

Leelanau County Board of Commissioners
Regular Session – Tuesday, September 21, 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.

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

Prayer:

Martin Korson, Deacon, from St. Wenceslaus Catholic Church was present to offer prayer.

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 Board Minutes —

Executive Board Meeting, Tuesday, August 10, 2021:

#211-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE EXECUTIVE BOARD MEETING MINUTES OF TUESDAY, AUGUST 10, 2021. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Approval of Agenda / Late Additions or Deletions:

Chairman Bunek indicated that he has received two late additions. He would place the Parks & Recreation (P & R) as late item A and the letter of support for Mr. Tony Lentych be placed as Item #12c.

Commissioner Soutas-Little requested that the L-4029 be moved to Item A, from #9, and P & R be Item B.

#212-09212021 Regular Session

MOTION BY SOUTAS-LITTLE THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AGENDA, AS AMENDED. SECONDED BY ROBBINS.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Public Comment:

Chairman Bunek called for Public Comment.

The following individuals addressed the Commissioners in person:

Linda Ketterer; Karen Paulus; Syndey Richardson; Amy Smith; Karen Zemaitis; Jim Schwantes; Lawrence Bunchek; Keith Ashley; Shannon Sutton; Kathy Dawkins; Kathy Bartel; Janae Rowe; Jackie Anderson; Maggie Sprattmoran; Alma Martinez and son; inaudible name; Taylor Moore; Sue Miller, on behalf of League of Women Voters of Leelanau County; Lisa Murphy; Alma Rosie Vasquez; Amede Decrypt; Maggie Bacon; Jan Frazee; Frances Alexander; Gery Zemaitis; Sarah Miles; John Hunter; Dana M. Greensky; Dolly Martinson; Cathy Hartesvelt; Beth Ray.

The following individuals sent in email correspondence:

Olivia Allen; William & Nancy Allen; Tony Ansoerge; Karen Chase & David Bellizi; Darylin Berryman; Jessica Bonkoski; Nancy Bujold; Margaret Burian; Barbara Burkhardt; Ruth Butler Arents; Stacey Chacon; Kathy Cornillie; Kimberly Creamer; Kira Davis; Reverend John and Linda Engelhard; Robert Featherly; Cathy Fenlon; Corey Fernandez & Jessica Hale; Nancy Flanagan, John Fletcher; Maureen Fletcher; Rob & Mary Franzo; Ellen Fred; Freedom From Religion Foundation; Cyrus Ghaemi; Dana M. Greensky; Deirdre Griswold; Kristi Hallett; Alison Heins; Reverend Elizabeth A. Hill; Kaylie Hutcheon; Jay Johnson; Peter Kaynor; Ellen Keen; J.P. Kent; Edward Ketterer III; Tamara Kiessel; Wendy Kilgren; Elizabeth Kott; Robert LaPorte, M.D.; Jennifer Littlefield; League of Women Voters Leelanau County; Dan Malski; Heather Marlatt de Pineda; Karen McCarthy; Mark Morton; Joe Mosher; Leah Mosher; Lou Nardon; Marlene O'Connor; Tim Overdier; Dodie Putney; Carolyn (Peachy) Rentenbach; Rebecca Reynolds; Linda Sheen Watkins; Sherwood (Woody) Smith; Mary Tonneberger; Barbara & James Varley; Alma R. Vasquez; Chris Verdon; Beth Linnea Verhey; Kathleen Wainwright, OTR/L, GCFP, SEP; Kevin Weber, M.D.; Peter Westerman; Douglas Whitley; Natalie Wilson; Virginia H. Woessner; Sharon Workman.

The emails can be found at the following link:

<https://www.leelanau.gov/meetingdetails.asp?MAId=2200#handouts>

Communications, Proclamations, Presentations —

Emergency Management Department Update:

Emergency Management/9-1-1 Director Matt Ansoerge was present and gave his departmental update. Ansoerge responded to questions from Commissioners.

The presentation can be viewed at the following link:

https://www.leelanau.gov/downloads/presentation_emd_09212021.pdf

Action Items —

Equalization – Approval 2021 L-4029 Tax Rate Request:

Commissioner Robbins thanked everyone that showed up and it has been great to have the crowds here the last month. It makes it easier to make decisions when we know what is going on out there. Robbins continued that he didn't have to be here (yesterday) to do his homework and try to close the gap and do what is best for the taxpayers and for the kids.

#213-09212021 Regular Session

MOTION BY ROBBINS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS SET THE TAX LEVY FOR EARLY CHILDHOOD AT 0.1988. SECONDED BY RUSHTON.

#214-09212021 Regular Session

MOTION BY WESSELL TO AMEND THE MOTION TO 0.2392, WHICH IS THE MONEY SUFFICIENT TO FUND WHAT THE BUDGET THAT WAS SUBMITTED AND WILL FUND THROUGH THE FIRST QUARTER OF 2023. SECONDED BY ALLGAIER.

Discussion – Commissioner Wessell said in response to questions indicated .2391 would cover the budget of \$583,144.00, plus an additional quarter of 2023 of \$145,786.00, which is the fourth quarter of 2022 plus 3% for a total of \$746,424.00.

#215-09212021 Regular Session

MOTION BY BUNEK TO AMEND THE AMENDMENT FOR A MILLAGE RATE OF 0.13, WHICH WOULD FULLY FUND IT FOR 2022 WITH A LITTLE EXTRA. SECONDED BY LAUTNER.

Discussion – Chairman Bunek commented that this would fully fund the early childhood program for the entire year of 2022 plus a little bit extra and it would also include their fund balance. Bunek commented he doesn't have an exact amount; it is approximately \$370,000.00. Administrator Janik indicated that the amount is \$405,890.00, and with fund balance it is close to \$600,000.00.

Commissioner Wessell asked to address his motion amendment. Wessell commented that one of the advantages of having the surprise motion last week, it gave the Commissioners an opportunity to hear from a lot of people and we certainly have not only had more than a hundred people here in the last two nights, and at least 100 letters, which he has tried to respond to. There have also been 1,300 plus people that have signed a petition to honor the original motion that was put on the ballot and that is what he wishes Commissioners would do; however, he has heard from this group that we have to compromise. Wessell referenced Chairman Bunek being on the Ron Jolly radio show and their numbers do not agree. Wessell indicated that he met with the Equalization Office and looked clearly at the Health Department Office. The only difference that he has done is say that we have to be responsible about the first quarter of 2023 or we are being irresponsible. Wessell said this does not create a big fund balance, it creates a funding mechanism to ensure that during this year we can fund the program we promised the voters and negotiate a contract for 2023 and begin to operate without having to worry about how to pay for it. We would honor the will of the voters, although it is less than we hoped for and less than what most of the people hoped for.

Commissioner Robbins stated that he understands where Commissioner Wessell is coming from. Robbins said his motion is for \$620,000.00 plus some odd dollars. Robbins continued that the Director Michelle (Klein) told him the budget is around the high \$500,000.00 and he gave some

additional money if there are changes to the budget. He continued that there is still the \$190,000.00 out there and he would hope that they would put that aside for the three months that Wessell is looking at.

Chairman Bunek spoke to his motion and said that it more than covers the request from the Health Department and leaves some leeway for tax collections in December 2022. He continued that this is “honoring the poor people and the elderly” who have very low incomes and cannot afford the money – “it comes out of their weekly food budget”. They are willing to pay the tax, but we need to try to keep it to the minimum and that is what his resolution does. He continued that that is what he was trying to do from the beginning. It is unfortunate that the part about \$400,000.00 being there and them spending \$150,000.00 a year wasn’t in there. His first motion was about having two years supply of money, but now we have gotten numbers out and know what the reality is and are fully funding and he doesn’t think we need to over tax the people.

Commissioner Allgaier commented that she really appreciates all of you putting out numbers; that takes work. It’s real confusing to just sit here and hear percentages. She would like to know what Equalization came up with, which would take into account the money we anticipate will be left of that original fund balance after completing a full program this year – there’ll be a little bit left. She continued that we need to allocate enough and have a millage that will fund full services now, full services in 2022, and full services in 2023. She asked if we got that number from Equalization?

Administrator Janik stated that Equalization will calculate only what they are asked and he did that for each of the three rates stated tonight when each of them called; but he can’t convert a number unless you tell us what you want the budget to be.

Commissioner Allgaier continued that she believes the important thing, we have heard from the voters and thank-you all, you are tremendous. We do have an incredible resource of people and community in Leelanau County that people want to invest in our children. Allgaier believes that Commissioner Wessell said that his figures would do exactly what she said. This program is in its infancy and they are getting started. Let’s let it roll. We obviously have a need for it. The families have testified that it’s important. We need to honor the voters in this county and give them the money to do the program.

Administrator Janik stated that he can verify that the numbers that were said are accurate and Commissioner Allgaier questioned, accurate for what though? Janik continued that based on what they projected it and how we convert that to a millage rate. Today, Commissioners have to decide on the millage rate that goes on the tax rolls. We don’t come up with a budget. Today you have to set a rate and then do the budget. Allgaier said that they have given a budget and Janik responded that it is a proposed budget and you need to remember that the contract (with the Health Department) expires December 31, 2021. So whatever millage rate you approve, assuming you want that in the contract, then we will develop a contract and bring it back to you at the October meeting. Janik continued that he would assume you’d want a contract for 2022 to go forward; but we need a millage rate first and then we need a dollar amount. Janik continued he can verify, and Interim Equalization Director Andrew Giguere verified it with him, the three numbers that the three commissioners proposed are all accurate in terms of the millage rates and what that amount equates to. They do have different amounts that they are

proposing in summary, but their math is correct in terms of what they're proposing for a budget and would equate to the different millage rate.

Commissioner Allgaier would like to know what the numbers don't fund and what are you choosing not to fund.

Chairmen Bunek said his number funds everything they have asked for with a little bit of extra and Bunek believes that is what should be.

Commissioner Allgaier questioned how that can be, when the numbers are so different.

Commissioner Wessell commented that he gets nervous when we're coming off a pandemic and we're just starting a program. He continued that all of our departments have excess funds. All of our departments have fund balances. He continued that we don't know what's going to happen with this; but we know we've got a thousand kids here and we've a lot of parents that want the program. They are not going to spend the money if they don't need it, but we need enough money in our budget and our millage rate so that we can fund a contract that we haven't even approved yet and we need to build that in. Wessell continued that he has built into his proposed budget exactly what the proposed budget, or his millage rate, exactly what the proposed budget that we have all seen, plus the first quarter of 2023, which is responsible budgeting. It would be irresponsible not to do that and he thinks that we have heard clearly. He continued that he would much rather approve the millage rate that the voters have approved, but he thinks we need to compromise because there has been some dissention. That's why he put forth the lower millage. This is a lowered millage from what the voters approve, but it is a millage that is responsible and will not lead us into trouble.

Commissioner Robbins said that he did contact the Health Department and the Family Court Administrator and ran these numbers by. With his figures here in his proposal, he is giving the Health Department about \$540,000.00 "wiggle room" – extra than what she is asking for. By going with his motion, you look at the tax savings for the taxpayers and this is just for one year. If they come back next year and the numbers, it could be higher, it could be lower; we don't know yet. We have to give them one year to run this program, to see if it works. And the savings for the taxpayers is about \$157,000 from this year. They are still going to get to operate the same programs and everything.

Commissioner Allgaier expressed further comment; Chairman Bunek said that all three millages fund the program completely and discussion ensued.

Commissioner Lautner commented that she thinks some things haven't been looked at yet. Number one is there's some assumption that all the money will be spent and that hasn't been the case. They haven't reached the numbers they'd hope to spend the dollars they had due to COVID, et cetera. So, there's those unknown outliers out there. Again, Delta Variant, is it going to play in? Is it going to stifle the program, again? That's why there's more than likely going to be money left over. The other thing you're forgetting is that we (the County) funded this program upfront before the dollars came in and that's something that we can do again, if the need be for that first quarter of 2023. Lautner continued that if they are very successful in growing that program by another 200 kids. With their expectations building that many kids are a pretty big – an additional 200 kids – she believes that is quite a bit. Lautner continued that

someone had mentioned a surprise motion last week and she has to agree that it was, as she didn't even notice the L-4029 was on the agenda and she certainly didn't realize this was on it. She continued that we knew there was money left over. Going to a .0000 rate caused "hysteria and a lot of misconceptions". Lautner understood that there was \$600,000.00 left over because that was a number we got, and that would have been enough money to easily fund and easily get into 2023. She continued that she thinks it is really good and that she hopes a lot of people understand the whole taxation rate because that's been lost in here. Lautner continued that she has heard a lot of things that really sadden her tonight. She referenced "we didn't have the right to do this; we weren't giving the voters everything they voted for." Lautner said that she was looking for the millage language, but it was a millage rate up to and that is how most of these millages are done. It is up to Commissioners to fund those programs at the rate that is appropriate based on all the information that we have at the time. She continued that with all of our departments, we expect all our departments to be accountable for all those dollars. Lautner referenced Public Comment speaker Ms. Cathy Hartesvelt and that she touched on the very same thing we did some years ago, but skirted around it a bit and she wished it had been a little clearer. Some years ago, we did this very same thing with Commission on Aging – Lautner didn't think it was zero, but it was a millage rollback because that fund balance had gotten so large, it needed to be brought back into balance. So, this isn't an unusual thing and it isn't new. Lautner continued that another thing was the misconception that money would be taken away from this program and used on something else is not true. Just like Senior Services, dollars cannot be spent on anything other than Senior Services. These dollars cannot be spent on anything other than Early Childhood programs. She wanted to clear that up. Lautner then referenced Commissioner Allgaier and that the numbers are confusing and taxation can be very hard to understand. Lautner continued that she hopes it has been a "lesson for everyone" and there is money left over.

Commissioner Rushton had a question for the Clerk or her Chief Deputy – does the Board typically budget for five quarters when we're doing our annual budget or do we fund the year?

County Clerk Michelle L. Crocker requested that Chief Deputy Jennifer Zywicki address the Board. Zywicki responded that it is a little bit different because it's a millage. So, like Ms. Hartesvelt pointed out in her public comment, you collect in December but the County is not "made whole" in essence until after the Treasurer has done its delinquent tax which is usually May, so you need the funding to get you the collection and sustain you through the first quarter.

Commissioner Rushton asked about the Health Department and this is September and almost October. When we last had a conversation about their fund balance, the Commissioners understood that there was well over \$400,000.00 when the recommendation was made on the millage to lower it to zero. We thought, at that time, that there were adequate funds to support the budget that they proposed right? She continued to her point then we found out Director of Administrative Services Dodie Putney sent new information last night where now they are telling us that the third quarter is not paid for yet. Rushton questioned when they (the Health Department) bills for the quarters – do they bill at the beginning of the quarter or the end?

Zywicki responded that they bill at the end of the quarter.

Commissioner Rushton then asked so they (the Health Department) are going to be billing us something in March or first of April for that first quarter.

Zywicki responded that would be correct and you still have two quarters left this year.

Commissioner Rushton commented that historically we fronted them from our General Fund to support their program, initially. Zywicki said that is correct. Rushton then continued that she does not see the necessity of having to add the first quarter in the millage.

Commissioner Soutas-Little commented that this is confusing and thanked everyone for being here and adding your voices and your viewpoint. It has been very important and very enlightening. She would like to try and clarify a couple of things because it is confusing. First, just some general statement and then going through the three proposals that are up there and see if maybe we can look at this together in a logical way. The millage was passed in November 2019, with the idea that the program would start in January 2020. Contracts were not signed until March 2020 and then we all know what hit. During the first year of 2020, what the Health Department did was reach out to families, and Commissioners heard some of that yesterday, through Zoom, through phone calls, dropping off activities on doorsteps, but no in-person meeting because it wasn't possible. Soutas-Little continued that the expenditures were much less than what was thought it would be during 2020. As Commissioner Rushton pointed out, we did front the money because the 2020 millage – the millage rate passed in November of 2019, did not come in to play until December of 2020, your winter taxes. It became available after that. That's why we had to front that first year. That first year had to be paid back along with whatever had been expended in 2020. The balance or the fund balance, the millage fund balance we're talking about that we started with for 2020, fund balance for the millage was \$406,207.06. That amount, the first two quarters of 2021 of this year has already come out. During those two quarters, the program was ramping up and really started in mid-May for home visits, and June 20th for playgroups and family events after that.

Commissioner Soutas-Little continued — those first two quarters had very little expenditures in them. Now, it has ramped up and there is going to be a lot more expenditures coming out between now and the end of the year, about \$230,000.00 worth. So, if you subtract that \$230,000.00 worth of expenditures through December from the fund balance, which is the \$406k number, what you end up with is a figure that's going to end up around \$106,000. She corrected the number to \$107,000 in response to Commissioner Rushton and thanked her. Give or take some dollars here and there, it is not very much and is not sufficient to operate the program in 2022. That budget for 2022, that the Health Department has conservatively put together is \$602,144.00, you can see if we just use the fund balance, let's just call it \$200k in case they don't spend as much, you still are going to be short over \$400,000.00. She would like to look at the proposals that have been submitted.

Commissioner Rushton commented that before Commissioner Soutas-Little moves on she would like to make a correction to the numbers and the offsetting with Medicaid.

Commissioner Soutas-Little responded that she is glad Commissioner Rushton raised that as it is a "guesstimate". Discussion as to whether it could be more or less ensued. If more were received from Medicaid or insurance that would be terrific, then they would spend less money.

Commissioner Soutas-Little continued that this is why they are trying to get funds back from Medicaid and insurance for a portion of services for those parents participating that qualify for that. The guesstimate of the health department was \$19,000.00 and this is brand new and they have not done it for three months. They don't know whether they are really going to get it back. It is a guess and they want to be transparent. There is no guarantee any of that money is going to come. If it does, great. That way they'll spend less money. Soutas-Little continued that she operated off of the budget that they need because you can't use a crystal ball and guess what they might get in revenue and subtract that off or you end up with a number that is not going to work.

Commissioner Soutas-Little went back to the numbers – Commissioner Robbins is proposing, he's saying, let that \$176,000.00 flow forward and remain and on top of that, the millage he's proposing is 0.1988, which is going to generate about \$620,000.00. They will have their 2022 covered and about \$176,000.00 to the good for who knows what's going to happen next year. What Commissioner Wessell is proposed is let's flow forward that \$176,000.00 and the millage of .2319 is basically going to generate – multiple Commissioners offered numbers at this point.

Discussion ensued on the different millage rates, funds generated, fund balance, and budget estimates, the number of kids to be served, the Delta variant and Zywicki responded to further financial questions regarding millage rates and funding.

#215-09212021 Regular Session

MOTION BY BUNEK TO AMEND THE AMENDMENT FOR A MILLAGE RATE OF 0.13, WHICH WOULD FULLY FUND IT FOR 2022 WITH A LITTLE EXTRA. SECONDED BY LAUTNER.

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

AYES – 3 NO – 4

MOTION FAILS.

#214-09212021 Regular Session

MOTION BY WESSELL TO AMEND THE MOTION TO 0.2392, WHICH IS THE MONEY SUFFICIENT TO FUND WHAT THE BUDGET THAT WAS SUBMITTED AND WILL FUND THROUGH THE FIRST QUARTER OF 2023. SECONDED BY ALLGAIER.

Discussion – Commissioner Allgaier asked if she can trust the other Commissioners if the funding is short and Chairman Bunek responded, we will see.

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

AYES – 2 NO – 5

MOTION FAILS.

#213-09212021 Regular Session

MOTION BY ROBBINS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS SET THE TAX LEVY FOR EARLY CHILDHOOD AT 0.1988. SECONDED BY RUSHTON.

ROLL CALL: Robbins – YES; Rushton – YES; Soutas-Little – YES; Wessell – YES; Allgaier – YES; Bunek – YES; Lautner – YES.

AYES – 7 NO – 0

MOTION CARRIED.

Chairman Bunek called for a break at 10:08 p.m. and called the meeting back to order at 10:19 p.m.

#216-09212021 Regular Session

MOTION BY ROBBINS THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE A MILLAGE RATE THAT DOES NOT EXCEED THE MAXIMUM ALLOWABLE MILLAGE LEVY (INSERTED IN COLUMN 9) AND PLACE THAT MILLAGE RATE IN COLUMN 11 AS THE MILLAGE RATE REQUESTED TO BE LEVIED AS FOLLOWS: ROAD, .4958; SENIOR, .3173; EARLY CHILDHOOD, .1988 REQUESTED TO BE LEVIED ON DECEMBER 1, 2021. SECOND BY WESSELL.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Parks & Recreation – Change Order for Veronica Valley (late addition):

Parks members Steve Christensen was present in person and Casey Noonan was present via Zoom. Reasons were provided for the Change Order by Christensen and Noonan. Christensen also noted that an extra \$500.00 is needed for permit fees. The funds are in the budget, but approval is needed for the overage to the bid.

#217-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE CHANGE ORDER FROM ELMER’S CRANE & DOZER, INC., IN AN AMOUNT NOT TO EXCEED \$5,500.00, FOR ADDITIONAL EMERGENCY WORK TO BE DONE ON THE VERONICA VALLEY FISH POND WALKWAY PROJECT; FUNDS TO COME FROM #101.850.756. SECONDED BY WESSELL.

Discussion – It was noted that \$5,000.00 is for Elmer’s Crane & Dozer; \$500.00 is for the permit fees. Chairman Bunek commented on the pathway and short discussion ensued.

AYES – 6 (Lautner, Robbins, Rushton, Soutas-Little, Wessell, Allgaier)

NO – 1 (Bunek)

MOTION CARRIED.

Veterans Affairs – Approval of Grant Agreement Between Leelanau County, Michigan Department of Military and Veterans Affairs, and the Michigan Veterans Affairs Agency:

#218-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT OF THE GRANT AGREEMENT BETWEEN LEELANAU COUNTY, THE MICHIGAN DEPARTMENT OF MILITARY AND VETERAN’S AFFAIRS, AND THE MICHIGAN VETERANS AFFAIRS AGENCY, AS PRESENTED, FOR \$55,240.72. SECONDED BY ALLGAIER.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Substance Abuse Prevention Coalition Leadership Proposal:

#219-09212021 Regular Session

MOTION BY RUSHTON THAT THE BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND ENTER INTO AN AGREEMENT BETWEEN LEELANAU COUNTY AND LEELANAU INVESTING FOR TEENS (LIFT) FOR CONSULTANT SERVICES ON BEHALF OF THE LEELANAU COUNTY SUBSTANCE ABUSE PREVENTION COALITION, AS PRESENTED; FUNDS TO COME FROM #101.100.101.967.019. SECONDED BY LAUTNER.

Discussion – Commissioner Lautner questioned the status of the contract and was told it was in last week's packet for review.

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

Sheriff's Office – Purchase of Cellebrite Software:

#220-09212021 Regular Session

MOTION BY RUSHTON THAT THE BOARD OF COMMISSIONERS ALLOW THE SHERIFF'S OFFICE TO PURCHASE A CELLEBRITE 4PC SOFTWARE SYSTEM AT A COST NOT TO EXCEED \$3,000.00 TO REPLACE AND IN LIEU OF REPAIR OF THE CURRENT CELLEBRITE UFED TOUCH 2 DEVICE; FUNDS TO COME FROM ACCOUNT NUMBER #101.225.301.970.010. SECONDED BY WESSELL.

Discussion – none.

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

Emergency Management – Agreement with the Grand Traverse Band of Ottawa and Chippewa Indians for CAD Services:

#221-09212021 Regular Session

MOTION BY WESSELL THAT THE BOARD OF COMMISSIONERS APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN LEELANAU COUNTY AND THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS FOR THE USE OF THE MOTOROLA FLEX SYSTEM FOR 10 YEARS, AS PRESENTED. SECONDED BY RUSHTON.

Discussion – none.

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

Emergency Management – Approval of FY 2022 Emergency Management Performance Grant:

#222-09212021 Regular Session

MOTION BY LAUTNER THAT THE BOARD OF COMMISSIONERS ALLOW THE CHAIRMAN OF THE BOARD TO SIGN THE EMPG WORK AGREEMENT AND OTHER DOCUMENTS RELATED TO THIS GRANT AGREEMENT, AS PRESENTED, AND TO ALLOW THE OFFICE OF EMERGENCY MANAGEMENT TO SUBMIT ELECTRONIC SIGNATURES FOR THE REQUIRED QUARTERLY REPORTS. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

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

Emergency Management – Disassembled Tower Sale Recommendation:

Chairman Bunek stated that there is no information at this time. Administrator Janik indicated that they will bring it forward next month if necessary.

Planning/Community Development – Housing Affordability Restrictions:

#223-09212021 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE SIGNING OF ALL QUIT CLAIM DEEDS FOR PROPERTIES DEVELOPED WITH AFFORDABILITY RESTRICTIONS AS PART OF GRANT AGREEMENTS BETWEEN LEELANAU COUNTY AND THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA). SECONDED BY WESSELL.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Planning/Community Development – Approval of the Leelanau County Capital Improvement Plan (CIP):

#224-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS ACCEPT THE 2022 THROUGH 2027 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR LEELANAU COUNTY. SECONDED BY ALLGAIER.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Prosecuting Attorney – Title IV-D:

#225-09212021 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE AMENDMENT #1 TO AGREEMENT #CSPA17-45002-A22, BETWEEN THE COUNTY OF LEELANAU AND THE MICHIGAN DEPARTMENT OF HEALTH & HUMAN SERVICES, IN THE AMOUNT OF \$137,085.02 FOR A TWO-YEAR PERIOD ENDING SEPTEMBER 30, 2023; FUNDS TO BE DEPOSITED IN #101.000.000.564.000. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Senior Services – Memorandum of Understanding, ShareCare of Leelanau, Inc.:

#226-09212021 Regular Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN LEELANAU COUNTY SENIOR SERVICES AND SHARECARE OF LEELANAU, INC., FOR CARE COORDINATION SERVICES BEGINNING OCTOBER 1, 2021, PENDING CORPORATE COUNSEL REVIEW AND APPROVAL. SECONDED BY LAUTNER.

Discussion – Administrator Janik commented that this has been reviewed and approved by Corporate Counsel.

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

NO – 0

MOTION CARRIED.

Senior Services – Revised Agreement with ShareCare of Leelanau, Inc.:

#227-09212021 Regular Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE LEELANAU COUNTY SENIOR SERVICES ENTERING INTO A CONTRACT WITH SHARECARE OF LEELANAU, INC., TO PROVIDE VOLUNTEER COORDINATION SERVICES FOR UP TO \$51,000.00, BEGINNING OCTOBER 1, 2021, THROUGH DECEMBER 31, 2022. SECONDED BY ALLGAIER & RUSHTON.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Information Technology – SQL Server Software Upgrade:

#228-09212021 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE PURCHASE OF A CURRENT VERSION OF MICROSOFT SQL FROM CDWG UNDER THE GSA CONTRACT FOR \$4,651.03, WITH FUNDS TO COME FROM DATA PROCESSING FUND #636. SECONDED BY RUSHTON.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Parks and Recreation Commission Recommendation – Agreement with Kasson Contracting, Inc., for the Removal of Myles Kimmerly Park Grub Shack:

#229-09212021 Regular Session

MOTION LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE AN AGREEMENT BETWEEN LEELANAU COUNTY AND KASSON CONTRACTING, INC., FOR THE REMOVAL OF THE GRUB SHACK STRUCTURE LOCATED AT MYLES KIMMERLY COUNTY PARK, AS PRESENTED. SECONDED BY ROBBINS.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Maintenance – Replacement of Parking Lot Security Camera:

#230-09212021 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE ITS POLICY ON BID REQUIREMENTS AND APPROVE THE PURCHASE OF AN IP-BASED MULTI-SENSOR SECURITY CAMERA FOR THE GOVERNMENT CENTER CAMPUS, IN AN AMOUNT NOT TO EXCEED \$6,882.23; FUNDS TO COME FROM #470.000.000.970.010. SECONDED BY ROBBINS.

Discussion – none.

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

NO – 0

MOTION CARRIED.

County Clerk – Board of County Canvassers Appointments:

#231-09212021 Regular Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS REAPPOINT JUDY TEICHERT AND APPOINT FRED CEPELA TO THE LEELANAU COUNTY BOARD OF CANVASSERS, EACH TO A FOUR-YEAR TERM NOVEMBER 1, 2021, THROUGH OCTOBER 31, 2025. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

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

County Clerk – Terrance G. Cadieux, Purchase of Prior MERS Service Credit:

#232-09212021 Regular Session

MOTION BY RUSHTON THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE BY RESOLUTION #2021-012 FOR TERRANCE G. CADIEUX TO PURCHASE FOUR (4) YEARS OF GENERIC SERVICE CREDIT FROM MERS, AS DESCRIBED IN THE APPLICATION FOR ADDITIONAL SERVICE CREDIT PURCHASE, AT A COST OF APPROXIMATELY \$83,228.92, TO BE PAID BY SAID EMPLOYEE. SECONDED BY ALLGAIER & LAUTNER.

Discussion – none.

**ROLL CALL: Rushton – YES; Soutas-Little – YES; WESSEL – YES; ALLGAIER – YES; Bunek – YES; Lautner – YES; Robbins – YES.
AYES – 7 NO – 0 MOTION CARRIED.**

Letter of Endorsement:

#233-09212021 Regular Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS HAVE CHAIRMAN WILLIAM J. BUNEK SIGN THE LETTER TO CHAIRMAN CORBIN AND MEMBERS OF THE BOARD THAT ARE RECEIVING APPLICATIONS FOR THE MSHDA EXECUTIVE DIRECTOR POSITION. SECONDED BY LAUTNER.

Discussion – none.

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

Review of Financials:

No questions.

Special Reports by Staff, Commissioners, and Affiliated Agencies:

Commissioner Allgaier commented on the Northwest Community Action Agency, and that were about to transfer \$73,000.00 to the State and they are now managing those funds and happy to have them. The funds are still being utilized in the area. Allgaier responded to questions from Commissioner Rushton as to the funds.

Public Comment:

Chairman Bunek called for Public Comment.

The following individuals address the Commissioners in person:

Judy Kuntz; Jackie Anderson; Cathy Hartesvelt.

Commissioner Comment:

- Commissioner Wessell offered comments and that he agrees with Jackie Anderson and he is disappointed. He thanked Commissioner Robbins for bringing something that we could all agree on. Wessell continued that the whole process has been sloppy. We didn't start at the place we should have with looking at the budget and asking the budget question. We were sloppy, we were confused, we didn't ask the right questions. Wessell continued that we did the "gotcha" thing and surprised people at the table here. We clearly sent the wrong message and when we send the wrong message, we get a crowd here and we did. Wessell continued that we scared our residents to death by what we said and messages were different, depending on where we heard them. What was said at this table, wasn't what was said on public media and wasn't what we did on radio 580. Wessell continued that the message was catered to different groups that were talked to and we should be ashamed of how we did this; but he is not going to give up because he is going to go back and say let's learn from this and let's work together and try not to surprise each other and let's not keep secrets; let's work together. Wessell commented that he knows we have the Open Meetings Act to worry about; but we should never sit at this table and be surprised by motions out of left field. Now everybody says we weren't serious about it; he thinks we were serious about it until we heard that our residents were not pleased. Wessell hopes that Commissioners learn from this and that we should be a little bit embarrassed by how we have worked together the last couple of months. Thank-you.

- Commissioner Robbins thanked Commissioner Wessell and agrees that Commissioners need to work together. Robbins doesn't know what the (seating) situation is here tonight or if it is a one-time deal, but he personally feels that it looks a lot better with Chairman Bunek in the middle and be divided up. For nine months it has looked like two different teams with four on one side and three on the other. Robbins continued that he thinks that this looks better and Commissioners worked better tonight being separated.

- Commissioner Rushton commented that the messaging started on both sides of the aisle. When the conversation was discussed, opinions were messaged to the public. She continued that she really thinks that it was brought up in Public Comment tonight we are worrying about the poor; it is not just the poor or the seniors that can get tax relief. She raises the issues about those families over the age of six and up into their teen years that are struggling to manage at home – when we look at the early childhood development, we have a very narrow group of families that we are serving. Rushton continued that we also need to take into consideration the elderly trying – some of them are single, one income, trying to maintain their homesteads. She can appreciate young people, she was there once with little kids, struggling, she has lived that and can understand what is being said; however, she thinks that sometimes when we have or are faced with situations that we don't have all the answers to it allows us to grow to the next level, it allows us to get to that next level because we have to figure out what we have to do to protect that child, feed that child, house that child. Rushton continued that she understands that sometimes you hit a brick wall and you have nowhere else to go. She continued that her point is, is everybody wants to serve the youth, which is great; however, we are forgetting about the rest of our families and the rest of our population out there that is looking to us and saying, what about us? What about us? So, you want to throw a million dollars at one segment of our society here. We can't do that as Commissioners, we have to look broadly over the whole scope of the communities. She continued that she understands "children play" and their early development is critically important, but it is no different as they are growing. They have to still be taught, educated, so on and so forth. It is somewhat narrow sighted.

- Commissioner Soutas-Little said thank-you to everyone and we are supporting a program that has tremendous possibilities. She thanked Commissioners Robbins, Wessell and Bunek for all trying to provide something that brought us together. And Commissioners were able to rally around Robbins' proposal. Soutas-Little continued that she thinks that working together is what everyone is saying that we need to practice doing more. It is not easy and dividing Commissioners in the seating this way is good and maybe it did help tonight. She is grateful that Commissioners were able to do something for the community that is very important and she looks forward to other opportunities as we move forward.

- Commissioner Allgaier commented that our citizens did this and that is important. She is so impressed with the comments Commissioners received, the information received, the depth and breadth of the expertise and the caring in our community. Things looked pretty grim last week for a very good reason and our citizens came and participated in government and if anyone is still listening, she says thank-you. Allgaier commented that she believes that there is a Freedom from Religion letter that has gone to the Attorney and she looks forward to hearing what is happening with that in the future. There were comments about our news media and she commented that the people that do the news here are our citizens and they are doing their best. She was sad to hear them vilified. They are reporting, doing their absolute best to report what is happening and she hopes that there will be more respect for the news media and not blame them for what we say just because we don't like it getting out. Allgaier continued that she has real, real concerns about the statements about in a Constitutional Republic that we do not – we have the right to not go on with the public vote if the people are wrong, we didn't hear that tonight, but it was said and it was clarified and it was said a few times. Allgaier continued that yesterday before the meeting, she asked / wanted to give Chairman Bunek an opportunity to back down from what he had said and said we would like to drop that. Allgaier said that she asked if he (Bunek) was going to pursue that kind of thing and Allgaier said that Bunek said, "absolutely, or otherwise we have mob rule". She continued that is a concern, that is real and we cannot pretend it didn't happen. We have a democratic constitutional republic and it is a representational system. Commissioners are the people's servants. They elect us and we have an obligation to represent their needs. If there is a public vote – our citizens need to trust that we are going to follow their expressed wishes. There were so many comments about only 33% voting for this millage; she checked special millages, school millages, for the last five years and they are all about the same. As many people said, some of the Commissioners won by fewer votes. We need to honor what the people say and never mess with that again. There is real concern and legal opinions, just so you know, being solicited to make sure that never happens again. Allgaier is really pleased that Commissioners were able to fully fund the program and she is trusting "you guys" that they will be fine in the first quarter of 2023 and she doesn't want to have to say she got burned in her first year as a commissioner. She continued that she is very pleased that the Health Department feels that they can fully fund their program; and she appreciates the Commissioners working together tonight. We can't brush under the rug what preceded this, but she is very heartened by what happened tonight and thanked all.

- Commissioner Lautner said if she speaks tonight, it will go beyond 11:00 p.m., so she passed.

- Commissioner Soutas-Little commented on the topic Commissioner Allgaier referenced regarding the Freedom from Religion Foundation correspondence and hopes it gets on the

October agenda as it was sent September 9, 2021. Janik and Bunek responded that it is being reviewed by legal counsel.

Approval of Financials —
Amendments & Transfers:
None.

Miscellaneous Fund Transfers and Amendments:
None.

Claims and Accounts:
#234-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$214,106.98. SECONDED WESSELL.

Discussion – none.

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

Post Audit Claims and Accounts:
#235-09212021 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT \$5,387,359.87. SECONDED BY WESSELL.

Discussion – none.

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

Adjournment:

Chairman Bunek adjourned the meeting at 11:01 p.m.

William J. Bunek, Chairman
Leelanau County Board of Commissioners

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