

Leelanau County Board of Commissioners
Special Session –Wednesday, January 24, 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=2669#video>

Meeting called to order by Chairman Ty Wessell at 1:05 p.m. Today's meeting is being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan.

Pledge of Allegiance / Moment of Silence:

The Pledge of Allegiance and Moment of Silence was dispensed with as it was recited at the prior meeting.

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

Public Comment:

The following individual spoke in person: Bill Wiesner.

The written public comments or handouts can be found at the following link:

<https://leelanau.gov/meetingdetails.asp?MAId=2669#handouts>

Commissioner Comments:

None.

Approval of Agenda:

#030-01242024 Special Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS REMOVE AGENDA ITEMS #1 & #5 AND APPROVE THE AGENDA AS AMENDED. SECONDED BY O'ROURKE.

Discussion – Commissioner Kramer stated thought that the legal counsel representation be an immediate matter that needs to be addressed now.

Commissioner Rexroat withdrew the original motion.

#031-01242024 Special Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS REMOVE/ELIMINATE AGENDA ITEM #5 – POTENTIAL: DISCUSS PREVIOUS REQUEST FOR REVISED FOIA APPEAL ONLY. SECONDED BY ROSS/O'ROURKE.

Discussion – none.

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

NO – 0

MOTION CARRIED.

Chairman Wessell suggested that Agenda Item #1 – Request to CONSIDER Contract with Legal Counsel to Represent Leelanau County in Potential Litigation re: BATA Inter-Local Agreement Dispute with Grand Traverse County will be moved to the end of the agenda so that DCS Technology CEO Chris Scharrer, who is present via Zoom, and could be handled first.

Purpose of Meeting – Discussion/Potential Action:

Request to Approve DCS Proposal Per Legal Counsel’s Draft Agreement for Point Broadband Project:

DCS Technology CEO Chris Scharrer was present via Zoom. Interim Finance Director Cathy Hartesvelt was present for the Agenda Item and gave a brief history of the agreement and project.

The Draft Agreement can be found at the following link: (pages 13 – 32)

https://www.leelanau.gov/downloads/special_session_packet_1_24.pdf

#032-01242024 Special Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE CONTRACT AS PRESENTED INCLUDING PROJECT MANAGEMENT SERVICES WITH CHRIS SCHARRER OF DCS TECHNOLOGIES IN THE AMOUNT OF \$96,000.00. SECONDED BY O’ROURKE & ROSS.

Discussion – ensued. Scharrer answered questions from Commissioners.

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

NO – 0

MOTION CARRIED.

Request to Authorize DCS to Continue Effort with Charter to Establish a Contract with Leelanau County:

DCS Technology CEO Chris Scharrer was present via Zoom. Interim Finance Director Cathy Hartesvelt was present for the Agenda Item and gave a brief history of the agreement and project.

#033-01242024 Special Session

MOTION BY ALLGAIER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE THE AUTHORIZATION OF CONTINUED EFFORT FOR CHRIS SCHARRER OF DCS TECHNOLOGIES TO CONTINUE WITH CHARTER TO ESTABLISH A CONTRACT PROPOSAL FOR LEELANAU COUNTY FOR THE WESTERN FOUR TOWNSHIPS UNTIL SUCH TIME TO BE BILLED FOR SERVICES RENDERED TOWARD THAT EVENT *FOR AN AMOUNT NOT TO EXCEED \$5,000.00 PER MONTH.* SECONDED BY ROSS.

Discussion – ensued.

Chairman Wessell stated that the Board of Commissioners could ask for an invoice and place it on the agenda for the February Executive session, and we want to acknowledge that the work will continue with Scharrer and keep the project moving forward.

Commissioner discussion ensued regarding invoicing and the agreement with Charter that has not been created yet, but that Scharrer will continue his efforts.

Chairman Wessell asked if there is a motion on the table and Clerk Crocker replied there is and it is what Interim Finance Director Hartesvelt stated.

Commissioner Rexroat requested the motion be amended to include invoicing at \$5,000.00 per month.

Commissioner Allgaier and Commissioner Ross agreed to the request to amend the motion.

AYES – 7 (Allgaier, Kramer, Lautner, O’Rourke, Rexroat, Ross, Wessell)
NO – 0 **MOTION CARRIED.**

Proclamation to Acknowledge Dick Grout French Legion of Honor Award:

Chairman Wessell gave a brief history in regards to Dick Grout’s service and receiving the French Legion of Honor Award. If we approve a resolution, then the Clerk’s Office and the Administration Office will help with the language, circulate the resolution to the Board members and then forward it to the office of Betsy Coffia, 103rd House District State Representative for presentation.

#034-01242024 Special Session

MOTION BY REXROAT THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS APPROVE TO CREATE A RESOLUTION – PROCLAMATION TO ACKNOWLEDGE DICK GROUT FRENCH LEGION OF HONOR AWARD. SECONDED BY ALLGAIER/ROSS.

Discussion – none.

AYES – 7 (Rexroat, Ross, Wessell, Allgaier, Kramer, Lautner, O’Rourke)
NO – 0 **MOTION CARRIED.**

Chairman Wessell stated the resolution will be forward to Representative Coffia for her to recommend to the State.

Request to consider Contract with Legal Counsel to Represent Leelanau County in Potential Litigation Re: BATA Inter-Local Agreement Dispute with Grand Traverse County:

Commissioner Kramer gave a brief history of why and how this Agenda Item has surfaced. Kramer answered questions from Commissioners and Commissioner discussion ensued.

#035-01242024 Special Session

MOTION BY KRAMER THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS WAIVE BID POLICY AND CONSIDER A CONTRACT WITH LEGAL COUNSEL TO REPRESENT LEELANAU COUNTY IN POTENTIAL LITIGATION REGARDING BATA’S INTER-LOCAL AGREEMENT DISPUTE WITH GRAND TRAVERSE COUNTY WITH NO EXPENDITURES. SECONDED BY ROSS.

Discussion – discussion ensued.

AYES – 5 (Kramer, Rexroat, Ross, Wessell, Allgaier)
NO – 2 (O’Rourke, Lautner) **MOTION CARRIED.**

Potential: Discuss Previous Request for Revised FOIA Appeal:
(REMOVED)

Public Comment:

The following individuals spoke in person: Bill Wiesner and Kerry O’Non.

The written public comments or handouts can be found at the following link:
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Commissioner Comments:

- Commissioner Ross asked when the Governance meeting will take place and Administrator Allen replied that she has reached out to Chet Janik but has not received a firm date to pass along to the Board.
- Chairman Wessell reminded the Board that he will be looking to receive the Administrator's evaluations from each Commissioner over the next week.

Adjournment:

Motion by Allgaier to adjourn.

Chairman Wessell adjourned the meeting at 2:03 p.m.

Ty Wessell, Chairman
Leelanau County Board of Commissioners

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