

**LEELANAU COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION –Tuesday, February 16, 2016**

Approved 4-19-16 – meeting recorded.

(Proceedings of the meeting are being recorded 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 Vice-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.

The Pledge of Allegiance to the Flag of the United States of America was led by Bunek and followed by a moment of silence. Chairman Rentenbach has hit a deer on the way here and will be late. Bunek will conduct the meeting until she shows up.

Roll Call:	District #1 – Open	
	#2 – Debra L. Rushton	PRESENT
	#3 – William J. Bunek	PRESENT
	#4 – Ty Wessell	PRESENT
	#5 – Patricia Soutas-Little	PRESENT
	#6 – Carolyn Rentenbach	LATE (with notice-7:23 p.m.)
	#7 – Melinda C. Lautner	PRESENT

Guests present.

Communications, Proclamations, Presentations and Awards:
None.

Approval of Minutes —
Regular Meeting, November 17, 2015:
#049-02162016 Regular Session

**MOTION BY LAUTNER TO APPROVE THE REGULAR SESSION MEETING
MINUTES OF NOVEMBER 17, 2015. SECONDED BY RUSHTON.**

Discussion – none.

AYES – 5 (Lautner, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Regular Meeting, December 15, 2015:

#050-02162016 Regular Session

MOTION BY WESSELL TO APPROVE THE REGULAR SESSION MEETING MINUTES OF DECEMBER 15, 2015. SECONDED BY RUSHTON.

Discussion – none.

AYES – 5 (Wessell, Bunek, Lautner, Rushton, Soutas-Little)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Special Session, December 31, 2015:

Not available.

Executive Board of Commissioners Meeting, January 12, 2016:

#051-02162016 Regular Session

MOTION BY WESSELL TO APPROVE THE EXECUTIVE BOARD OF COMMISSIONERS MEETING MINUTES OF JANUARY 12, 2016. SECONDED BY RUSHTON.

Discussion – none.

AYES – 5 (Wessell, Bunek, Lautner, Rushton, Soutas-Little)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Special Session, January 19, 2016:

Not available.

Regular Session, January 19, 2016:

Not available.

Special Session, January 21, 2016:

Not available.

Executive Board of Commissioners Meeting, February 9, 2016:

#052-02162016 Regular Session

MOTION BY RUSHTON TO POSTPONE APPROVAL OF THE EXECUTIVE BOARD OF COMMISSIONERS MEETING OF FEBRUARY 9, 2016, UNTIL THE MARCH 15, 2016, REGULAR SESSION. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

AYES – 5 (Rushton, Soutas-Little, Wessell, Bunek, Lautner)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Special Session, February 9, 2016:

#053-02162016 Regular Session

MOTION BY RUSHTON TO APPROVE THE SPECIAL SESSION MEETING MINUTES OF FEBRUARY 9, 2016. SECONDED BY WESSELL.

Discussion – none.

AYES – 5 (Rushton, Soutas-Little, Wessell, Bunek, Lautner)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Closed Session, February 9, 2016:

#054-02162016 Regular Session

MOTION BY RUSHTON TO APPROVE THE CLOSED SESSION MEETING MINUTES OF FEBRUARY 9, 2016. SECONDED BY LAUTNER & WESSELL.

Discussion – none.

AYES – 5 (Rushton, Soutas-Little, Wessell, Bunek, Lautner)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Approval of Agenda and Late Additions/Deletions:

#055-02162016 Regular Session

MOTION BY WESSELL TO MOVE ACTION ITEMS #4a – OUT OF STATE TRAVEL FOR PROSECUTOR AND ACTION ITEM #4b – ACCEPTANCE OF GTB 2% ALLOCATION AWARD TO LEELANAU CHRISTIAN NEIGHBORS TO BELOW ACTION ITEM #14.

Discussion – Commissioner Lautner questioned why we want to move the two items on the agenda and Commissioner Wessell responded that he would like the Chairman to be present when these are discussed.

AYES – 4 (Wessell, Bunek, Rushton, Soutas-Little)

NO – 1 (Lautner) ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Vice-Chairman Bunek noted that Action Item #4a would become Action Item #15a and Action Item #4b would become Action Item #15b.

#056-02162016 Regular Session

MOTION BY RUSHTON TO APPROVE THE AGENDA AS AMENDED. SECONDED BY WESSELL.

Discussion – none.

AYES – 5 (Rushton, Soutas-Little, Wessell, Bunek, Lautner)

NO – 0 ABSENT – 1 (Rentenbach)

MOTION CARRIED.

Public Comment:

► Steve Mikowski from Lake Leelanau. Mikowski offered comment that things seem to be going sideways. As to the Road Commission millage proposal, he strongly suggests that before the Commissioners approve it for the ballot that Commissioners take action to establish a five–member Road Commission Board. That should be one of your goals and/or objectives that he believes would serve the public better. There are too many difficulties with a three–member Road Commission. Mikowski suggested that it be an “objective”, not a “goal”, for 2016. As to “goals” it is his observation that they haven’t been approved, they are business as usual and he would suggest “objectives” as this would require strategy and require significant extra effort.

► Jeannie Aldrich from Suttons Bay. Aldrich was present to address the 2% Leelanau Christian Neighbor (LCN) issue and that it won’t kill her if it passes. She expressed her objection and concern going to a privately run charity. Aldrich continued with comments regarding LCN and also offered her thoughts regarding Commissioner

Wessell and his volunteering his services at LCN and a conflict of interest. Aldrich also demanded a written opinion that this was not a conflict of interest as was expressed at a prior meeting when a recess was taken and the Administrator left the meeting with others. Administrator Janik interjected that it was he (Janik) and County Clerk Crocker that spoke with the Attorney, not Commissioner Wessell

► Bruce Price from Lake Leelanau. Price commented that he was going to try and sit through Public Comment, but someone always opens the door. Price questioned why he was corrected for addressing a Commissioner directly during public comment and yet the prior speaker was not, although directly speaking to a Commissioner.

► David McCulloch from Suttons Bay. McCulloch commented on the 2% allocation and the distribution of funds. He continued that he does not believe that the proper protocol is being followed with the applications and submissions for funding. McCulloch also finds it troubling that there was to be accounting of the funding from LCN and there has not been. McCulloch indicated that he is tired of the rhetoric. In his opinion LCN cannot receive tax money from a government entity and you know that morally. Commissioners should stand up for their moral principles.

► Eric Lind from Suttons Bay Township. Lind commented that he agrees with the prior speaker, McCulloch, and the County has no business giving money to charities. Leelanau Christian Neighbors is a noble operation and he personally has supported it in the past and it is not in the interest of the County to give money to charities.

Review of Financials:

County Clerk Michelle L. Crocker responded to questions by Commissioners.

Action Items —

Structural Engineering Report Update for Law Enforcement Center:

Administrator Janik gave an update to Commissioners on the Law Enforcement Center. Apollo Engineering and E Three, Inc. were present. They met last Friday and met as a team and went over the report and Janik asked them to come up with short-term and long-term fixes. He asked what the impact would be of short term in relation to long term, so as not to be being doing things twice. The report was done at 6:30 p.m. this evening and you are just receiving this. Janik believes that all six Commissioners want to be involved in the process and would recommend that once this is gone through tonight that a special meeting is scheduled to review the document with financial implications.

Chairman Rentenbach present at 7:23 p.m.

The team from Apollo and E3 was present and introduced themselves. John J. Richards, PE, Apollo Engineering, Brian Johnson, Project Management E3, Inc., Mark Perry, E3, Inc. and Kirstin Policastro, E3. E3 is a partner company. Janik indicated that there is

nothing new in the report. Policastro indicated that the material differences is that shorter version is to whether the money you would be spending over a short time, would have to be re-spent over a long term. There is guidance on implementing the short-term and the long term.

As to Immediate Recommended Changes (Quick Fixes):

Item #1 is currently being worked on by the Maintenance Staff and they (Apollo Engineering, Inc. with E-Three, Inc) are here to assist Maintenance Director Jerry Culman if needed and is not considered a duplicitous effort over the long term. They can help shadow.

Item #2 – RTU (Roof Top Unit) #6 – that would be a good unit to modify; although it does not agree with a long term change out, it is needed. This would give the ability to make the building more comfortable. Benefits outweigh the costs and it may need to be duplicated. Humidity is one of the major problems within the building. This would help get it back to a comfortable level.

Item #3 – Control Exhaust Fans and Roof Top Unit so that the air coming in the building and leaving the building under control. The building is currently sitting in a negative pressure and this would make it more neutral. This will fix both the short term and can be used in the future with additional renovations. This also helps deal with the humidity level and RTU #6 – that has been replaced the most and sits on top of an area that is not receiving the occupancy of other areas of the building. There are variables with the fans and that is why the cost variance.

Commissioner Rushton questioned if there are any reasons that have been given as to why this was overbuilt? It would not have been the installing contractor; it would have been at the level of the design portion. Brief discussion on this. Rushton questioned how many of the units were overbuilt – on the heating capacity, 80% are oversized. Rushton questioned what the logic was and the response was there is no logic as to how it would operate.

Commissioner Lautner commented that they were a design/build firm and they were their own overseer to the project. Janik responded that is correct. The Apollo / E3 team cannot speculate. Another thing is that buildings have scientifically advanced since the time the LEC was built; they don't like to look back and place blame. Lautner does and that is her job. Commissioner Rushton does not want to make that mistake a second time. Newer science explained.

Administrator Janik explained time to complete is assuming that all of the engineering, specs and bids are done and received.

Item #4 – Installing a Mini-Split system in armory/evidence/records area – that is part of a larger unit and that is at the mercy of what that level does and you have problems with rusting and paper curling. You cannot have evidence compromised. They currently have dehumidifiers running in each room and being emptied daily and that is costly. That is not an item that would be pulled out and will be there well into the future. This works in conjunction with long term recommendations. Lautner questioned if the dehumidifiers could go once this is fixed and that was confirmed.

Item #5 – adding Carbon dioxide sensors to critical HVAC system to control ventilation – a tool to say use outside air or don't. The current system does not have that. It tends to make the areas uncomfortable. Estimate of cost –more than likely they would not have to do every unit and listed them in order as to greatest significance. This could probably fix a good 70-80% of the problem, but that would not be conducive to the long term. By implementing this they can get a handle on the humidity problem; but it does not work in conjunction with the long term recommendations and would eventually be removed.

Item #6 – Set up schedules to better accommodate occupancy times. This does not perfectly carry over to the next level. This is just trying to get a control. Aspects could be forwarded into the next fix, but not perfect. Could be done without a lot of money.

Item #7 – Install a stand-alone humidifier in the Jail Control Room. It tends to get really dry. This recommendation does not work in conjunction with the long term recommendation outlined herein. Implementing this in whole would be duplicitous. However, in the short term it makes sense to acquire a small humidifier unit to help provide a short term solution.

Item #8 – Replace RTU's #21 and #23. They are units that condition the jail cells and those units from the jail and maintenance records are high maintenance. It is prudent to change those units out and put in something more efficient and it will make it more comfortable and also control humidity and temperature. This should be fine with the long term goals. If you do that it would be something that could be built in the future.

Item #9 – Changes in lighting to Motion Sensors in Restrooms and low occupancy so lighting is not always on. This is also energy savings.

Long Terms recommendations would be planned to be completed in the next 2 – 3 years:

Item #1 Domestic Boiler Systems – suggest replacing them with high efficiency boilers and indirect water heater tanks. Add a heating system component with pumps and distribution piping. Each unit uses natural gas and means there be maintenance issues. Wessell questioned if there are any long term savings with solar. Johnson responded yes – the cost has started to come down and it is usually a percentage and you will

never be able to take the building off line. You have to talk about return on investment. What is the return on investment – it is project specific. You would need to look at hot water consumption between the laundry room and the kitchen.

Item #2 – Replace the current RTUs with 2 or 3 centralized Variable Air Volume Roof Top Air Handling Units. It allows the units to heat or cool and variable. The energy use will go up and down. It also reduces maintenance and that should go down and they should last for an extended amount of time. Johnson responded to Rushton that the extended amount of time would be 25 years or indefinitely.

Item #3 – is the control system overlay. As part of the new HVAC system, install a new building control system. This will allow accurate control operation of equipment, to increase comfort and provide better occupant environment. The new control system ensures optimal operation of building equipment, maximizing their efficiency, cost savings, and effectiveness. The proposed system includes internet connection and web browser access, allowing remote control, alarming, and monitoring of all critical HVAC and lighting equipment (taken directly from report).

Item #4 – is looking at the sanitary vents and if combining the sanitary vents were eliminated. If the odors continue it is our recommendation to install a “Fin” to change the direction of the air that is flowing near the stack(s).

Administrator Janik commented this is the information the Commissioners went out for bids on. One thing discussed was do we continue with Apollo Engineering, Inc., and E Three, Inc., or go out for bids for an Owners’ Representative? There are companies that are willing to do that and Commissioners need to have a lengthy discussion about this and think about this. There will be finances involved in the next step.

Commissioner Rushton commented that last time we met, it was discussed that due to the fact that the County was on natural gas, the County would have an opportunity to take advantage of some grants and what the grants are for and how much those grants would be for. It would help her and possibly the rest of the Board to know what is available and what funding may be available.

Discussion regarding grants and rebates that were previously mention as available. The teams explained the process and what may or may not be available. The federal government has rebates available. They will try to get a hold of the DTE Representative and see what is available. Every year in January they have the money available and the criteria does change from year to year.

Discussion ensued.

Commissioner Lautner questioned if a domestic water boiler was already replaced? Maintenance Director Culman indicated that they changed the exhaust. Discussion.

Commissioner Lautner commented that she heard praise from engineers that were sitting in the last audience at the last meeting regarding your presentation and work done.

Administrator Janik indicated that he believes that this is too important to break out into a separate Committee. He also feels that it is critical to have an Owner's Representative that works directly for the County and does not have a financial interest and is not tied to any specific engineers or architect. Does everyone feel comfortable with a special session and also discuss if you want to continue with Apollo and E Three or get someone else to be the owner's representative that is not tied into a specific architect? He has spoke with Treasurer Gallagher regarding financing as to where the funds can come from.

●Chairman Rentenbach requested that Vice-Chairman Bunek continue to chair the meeting even though she was present, having arrived during the Law Enforcement Center. She was delayed due to having hit a deer on the drive to the meeting.

Maintenance – HVAC Ductwork Cleaning at the Law Enforcement Center:

Administrator Janik gave an update on cleaning the HVAC ductwork at the Law Enforcement Center.

#057-02162016 Regular Session

MOTION BY WESSELL TO APPROVE THE BID PROPOSAL FROM STANLEY STEEMER FOR \$19,850.00 TO CLEAN THE DUCT WORK AT THE LAW ENFORCEMENT CENTER AND THAT THE FUNDS BE ALLOCATED FROM THE CAPITAL BUILDING FUND, #470. SECONDED BY RUSHTON.

Discussion – brief discussion regarding when work would be performed.

AYES – 6 (Wessell, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)

NO – 0

MOTION CARRIED.

Road Commission – Millage Renewal Proposal:

#058-02162016 Regular Session

MOTION BY LAUTNER TO APPROVE THE PROPOSED LEELANAU COUNTY RESOLUTION #2016-002 PLACING THE ROADS AND HIGHWAYS MAINTENANCE AND REPAIR MILLAGE RENEWAL PROPOSAL ON THE AUGUST 2, 2016, BALLOT. SECONDED BY RUSHTON.

Discussion – none.

ROLL CALL: Lautner – YES; Rentenbach – YES; Rushton – YES;

Soutas-Little – YES; Wessell – YES; Bunek – YES.

AYES – 6 NO – 0

MOTION CARRIED.

**Leelanau County
Resolution No. 2016-#002**

WHEREAS, the Leelanau County Road Commission has requested a Roads and Highways Maintenance and Repair Millage Renewal proposal be placed on the August 2016 Primary Ballot; and

WHEREAS, Leelanau County has maintained financing for countywide roads and highways maintenance and repairs for the benefit of the citizens of the county during prior years; and

WHEREAS, millage funds were approved by the electorate for countywide roads and highways maintenance and repairs every two (2) years since 1986; and

THEREFORE BE IT RESOLVED that the following question be submitted to a vote of the electorate in the general election to be held on August 2, 2016:

**Roads and Highways Maintenance and
Repair Millage Renewal Proposal**

For the sole purpose of funding general operating expenses to be incurred in maintenance and repair of roads and highways within the County of Leelanau, at the same millage level previously approved by the voters every two years since 1986, shall the Constitutional limitation upon the total amount of taxes which may be assessed in one (1) year upon all property within the County of Leelanau, Michigan, be renewed at 0.5000 mill (\$0.5000 per \$1,000 of Taxable Value) for a period of two (2) years (2016-2017) inclusive?

If approved and levied in full, this millage will raise an estimated \$1,261,757 for road and highway maintenance and repair general operating expenses in the first calendar year of the levy based on taxable value. In accordance with State law, the millage will be disbursed to the Leelanau County Road Commission, and the Villages of Empire, Northport, and Suttons Bay.

YES

NO

BE IT FURTHER RESOLVED, that this question is hereby certified to the County Clerk.

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to cause the proposal to be stated on the August 2, 2016 ballot and to be prepared and distributed in the manner required by law.

Prosecutor – Out-of-State travel for Prosecutor:

#059-02162016 Regular Session

MOTION BY WESSELL TO APPROVE THE PROSECUTING ATTORNEY’S OUT-OF-STATE TRAVEL TO ALABAMA TO PARTICIPATE IN THE COMPUTER FORENSICS FOR PROSECUTORS COURSE AT THE NATIONAL COMPUTER FORENSICS INSTITUTE. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Rushton noted that this is an honor to have the Prosecuting Attorney invited to the training session and his expenses are all paid and there are no expenses to the County to obtain the training.

AYES – 6 (Wessell, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)

NO – 0

MOTION CARRIED.

Prosecutor – Acceptance of GTB 2% Allocation Award to Leelanau Christian Neighbors:

#060-02162016 Regular Session

MOTION BY SOUTAS-LITTLE TO ACCEPT THE GRAND TRAVERSE BAND 2% ALLOCATION AWARD TO THE PROSECUTOR / LEELANAU CHRISTIAN NEIGHBORS IN THE AMOUNT OF \$22,000.00. SECONDED BY WESSELL.

Discussion – Commissioner Lautner commented that this is a really difficult place for the Commissioners to be in, especially these six Commissioners missing one. She appreciates all of the comments everyone had on this issue. Lautner agrees with everything that has been said and does not feel that this is an appropriate use of “Payment in Lieu of Taxes”. The Prosecutor did forward this and the County does have a contract. The check has been cut so at this point, what to the Commissioners do. We were outvoted in December. Lautner continued that in looking at the awards, it astounds her as to what is being funded with the awards, as far as payment in lieu of taxes. It should be just given to the County for the County services as determined by the Commissioners as it used to be, up until the late 1990’s and Commissioners used the funds to benefit a lot of areas. She did not support the application and she will not support the application to be forwarded at the next grant cycle.

Commissioner Wessell appreciates Commissioner Lautner’s support of accepting the check. Grand Traverse County received \$240,000.00 in 2% allocations and many were for non-profits. He explained the services that received the funding and explained there is a clear message to the County and the Commissioners, that we are not doing it right. He hopes that Commissioners will continue that if a request fits with a department/program mission that it will be forwarded and partnerships will be formed. He is concerned about the disproportionate funding (to other counties) and hopes that Commissioners will look at this. We are certainly not doing something right, as we also submitted other good awards.

Commissioner Rushton said she looked at it differently; maybe all of those other Commissioners are doing it wrong. 2% dollars in her opinion should serve all the citizens that share in the mandated burden of taxation. When those 2% allocation funds can reduce the tax dollars used, it frees up those dollars for everyone. We then free up those dollars to allow citizens to make the decision to donate to the charities of choice.

Commissioner Lautner wanted to read off a few of the 2% allocation awards.

Commissioner Bunek commented that if the assessor sends you your property tax bill to pay and there is a note in it and it may be applied to fire, roads or your favorite charity where you get some of your taxes back. When we give this money to Leelanau Christian Neighbors, we are letting them say we don't have to give it back to our government, we can give it to our friends. If the County were asking for something from LCN that is different than what they are doing, he may see that – but that is not the view he has of what is happening.

A request was made for the County Clerk to restate the motion.

AYES – 4 (Soutas-Little, Wessell, Lautner, Rentenbach)

NO – 2 (Rushton & Bunek)

MOTION CARRIED.

Administrator Janik gave an update on the original Compact between the Grand Traverse Band and Leelanau County, which has expired. All of the other compacts in the State of Michigan are worded differently than the one we are operating under. Without a new contract, the old one is still in effect and it is their prerogative as to how the money will be allocated. Neither the Tribal Members nor the Gaming commission could tell Janik if progress is being made on a new Compact and they would not say who is even on the negotiating teams. It is also not a high priority. Janik indicated that the contract between the County, Prosecuting Attorney and Leelanau Christian Neighbors will be presented next month as they are in the process of updating it.

Commissioner Wessell commented that it is important to note that the Grand Traverse Band has been very generous in the donations to schools through the 2% allocation process.

Register of Deeds – 2016 Remonumentation Grant:

#061-02162016 Regular Session

MOTION BY LAUTNER TO ACCEPT THE 2016 REMONUMENTATION GRANT IN THE AMOUNT OF \$25,096.00. FUNDS TO BE DEPOSITED INTO #101-000.000-575.002. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

Planning and Community Development – Loan Agreement for the Revolving Loan Fund:
Administrator Janik noted that this was approved unanimously earlier in the day by the Brownfield Board, 7-0.

#062-02162016 Regular Session

MOTION BY SOUTAS-LITTLE TO APPROVE THE LEELANAU COUNTY REVOLVING LOAN FUNDING AGREEMENT AS PRESENTED. SECONDED BY RENTENBACH.

Discussion – Chairman Rentenbach commented on the revised schedule and noted the only change was to footnote item #6.

AYES – 6 (Soutas-Little, Wessell, Bunek, Lautner, Rentenbach, Rushton)

NO – 0

MOTION CARRIED.

Solid Waste Council – Recommendation for electronics contract:

Administrator Janik noted that all Commissioners had a copy of the revised contract that came in today.

#063-02162016 Regular Session

MOTION BY WESSELL TO ACCEPT THE BID FROM COMPRENEW FOR ELECTRONICS COLLECTIONS IN LEELANAU COUNTY AND AUTHORIZE A TWO YEAR CONTRACT (2016 AND 2017) BETWEEN LEELANAU COUNTY AND COMPRENEW. SECONDED BY SOUTAS-LITTLE.

Discussion – none

AYES – 6 (Wessell, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)

NO – 0

MOTION CARRIED.

Solid Waste Council – Recommendation on Solon Township Agreement:

#064-02162016 Regular Session

MOTION BY LAUTNER TO ACCEPT THE EXTENSION OF THE AGREEMENT WITH SOLON TOWNSHIP FOR THE RECYCLING SITE IN CEDAR AND AUTHORIZE THE SOLID WASTE COUNCIL TO MOVE FORWARD WITH THE NEXT STEPS FOR THE IMPROVEMENTS, INCLUDING RELEASING BIDS, WITH A NEW AGREEMENT TO BE APPROVED BETWEEN THE TOWNSHIP AND COUNTY BOARD PRIOR TO WORK BEING DONE ON THE SITE. SECONDED BY WESSELL.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

Housing – Acceptance of 2015 Grant Agreement:

#065-02162016 Regular Session

MOTION BY LAUTNER TO ACCEPT THE CDBG GRANT AGREEMENT #MSC-2015-0759-HO IN THE AMOUNT OF \$220,660.00 AND AUTHORIZE THE BOARD CHAIRMAN TO SIGN THE GRANT AGREEMENT AND ANY REQUIRED DOCUMENTS FOR THIS GRANT. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)
NO – 0 **MOTION CARRIED.**

Information Technology – Scheduling subscription:

#066-02162016 Regular Session

MOTION BY SOUTAS-LITTLE TO APPROVE THE SUBSCRIPTION AND ANNUAL EXPENDITURES FOR THE SCHEDULING AND SERVICE FROM ALADTEC IN THE AMOUNT OF \$2,640.00 WITH FUNDING TO COME FROM THE DATA PROCESSING FUND #636. SECONDED BY WESSELL.

Discussion – none.

AYES – 6 (Soutas-Little, Wessell, Bunek, Lautner, Rentenbach, Rushton)
NO – 0 **MOTION CARRIED.**

Parks and Recreation Commission – Myles Kimmerly Barn Update:

Administrator Janik commented that he distributed copies of a report from 2001 and an update from 2015 regarding the Myles Kimmerly Barn. This week Maintenance Department employee Scott Bradley and Building Official Steve Haugen will go and look at the barn. Janik has a friend that looked at it and said that there is definitely salvage value, but the roof is bad. It was a kit barn from Montgomery Wards. Janik also has a message into the person that did the report in 2015.

No motion/action requested at this time.

Clerk – Staffing level adjustment – adjustment of hours:

#067-02162016 Regular Session

MOTION BY WESSELL THAT THE LEELANAU COUNTY CLERK'S STAFFING LEVEL BE AMENDED TO REFLECT THAT THE DEPUTY COUNTY CLERK – 50 HOUR BI-WEEKLY POSITION – BE INCREASED TO FULL-TIME AT 70 HOURS BI-WEEKLY. SECONDED BY SOUTAS-LITTLE.

Discussion – none.

AYES – 6 (Wessell, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)
NO – 0 **MOTION CARRIED.**

Clerk – Staffing level adjustment – hiring overlap for training:

#068-02162016 Regular Session

MOTION BY LAUTNER THAT THE LEELANAU COUNTY CLERK'S STAFFING LEVEL BE AMENDED TO ALLOW FOR UP TO SIX WEEKS OF OVERLAP TRAINING IN THE POSITION OF CHIEF DEPUTY COUNTY CLERK DUE TO CURRENT EMPLOYEES IMPENDING RETIREMENT. SECONDED BY RUSHTON & RENTENBACH.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)
NO – 0 **MOTION CARRIED.**

Commissioner appointments to Boards, Commissions, Committees:

#069-02162016 Regular Session

MOTION BY WESSELL TO APPROVE THE 2016 COMMISSIONER APPOINTMENTS OF BOARDS, COMMISSIONERS, COMMITTEES, AND AUTHORITIES AND THE 2016 SPECIAL COMMITTEES AS AMENDED. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Wessell, Bunek, Lautner, Rentenbach, Rushton, Soutas-Little)

NO – 0

MOTION CARRIED.

2016 Commissioner Appointments
Boards, Commissioners, Committees, and Authorities

9-1-1- Advisory Board	Carolyn Rentenbach
BATA	Deb Rushton
Benzie/Leelanau District Board of Health	Carolyn Rentenbach & Melinda Lautner
Benzie Leelanau Environment Health Bd of Appeals	Will Bunek
Brownfield Redevelopment Authority	Carolyn Rentenbach
Community Corrections	Deb Rushton
Northwest Networks	Ty Wessell
Land Bank Fast Track Authority	Carolyn Rentenbach
Leelanau County Family Coordinating Council	Patricia Soutas-Little
Northern Lakes Comm. Mental Health Authority	Ty Wessell
Northwestern Regional Airport Commission	Deb Rushton
Parks and Recreation Commission	Melinda Lautner Ty Wessell
Planning Commission	Will Bunek
Solid Waste Council	Melinda Lautner

2016 Special Committees

Building & Grounds Committee	Bunek & Rushton
Construction Codes Authority Committee	Bunek & Soutas-Little
Board and Commissions Review Committee	Lautner, Rushton & Soutas-Little
Union Negotiation Committee	Rentenbach & Lautner
Finance/Audit Committee	Lautner, Rentenbach & Bunek
Senior Services Committee	Bunek, Wessell & Soutas-Little

Probate/Family Court – Interior office door:

Administrator Janik indicated that Maintenance Director Culman will come back next month with bids for this project if approved.

#070-02162016 Regular Session

MOTION BY SOUTAS-LITTLE THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE CONSTRUCTION CONSTRUCT OF A DOORWAY INTO SUITE #204 AS REQUESTED. SECONDED BY WESSELL.

Discussion – none.

AYES – 5 (Soutas-Little, Wessell, Bunek, Rentenbach, Rushton)

NO – 1 (Lautner)

MOTION CARRIED.

Administrator – MERS Transfer Agreement:

#071-02162016 Regular Session

MOTION LAUTNER TO ADOPT RESOLUTION #2016-003, EMPLOYER RESOLUTION ESTABLISHING UNIFORM TRANSFERS PROVISION WHERE ALL PRESENT AND FUTURE EMPLOYEE DIVISIONS REQUIRING THAT ALL TRANSFERRED BE GIVEN THE INDIVIDUAL CHOICE TO EITHER BE PLACED IN THE OPEN PLAN OR THE CLOSED DIVISION IF IT IS THE SAME PLAN TYPE (IN THE DIVISION FROM WHICH THE EMPLOYEE IS TRANSFERRED FROM) PROVIDED THERE ARE ACTIVE EMPLOYEES REMAINING IN THE CLOSED PLAN TYPE. SECONDED BY WESSELL.

Discussion – none.

ROLL CALL: Lautner – YES; Rentenbach – YES; Rushton – YES;

Soutas-Little – YES; Wessell – YES; Bunek – NO.

AYES – 5 NO – 1

MOTION/RESOLUTION CARRIED.

**Resolution #2016-003
EMPLOYER RESOLUTION ESTABLISHING
UNIFORM TRANSFER PROVISION**

WHEREAS, the County of Leelanau #4501 is a participating municipality or court in the Municipal Employees' Retirement System of Michigan ("MERS"); and

WHEREAS, the Standard MERS Transfer Rules became effective in August 2007; and

WHEREAS, under the Standard Rules, all transferees to a new division are covered under the active employee plan in the new division; where the defined benefit plan in the new division is closed to entrants, the accrued defined benefit (based on benefits, service and wages as of transfer date) of transferees is frozen as of transfer date.

WHEREAS, pursuant to Retirement Board action on November 10, 2010, the employing municipality or court will be allowed, on a one-time irrevocable and uniform basis, to adopt for all its MERS divisions (present and future) an alternate policy which allows all transferred employees an individual choice at the time of transfer to either be placed in:

(1) the division's open plan, or (2) the closed plan if it is the same plan type, provided there are active employees remaining in the plan type.

WHEREAS, this alternate transfer provision applies to transferred employees only; rehired employees will continue to be enrolled into the active plan; and

NOW THEREFORE BE IT RESOLVED, that effective January 1st, 2016, the Governing Body adopts this Resolution (or for a participating court, the Chief Judge by Administrative Order) for all present and future employee divisions requiring that all transferred employees (select only one):

shall be given the individual choice to either be placed in the open plan or the closed division if it is the same plan type (in the division from which the employee is transferred from) provided there are active employees remaining in the closed plan type.

Modification of dental coverage:

Administrator Janik updated Commissioners on the question that was asked last week if Commissioners could be carved out on the dental coverage and the answer is yes from the Insurance Representative. As to whether or not this would change the compensation level for Commissioners, it is a gray area and Corporate Counsel would recommend that you exclude the Commissioners from it.

MOTION BY RENTENBACH TO MODIFY THE DENTAL COVERAGE, WITH THE COMMISSIONERS CARVED OUT. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Lautner requested a clarification. Change it to what? Is this the proper time to do it? The Board was asked to look into this and they have looked into it for one week. She definitely sees the benefit of the plan, but the County is not asking for anything in return? Is this something to wait for in future negotiations, or split the request further?

MOTION BY RENTENBACH RESTATED TO MODIFY THE DENTAL COVERAGE, WITH THE COMMISSIONERS CARVED OUT, TO 100/50/50 WITH THE \$1,000.00 CAP. SECONDED BY SOUTAS-LITTLE.

Administrator Janik called on County Clerk Crocker to explain the coverage and the cap. Lautner asked if you would modify the motion to not carve out the Commissioners. Lautner is not on the health care plan, so she has nothing to gain. Janik continued that Cohl had told him it is better error on the side of caution.

Commissioner Bunek would like to say something. The Union has asked for this and just because they asked, doesn't mean that they should get it. The contract has been negotiated and approved. To come back and say they want this on top of it, it may be a good idea – but that doesn't mean it should be approved. He does not believe

Commissioners should give themselves a raise. It should also carve out the Elected Officials until their next term. This should wait until the next negotiations and if it can be offered at that time and work it that way. That is how our system works. Bunek said he wants a lot of things but that doesn't mean he gets them.

Question rose regarding the cap by the County Clerk. Chairman Rentenbach indicated that it was with the \$1,000.00 yearly cap.

Commissioner Wessell asked if there is a benefit now. Janik indicated that that is subjective. Dental coverage is handled differently than regular health insurance – whether it is beneficial – they will point out with research you can prevent dental issues – if you go to the dentist more, you can prevent heart disease and detect other issues sooner. Some of the studies were reviewed previously with Commissioners. Janik note he has a friend that just found out she has thyroid cancer by going to the dentist; you could argue this either way. Approximate cost was estimated at a maximum of \$21,000.00, which is not represented in the motion.

Commissioner Soutas-Little asked what s the reason that brought this to the forefront? Janik said there are a lot of employees with families and high dental costs.

Commissioner Rushton commented this should be taken care of at the time of negotiations and they will have an opportunity to press on and they elected not to. Mr. Janik has fulfilled his promises to look into it. The Commissioners have the information and it is something that is negotiated. It is a give and take, so she will not support the motion tonight.

Commissioner Soutas-Little asked where does our dental program stand? Janik responded that it is at the lower end of the spectrum; however, health care is at the top of the spectrum.

Commissioner Lautner appreciates all of the comments and agrees. The concern is being self-funded and if we do not find any of these things early we could be hit with more costly health care in the future. That is why she is okay with just looking at the preventive. If the other two portions are at the low end then that does give negotiating power in the future.

Commissioner Rushton wanted fellow Commissioners to know on preventative care how that works on a cleaning. When a patient goes to a dental office, part of that is an oral exam by the dentist and that is when growths or cancer is looked for. The service is being provided to employees; however, even if they did that once a year they would have a benefit. Whether the County pays 100% or 50%, they are getting the benefit.

County Clerk Crocker responded to a coverage question from Commissioner Wessell.

Administrator Janik indicated that many employees are not taking advantage of the dental because of cost. Rushton responded that it is their choice.

Commissioners requested that the motion be restated by the County Clerk:

#072-02162016 Regular Session

MOTION BY RENTENBACH TO MODIFY THE DENTAL COVERAGE TO 100/50/50 WITH A \$1,000.00 CAP, WITH THE COMMISSIONERS CARVED OUT. SECONDED BY SOUTAS-LITTLE.

Discussion – Commissioner Rushton pointed out that the employees are extremely lucky and Commissioner Wessell added, as are the Commissioners.

AYES – 4 (Rentenbach, Soutas-Little, Wessell, Lautner)

NO – 2 (Bunek & Rushton)

MOTION CARRIED.

2016 Board Goals – reconsideration:

MOTION BY WESSELL TO APPROVE THE COMMON FOUR GOALS AS THE INITIAL LIST OF COUNTY GOALS FOR 2016. SECONDED BY RENTENBACH.

Discussion – Commissioner Wessell commented that there were four goals were identified that were agreed on or in part agreed on and it is common grounds and makes the Commissioners Accountable to the citizens.

Commissioner Wessell read the four goals:

1. Being proactive on MERS/unfunded liability issues and to explore alternative retirement plans for future employees
2. Develop a long-term building maintenance plan to address the ongoing issues with the Law Enforcement Center and to develop a long-term capital improvement plan for the County
3. Continue to offer professional development opportunities for County employees and to enhance the services offered to residents
4. Explore enhancing public safety programs and services that are beneficial to citizens in terms of public health, safety, drug awareness and security

#073-02162016 Regular Session

MOTION AMENDED BY RUSHTON TO REMOVE THE WORD "INITIAL" AND TO APPROVE THE COMMON FOUR GOALS FOR 2016:

- 1. Being proactive on MERS/unfunded liability issues and to explore alternative retirement plans for future employees**
- 2. Develop a long-term building maintenance plan to address the ongoing issues with the Law Enforcement Center and to develop a long-term capital improvement plan for the County**
- 3. Continue to offer professional development opportunities for County employees and to enhance the services offered to residents**

4. Explore enhancing public safety programs and services that are beneficial to citizens in terms of public health, safety, drug awareness and security

SECONDED BY LAUTNER.

Discussion – Commissioner Wessell said he has no problem removing the word initial.

AYES – 6 (Rushton, Soutas-Little, Wessell, Bunek, Lautner, Rentenbach)

NO – 0

MOTION CARRIED.

Commissioner Lautner commented that she appreciates the support to have some goals and this is only February.

State of Michigan Section 19 Disaster Assistance Reimbursement Distribution:

Administrator Janik commented that the County did receive the money and part of that reimbursement was for Road Commission expenses that they could not submit separately.

#074-02162016 Regular Session

MOTION BY RENTENBACH TO APPROVE THE DISBURSEMENT OF SECTION 19 STATE DISASTER GRANT FUNDS IN THE AMOUNT OF \$21,397.70 TO THE LEELANAU COUNTY ROAD COMMISSION AND THAT FUNDS COME FROM 101-100.101-965.000. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Rentenbach, Rushton, Soutas-Little, Wessell, Bunek, Lautner)

NO – 0

MOTION CARRIED.

Amendments and Transfers:

#075-02162016 Regular Session

MOTION BY LAUTNER TO APPROVE FY 2016 AMENDMENT #16-001; #16-002; AND #16-003. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

#076-02162016 Regular Session

MOTION BY LAUTNER TO APPROVE FY 2016 FUND TRANSFER #16-001. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

Claims and Accounts:

#077-02162016 Regular Session

MOTION BY LAUTNER TO APPROVE CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$140,853.01. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

Post Audit Claims and Accounts:

#078-02162016 Regular Session

MOTION BY LAUTNER TO APPROVE POST AUDIT CLAIMS AND ACCOUNTS IN THE AMOUNT OF \$1,782,884.75. SECONDED BY RUSHTON.

Discussion – none.

AYES – 6 (Lautner, Rentenbach, Rushton, Soutas-Little, Wessell, Bunek)

NO – 0

MOTION CARRIED.

Special reports by staff, commissioners, elected officials, and affiliated agencies:

None.

Commissioner Comments – Reports on committee/commission appointments:

Commissioner Lautner commented that she will be attending a DNR (Department of Natural Resources) Grant Workshop at the Grand Traverse Resort on February 17, 2016. The workshop covers the Michigan Natural Resources Trust Fund program, Land and Water Conservation program and Recreation Passport Grant Program.

Public Comment:

► Steve Mikowski from Lake Leelanau. Mikowski commented on State of the Art buildings and a plant in Mississippi in the 1970s and everything was balanced. Something escapes him of those involved that the Law Enforcement Center did not have proper balancing. Part of the basic problem of the whole jail complex and the Commissioners was to overbuild the jail by 60%. In 2002 it was deemed by someone here that bonds would never be so cheap and commented on the cost of those bonds. The penalty to finance was half-a-million dollars. The County has spent over \$8 million on wasted facilities and things that “we” don’t need. He wonders how this process was gone about. The County is now where Leland Township Sewer is and that is beyond the statute of limitations. So somewhere in Leelanau County there is a system that if the County gets involved, someone is steering this thing to be not the greatest. There is a system that makes sure that the people that have been paid off in full won’t be held accountable. You need to go back and determine what kind of process was gone through and not let these things happen. He hopes that there is an accounting of wasted dollars on these buildings. From his short understanding the County is dealing with \$1 million to be expended and that is totally unacceptable. As to the 2% allocation process, in his mind it is a payment in lieu of tax. How can Commissioners misapply or properly use them to benefit the inhabitants? As to the Road Commission and the .50 mill, it looks like all the County Commissioners running for reelection do not want to

address the governance of the Road Commission. The Road Commission funding was all funded by the state. Comments ensued on funding of the Road Commission.

► George Wellman. Wellman disagrees with the notion that the government shouldn't be willing to help people that are hungry via the grant. The government provides all kinds of services that serve only a few. Your fire department puts out homes that are on fire, those people are helped; most will never need the service. The same is for police, most of you will not need the service of law enforcement, but they help some and you are glad they do. These are people that need food and clothing and we should be glad to help them because they need help. Human beings cannot survive without support, they will die without support. Commissioners have to recognize we are like a tribal group in that we need each other to survive. When you want to exclude certain people that is just not right.

► Bruce Price from Lake Leelanau. Price commented on the 2% allocation. He didn't feel that we needed an Animal Control truck, but the Tribe stepped forward for one. He remembers what Suttons Bay was going through a lot of trouble and they took those taxpayers and helped keep those schools going and they do the same thing in Northport. If you go drive through Northport you take a second and look at the street names. Some of you bring up Jesus; three of you are fishing on the wrong side of the boat and should consider switching to the other side so you can catch something. When the vote tonight on the agenda to move item #4 to #14, he doesn't understand why you won't help each other and why you would vote against helping each other and moving something on the agenda. Price concluded that he doesn't understand the logic.

Adjourn:

#079-02162016 Regular Session

MOTION BY RUSHTON TO ADJOURN. SECONDED BY LAUTNER.

Discussion – none.

AYES – 6 (Rushton, Soutas-Little, Wessell, Bunek, Lautner, Rentenbach)

NO – 0

MOTION CARRIED.

Meeting adjourned at 9:04 p.m.

William J. Bunek, Vice Chairman
Leelanau County Board of Commissioners

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