit tired of it. We need to find an experienced Finance Director and get it done. He has worked with Administrator Allen for two years at Elmwood Township Board and she was a very fine board member and always added things to it. When Commissioners do her evaluation, put yourself in her shoes – how many people have left, first you get to know people and then you

have to interview. For this board to micromanage her, you can tell her she makes mistakes, just don't micromanage. Think about what she has been through in the last year.

- Commissioner Allgaier encourages anyone, anytime, to contact us, we do need to hear from people. It is strange to run and represent our district and spend all our time in this room and we are representing this and you don't get much time to hang out in your district. We do need and want to hear from the people we represent. Our Department Heads and employees are critical to our moving forward. She appreciates what they have heard. She wants to commend our Interim Finance Director Cathy Hartesvelt, and we do have a Finance Department. This has been a long and slow process and she is in the process of hiring more clerks. We do have a Finance Department and is really curious why we keep hearing that we don't. We do have Finance and have Jen and Michelle assisting, while we go through this transition, we do have to pass audits and take care of every single dollar of your taxes and have to be stewards of your money and we want to pay people. Allgaier thanked Cathy Hartesvelt for her work as we make this transition.

- Commissioner Kramer commented that she would like to come back to Judge Kromkowski - she would like to hear from the Department Heads and the people on the ground making those choices. She is feeling circumvented in these choices, decisions and conversations. She appreciates the letter and communicating with Commissioners. Commissioners need to paint the whole picture, which is really hard. It is really hard to get at the meat and potatoes of everything, so all of the information/data that we can use to do it, she appreciates and says thank-you. To the Cathy comment and other internal candidates that have applied for positions, part of the problem for the toxicity is internal candidates are being passed up for positions internally, that she shouldn't be. As human beings we want to move forward and move up to the next level. People in the building should be provided with opportunities if they have a history of showing that they can perform in the position. Commissioners also get caught up on numbers and looking at a spread sheet. Behind every choice Commissioners make, it is affecting someone's life. Kramer has spent a lot of time thinking how Commissioners are playing a role in the toxicity and it may be the way we function or a part of Government. There are a lot of people here that don't know what they are doing. She doesn't know how this can be moved forward and the biggest part is where we sit – move egos aside and realize this building functioned perfectly fine before we got here and will be fine after we leave and we are temporary in this seat. Kramer hopes that she can do as much for all of you in the building as she can, although right now there is no clear path. Each day we will try to make it a step forward.

- Commissioner Lautner doesn't know where to begin. Commissioner Allgaier said very eloquently what is going on with finances right now. We heard a lot about communication and she encourages anyone to communicate with the Finance Department and let them tell you about the clean-up on isle four they have been through this last year. It is impressive and she cannot tell you the problems those three ladies have taken care of for this County with the Audits, W-2s, Claims and Accounts, payroll, it was very complicated and it was messed up. Those who did it know who they are and are responsible for the mess. What is very difficult to watch is this Board implode, it has been incredible because she has never worked with a Board of Commissioners like this one. Lautner asked, where is healthy debate, it used to be healthy debate. Now when someone doesn't want to hear what someone has to say, we quickly call the question, point of order or we interrupt. There shouldn't be the interrupting, it has been allowed and it has gotten out of hand for the last year. We heard about micromanaging, yet everyone seems to micromanage everyone, that is not disrespectful, that is the truth. Maybe people don't

want to hear it and just like to call out the names but not hear it themselves. They are part of the implosion going on in the County. Communication, but boy, don't want to communicate if it's not what we want to hear. Respect, but don't want to respect all of our employees and hear what they had to say. She finds it disturbing. Commissioner Lautner continued that she does not think everyone was elected to come up here and sing "Kumbaya". The people of this County need us to do our job, keep an eye on the money and pay our bills, and allow us to do our job. Lautner continued that she doesn't run up and down the hallways, office to office, and get to know all of the employees one-on-one. We go to the table and negotiate our benefit packages and our wages are very good and that is what negotiations are for. The County has been successful because of it and keep all of those things in mind, healthy and good. Lautner thanked Interim Finance Director Cathy Hartesvelt - thank-you, for the first time in months now, that we have finances back under control and feel really very peaceful about the Finances and it is a hard-fought battle. And the public has no idea, and maybe that's good. As Lautner said earlier, ask the question.

- Chairman Wessell thanked Hartesvelt and the assistance from Chief Deputy Jennifer Zywicki and County Clerk Michelle Crocker. Wessell continued that he agrees with most of what he heard. He has a book he always gave his teachers, "The Students Are Watching". Wessell heard about our challenges. He wants to make one strong statement - he expects the Administrator if she knows of staff concerns that she shares them, that is one of her roles. We need to hear from her and Elected Officials.

Approval of Financials —

Amendments & Transfers:

#027-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE FISCAL YEAR 2024 FUND TRANSFER #24-001. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 Absent – 1 (Rexroat)

MOTION CARRIED.

Interim Finance Director Cathy Hartesvelt commented that she appreciates the comments. The County's books are in good order and it has been a job. She continued that she thinks knowledge is power and people need to understand that Finance, no matter who is in that position, still has to work closely with the Clerk's Office and the Treasurer's Office, as well as Commissioners. What she does as Interim Finance Director for you is apply all of your policies and contracts and that makes her a very unpopular person because there are people on this campus that do not want to be held to your policies and your contracts, but that is what you pay her for. It is a lonely job, it is – but it is being done. Hartesvelt continued that you do not want finance to operate in a vacuum, it is dangerous to allow Finance to operate in a vacuum. You have to have checks and balances, you have to have her work verified, your work needs to be verified, Hartesvelt verifies her clerk's work. Commissioners do not want this Department in a vacuum, so the abuse that the people who have been training her and are now verifying her work (Chief Deputy Zywicki and County Clerk Crocker)... She continued that "reconciliation" implies that she is doing something wrong, and she is not. Hartesvelt continued that she gives her work to these two (County Clerk Crocker and Chief Deputy Jen Zywicki) and also to John (County Treasurer Gallagher). They have to sign off and say it has been looked at. Hartesvelt could have a fat finger moment in a key stroke, that would make work and that is not what we do. This is exhausting. Zywicki added that it is called appreciation.

Chairman Wessell said that he understands what she is saying, but we are going to talk about this more at the workshop. Wessell said they appreciate her.

Commissioner Allgaier said she is uncomfortable not letting Hartesvelt continue and Commissioners Kramer and Lautner agreed and asked her to continue.

Interim Finance Director Hartesvelt stated every document that goes through Finance has to be verified – we have data entry stamps and data verified stamps. If we don't have those stamps with multiple signatures on them and the auditors do a random sampling, it's a finding. Hartesvelt continued that she can't do this work without someone. The Finance Director wouldn't allow any work to go through the office without it being verified before it goes to the General Ledger. If people are counting how many times she runs up and down the hall and she hits 3 miles of walking it's because she's gone for signatures. The County checks are signed by two people – the Clerk and the Treasurer. It doesn't matter if it's Michelle and John – it is your Clerk and your Treasurer, dual signatures. Hartesvelt continued that she thinks the people who are critical don't have a clue what we do to protect the finances of this County and to provide the County with good audits. So when those documents are sampled and are handled, we can't predict what they're going to pull. The Auditors pull random payroll timesheets, random journal entries, random bills, checks, invoices and they all have to have these things on it or else it's a finding. She thinks her journal entry books, this is typical probably, she would have 10,000 journal entries this year and they are all verified and signed. You don't want finance in a vacuum and cut off from signatures. You're just asking for trouble.

Chairman Wessell thanked Hartesvelt and the Commissioners that wanted to hear. It is a tough job of the Chairman to keep to the agenda.

Miscellaneous Fund Transfers and Amendments:
None.

Claims and Accounts:

#028-01162024 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$263,435.24. SECONDED BY ROSS.

Discussion – none.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 Absent – 1 (Rexroat)

MOTION CARRIED.

Post Audit Claims and Accounts:

#029-01162024 Regular Session

MOTION BY LAUTNER TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$2,119,472.68. SECONDED BY ALLGAIER.

Discussion – none.

AYES – 6 (Lautner, O'Rourke, Ross, Wessell, Allgaier, Kramer)

NO – 0 Absent – 1 (Rexroat)

MOTION CARRIED.

Adjournment:

Chairman Wessell adjourned the meeting at 9:57 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

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