

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**January 10, 2019**

The County Board of Commissioners met in regular session on Thursday, January 10, 2019, in the Commission Chambers.

Clerk/Register Monica McMichael called the meeting to order at 7:00 p.m. Commissioner Marchetti provided the Invocation. Commissioner Dyes led the Pledge of Allegiance to the Flag of the United States of America.

Clerk/Register Monica McMichael called roll:

COMMISSIONERS PRESENT: Terry Ausra, Dixie Ann File, Michael Grice, Dwight Dyes, Roseann Marchetti, Robert Benjamin and E. Clark Cobb.

COMMISSIONERS ABSENT: None.

STAFF PRESENT: County Administrator Karen Folks, Finance Director Angie Steinman and Clerk/Register Monica McMichael.

**ORGANIZATIONAL BUSINESS**

Clerk/Register Monica McMichael opened the floor for nominations for Chair of the Board of Commissioners.

Commissioner File nominated Commissioner Ausra.

Commissioner Grice nominated Commissioner Benjamin.

There were no additional nominations. Clerk/Register McMichael closed the floor.

Board members cast secret ballot votes and returned them to Clerk/Register McMichael. She announced the tallies as: Commissioner Ausra three votes and Commissioner Benjamin four votes. Commissioner Benjamin was elected Chair of the Cass County Board of Commissioners for a one year term.

Clerk/Register McMichael turned the meeting over to Chair Benjamin.

Chair Benjamin opened the floor for the nomination of Vice Chair.

Commissioner File nominated Commissioner Cobb.

Commissioner Dyes nominated Commissioner Marchetti.

Chair Benjamin closed the floor for nominations and instructed Clerk/Register McMichael to call roll:

Commissioner Ausra:	Commissioner Cobb
Commissioner File:	Commissioner Cobb
Commissioner Dyes:	Commissioner Marchetti
Commissioner Marchetti:	Commissioner Marchetti
Commissioner Benjamin:	Commissioner Marchetti
Commissioner Grice:	Commissioner Marchetti
Commissioner Cobb:	Commissioner Cobb

Commissioner Marchetti was elected Vice Chair of the Board of Commissioners for 2019 for a one year term.

### **INTRODUCTION OF VISITORS**

Visitors introduced themselves.

### **APPROVAL OF THE AGENDA**

Commissioner Dyes moved, seconded by Commissioner Cobb, to approve the January 10, 2019 Board of Commissioners Regular Meeting Agenda as Amended. Motion carried by voice vote.

### **RECOGNITIONS**

None.

### **PRESENTATIONS**

None.

### **CONSENT AGENDA**

Approval of the December 20, 2018 Committee of the Whole Meeting Minutes and the December 20, 2018 Regular Meeting Minutes.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Ausra, File, Dyes, Marchetti, Benjamin, Grice and Cobb.

No (0): None.

The Consent Agenda carried by roll call vote.

### **COMMITTEE REPORTS**

Commissioners Dyes, Marchetti and Benjamin furnished committee reports.

## **ADMINISTRATOR'S REPORT**

Administrator Folks stated she provided all board members with a written report prior to the meeting.

Chair Benjamin moved, seconded by Commissioner Marchetti, to add the Administrator's Report to the online posted minutes. Motion carried by voice vote.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

### **M-1-19**

Commissioner Marchetti moved, seconded by Commissioner Grice, to approve Claims dated 12/28/18.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners File, Dyes, Marchetti, Benjamin, Grice, Cobb and Ausra.

No (0): None.

Motion M-1-19 carried by roll call vote.

### **M-2-19**

Commissioner Ausra moved, seconded by File, to accept the Administrator's resignation and offer the Administrator the benefits set forth in Exhibit A to her contract subject to the terms and conditions of Exhibit A.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Dyes, Marchetti, Benjamin, Grice, Ausra and File.

No (1): Commissioner Cobb.

Motion M-2-19 carried by roll call vote.

**M-3-19**

Chair Benjamin moved, seconded by Commissioner Marchetti, to appoint Angie Steinman as acting Cass County Administrator as permitted by the Finance Director/Deputy Administrator Job Description until a permanent Cass County Administrator is hired. With the further necessity of the written approval by the Chair of the Board of Commissioners for any hiring, firing, or department reorganization decisions.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Marchetti, Benjamin, Grice, Cobb, Ausra, File and Dyes.

No (0): None.

Motion M-3-19 carried by roll call vote.

**M-4-19**

Chair Benjamin moved, seconded by Commissioner Grice, to send to the Committee of the Whole the tasks of creating an updated Cass County Administrator Job Description and Cass County Administrator hiring process and to send recommendations back to the Board of Commissioners for consideration at its next regular board meeting. Discussion followed. Motion carried by voice vote.

**M-5-19**

Chair Benjamin moved, seconded by Commissioner Marchetti, to approve the Committee of the Whole Meetings of the Cass County Board of Commissioners to be on the first and third Thursday of each month at 4 p.m. EST except on July 4, 2019, which will be moved to July 5, 2019, as required by Rule 2.2. Discussion followed. Motion carried by voice vote.

**M-6-19**

Chair Benjamin moved, seconded by Commissioner Grice, to approve the Regular Board Meeting dates to be the first and third Thursdays of each month at 7 p.m. EST except on July 4, 2019, which will be moved to July 5, 2019. Motion carried by voice vote.

**M-7-19**

Chair Benjamin moved, seconded by Commissioner Marchetti, to send to the Committee of the Whole the task of reviewing and making recommendations for changes to the Cass County Board of Commissioners Rules of Procedures. Discussion followed. Motion carried by voice vote.

**M-8-19**

Chair Benjamin moved, seconded by Commissioner Marchetti, to request the Clerk of the Board to declare the deadline for agenda items for the next Board of Commissioners Meeting to be 11:59 p.m. the Thursday prior to the Regular Board Meeting. Discussion followed. Motion carried by voice vote.

Clerk/Register McMichael announced that the deadline to submit items for the January 17, 2019 COW/BOC Meetings was 11:59 p.m. January 10, 2019.

**M-9-19**

Chair Benjamin moved, seconded by Commissioner Dyes, to invite letters of interest and qualifications to provide legal counsel services for Cass County on a contractual basis under appointment by the Board of Commissioners to be received no later than 12 p.m. on February 7, 2019. The Cass County Administrator will receive all letters of interest and provide all of them to the Committee of the Whole for their recommendation to the Board of Commissioners. Discussion followed. Motion carried by voice vote.

**M-10-19**

Chair Benjamin moved, seconded by Commissioner Dyes, to send to the Committee of the Whole the task of determining the hiring process for legal counsel services for Cass County and to bring those recommendations to the Board of Commissioners for consideration at the February 7, 2019 Regular Board Meeting. Discussion followed. Motion carried by voice vote.

**M-11-19**

Commissioner Dyes moved, seconded by Commissioner Marchetti, to establish a seven (7) member historic courthouse committee to include the Cass County Treasurer, County Administrator, Director of Maintenance, a member of the Cass County Building Authority, a Cass County Commissioner and two members at large to determine cost, timing, advantages, disadvantages of two separate re-purposings: one to use by county government; one for use that would not include use by county government. Discussion followed.

Chair Benjamin moved, seconded by Commissioner Cobb, to amend the motion to read: to establish of a seven (7) member committee to include the Cass County Treasurer, County Administrator, Director of Maintenance, a member of the Cass County Building Authority, a Cass County Commissioner and two members at large to determine the cost, timing, advantages and disadvantages of three separate scenarios: 1. The re-purpose of the old courthouse and related structures outside of the usage of the County, 2. the update and use of the old courthouse and related structures by County Government as the County Administration Center and 3. The EDC proposed managed solution.

Discussion followed. Motion to amend M-11-19 carried by voice vote.

Chair Benjamin moved, seconded by Commissioner Dyes, to amend the amendment to end with a final report and recommendation due back to the Board of Commissioner no later than June 30, 2019. Discussion followed. Motion carried by voice vote.

Chair Benjamin read the final amended motion:

A motion to establish of a seven (7) member committee to include the Cass County Treasurer, County Administrator, Director of Maintenance, a member of the Cass County Building Authority, a Cass County Commissioner and two members at large to determine the cost, timing, advantages and disadvantages of three separate scenarios: 1. The re-purpose of the old courthouse and related structures outside of the usage of the County 2. the update and use of the old courthouse and related structures by County Government as the County Administration Center and 3. The EDC proposed managed solution with a final report and recommendation due back to the board of commissioners no later than June 30th, 2019.

Motion carried by voice vote.

#### **M-12-19**

Commissioner Marchetti moved, seconded by Commissioner Ausra, to appoint Michael McShane to the Woodlands Behavioral Healthcare Network Board for an unexpired term ending March 31, 2020; to appoint John Messner to the Woodlands Behavioral Healthcare Network Board for a three year term ending March 31, 2021; and, to reappoint Patricia O'Connor and Ed Yeomans to the Cass District Library Board for four year terms ending December 31, 2022. The Woodlands appointment/reappointment were at the recommendation of the Woodlands Board. The Library reappointments were at the recommendation of the Cass District Library Board. Motion carried by voice vote.

#### **FINANCIAL REPORT**

Finance Director Steinman discussed the Finance Report.

Chair Benjamin moved, seconded by Commissioner Marchetti, to add the Finance Report to the posted online minutes. Motion carried by voice vote.

#### **M-14-19**

Commissioner Marchetti moved, seconded by Commissioner Dyes, to suspend the Board Rules of Procedure in order to bypass the necessary unanimous consent needed to add motion M-13-19 to the Regular Board Meeting Agenda.

The Chair instructed the Clerk to call roll:

Yes (4): Commissioners Benjamin, Cobb, Dyes and Marchetti.

No (3): Commissioners Grice, Ausra and File.

Motion M-14-19 to suspend the Rules of Procedure carried by roll call vote.

**M-13-19**

Commissioner Marchetti moved, seconded by Commissioner Dyes, to approve a contract with Microsoft Office 365 G3 Subscription for 250 accounts at a cost not to exceed \$108,864.50. Discussion followed. Motion carried by voice vote. Chair Benjamin deferred to Vice Chair Marchetti as he had a conflict of interest with the motion. Discussion followed.

Commissioner Grice called a Point of Order that a 2/3 vote was necessary to suspend the Rules of Procedure. Chair Benjamin explained the local board rules did not require a 2/3 vote and that Roberts Rules of Order stated that a board may (not shall) require a 2/3 vote.

Vice Chair Marchetti instructed the Clerk to call roll on motion M-13-19:

Yes (3): Commissioners Cobb, Dyes and Marchetti.

No (3): Commissioners Ausra, File and Grice.

Abstain (1): Chair Benjamin.

Motion M-13-19 failed by roll call vote.

**PUBLIC COMMENT**

CCIEA President Tina Butler thanked Chair Benjamin for running a good meeting.

Clerk/Register McMichael read a statement emailed by David H. Allen, Vice President of Regulatory & Gas Operations at Midwest Energy & Communications. He thanked Administrator Folks for her hard work and accomplishments while at Cass County.

Louis Csokasy, Penn Township resident, advocated the board call an emergency meeting to discuss the email system.

Southwest Michigan Association Board of Realtors President Mark VanDusan, Cass County resident Ted Gogel, Village of Cassopolis Manager Emilie Sarratore, Jefferson Township resident Bernie Williamson, Volinia Township resident Cathy LaPointe, MSU Extension Regional Director Julie Pioch, Jefferson Township resident Flena Rubalcaba, and Finance Director Angie Steinman thanked Administrator Folks for her hard work and dedication on behalf of Cass County.

Susan Flowers, Milton Township Treasurer, urged the commissioners to approve the email system.

**BOARD MEMBER COMMENTS/ANNOUNCEMENTS**

Commissioners File, Cobb, Ausra and Benjamin offered comments.

Administrator Folks thanked the County Organization and the community for embracing her and wished everyone well.

**CLOSED SESSION**

None.

**ADJOURNMENT**

Commissioner Cobb moved, seconded by Commissioner File, to adjourn. The meeting adjourned at 8:28 p.m.

Approved: \_\_\_\_\_  
Date

\_\_\_\_\_  
Terry Ausra, Chair

\_\_\_\_\_  
Monica McMichael, Clerk/Register