

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

July 18, 2019

The County Board of Commissioners met in regular session on Thursday, July 18, 2019 in the Commission Chambers.

Chair Benjamin called the meeting to order at 7:00 p.m. Commissioner Marchetti provided the Invocation. Commissioner Ausra led the Pledge of Allegiance to the Flag of the United States of America.

Clerk/Register Monica McMichael called roll.

COMMISSIONERS PRESENT: Dixie Ann File, Michael Grice, Roseann Marchetti, Robert Benjamin, Terry Ausra and Skip Dyes.

COMMISSIONERS ABSENT: E. Clark Cobb.

STAFF PRESENT: County Administrator Jeff Carmen and Clerk/Register Monica McMichael.

INTRODUCTION OF VISITORS

Visitors introduced themselves.

APPROVAL OF THE AGENDA

Commissioner Grice moved, seconded by Commissioner Marchetti, to approve the July 18, 2019 Cass County Board of Commissioner's Amended Agenda.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Approval of the amended agenda carried by roll call vote.

RECOGNITIONS

None.

PRESENTATIONS

Director Tom Green presented the Veterans' Affairs Department Annual Report.

Kathy Sheffield, Director, provided the Woodlands Behavioral Healthcare Network Annual Report.

CONSENT AGENDA

Vice Chair Marchetti moved, seconded by Commissioner Grice, that the following items be voted on at one time by roll call vote and be considered as a consent agenda by the Board of Commissioners:

(M-129-19) A motion to approve Claims dated July 12, 2019

(M-130-19) A motion to approve the July 2, 2019 Board of Commissioners Regular Meeting Minutes

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioners File, Dyes, Marchetti, Benjamin and Grice furnished committee reports.

ADMINISTRATOR'S REPORT

County Administrator Jeff Carmen provided the Administrator's Report.

FINANCIAL REPORT

Administrator Carmen explained the Financial Report was included in the board packet.

UNFINISHED BUSINESS

R-131-19

Commissioner Ausra moved, seconded by Commissioner Marchetti, to approve the following resolution:

WHEREAS, At the June 20, 2019 Board of Commissioners meeting Sheriff Behnke presented a Speech-Powered Reporting Project that will help to alleviate the backlog of reports to be typed and would allow transcriptionists and Deputies positions to be more efficient and productive; and

WHEREAS, The FY2019 Budget has already been set and a budget needs to be established for this purchase as follows:

101-301-980.000 Sheriff Equipment \$10,964/year on a 5 year lease w/\$1.00 buyout

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves the installment purchase of the Speech-Powered Reporting Project

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-131-19 carried by roll call vote.

NEW BUSINESS

R-132-19

Commissioner File moved, seconded by Commissioner Ausra, to approve the following resolution:

WHEREAS, There have been changes in the sentencing guidelines due to a Supreme Court decision that juveniles cannot be sentenced to life in prison without the opportunity for parole; and

WHEREAS, There will be professional witness fees as these cases make their way back to Cass County Circuit Court and a line item will be created as follows:

Transfer out 101-131-801.000 \$4,500.00 to Expert Witness Fees

Transfer out 101-101-801.022 \$8,770.00 to Expert Witness Fees

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves the establishment of a new line item for Professional Witness Fees for Circuit Court

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-132-19 carried by roll call vote.

M-133-19

Commissioner Marchetti moved, seconded by Commissioner Dyes, to provide GIS data at 50% of cost to Farm & Home Publishers to be used in the creation of a new Cass County Plat Book for a fundraiser. Motion carried by voice vote.

R-134-19

Commissioner Dyes moved, seconded by Commissioner Ausra, to approve the following resolution:

WHEREAS, Cass County (“Employer”) is a participating municipality with the Municipal Employees’ Retirement System of Michigan (“MERS”) and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS’ contracts relating to the adoption, amendment and termination of MERS’ products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned therein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby authorized to sign: (1) MERS Adoption Agreements, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer’s participation in any MERS-administered product and any amendments and

addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals: 1. County Administrator – Optional additional job positions: 2. County Finance Director.

This Resolution may be revoked in writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-134-19 carried by roll call vote.

R-135-19

Commissioner Grice moved, seconded by Commissioner Marchetti, to approve the following resolution:

WHEREAS, The FY2019 budget included the purchase of four radar units to replace four units that are currently in non-good working order;

WHEREAS, The Sheriff has submitted a quote from Kustom Signals, Inc. pursuant to the Michigan State Contract #071B4300045 effective 11/27/2013-11/26/2020 for the cost of these radar units as follows:

101-301-980.000 Sheriff Equipment \$5,556.00

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves the purchase of the four radar units.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-135-19 carried by roll call vote.

R-136-19

Commissioner Dyes moved, seconded by Commissioner Grice, to approve the following resolution:

COMMUNITY MENTAL HEALTH AUTHORITY

WHEREAS, on December 19, 1996 the Cass County Board of Commissioners created the Cass County Mental Health Authority pursuant to the Mental Health Code section 205, MCL 330.1205; and

WHEREAS, the duration of the Cass County Community Mental Health Authority is perpetual unless dissolved or terminated by the Cass County Board of Commissioners; and

WHEREAS, termination by the County may be accomplished by an official notification from the Board of Commissioners to the State Department of Mental Health; and;

WHEREAS, termination by the Board of Commissioners shall be effective one (1) year following the receipt of notification by the State Department of Mental Health unless the director of the department consents to earlier termination; and

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners vote to terminate the existence of the Cass County Mental Health Authority and directs the County Administrator to communicate this to the Director of the State Department of Mental Health.

BE IT FURTHER RESOLVED that the Cass County Board of Commissioners directs their County Administrator to notify Cass County Community Mental Health Authority (dba Woodlands Behavioral Healthcare Network) of this resolution.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-136-19 carried by roll call vote.

R-137-19

Chair Benjamin amended M-137-19 amended M-137-19 to a resolution R-137-19. Chair Benjamin moved, seconded by Commissioner Dyes, to approve the following resolution:

WHEREAS, the Mental Health needs of our County residents are of critical importance, and

WHEREAS, our veterans, agricultural families, and youth are known to be significantly at risk, and

WHEREAS, the prevalence of major depressive episodes, alcohol, opioid, gambling and other addictions is increasingly common and destructive, and

WHEREAS, there is a shortage and an ongoing challenge of attracting and retaining professional staff, and

WHEREAS, long-term Funding for mental health services is an issue under serious study statewide and frequently noted by the Michigan Association of Counties, and

WHEREAS, the Cass County Board of Commissioners wants to assure the dedicated staff of Woodlands Behavioral Health of our appreciation for their ongoing dedication, and

WHEREAS, the Cass County Board of Commissioners also wants to express its' commitment to maintaining stability and providing the best possible services to staff and residents.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves the engagement of a consultant by the County Administrator and Chief Judge to evaluate the mental health services, finances, needs, and facilities currently offered by Woodlands Behavioral Health and provide a report by October 17, 2019.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-137-19 carried by roll call vote.

R-138-19

Commissioner Marchetti moved, Commissioner Ausra, to approve the following resolution:

WHEREAS, One of the two air conditioner compressors at the jail has failed and the facility is not designed to run on one compressor in the summer; and

WHEREAS, The County Administrator and the Sheriff believe this is an emergency; and

WHEREAS, The entire system will be replaced once Phase III of the HVAC Project at the Jail begins but the project will not be completed until next year so this failed compressor must be replaced as follows:

245-244-975.108 Air Conditioner Compressor \$17,599.68

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves the purchase and installation of a remanufactured compressor air conditioning unit from Trane U.S. Inc. in the amount of \$17,599.68

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Cobb.

Resolution R-137-19 carried by roll call vote.

PUBLIC COMMENT

Michael McShane (Woodlands Board Member), Beverly Richardson (Woodlands employee), Gary Bundle (Midwest Energy Board of Directors Member), Dave Allen (Midwest Energy employee), Kathy Sheffield (Woodlands CEO) and Zane Lankford (Penn Township resident) spoke regarding resolution R-136-19 and the debate over the Woodlands purchase of the former Midwest Energy Building.

CLOSED SESSION

None.

BOARD MEMBER COMMENTS OR ANNOUNCEMENTS

Commissioner Marchetti reminded commissioners of the celebration for Bob Cochrane, retiring Director of the Cass County Council on Aging, set for Friday, July 19, 2019 from 4-6 p.m.

Commissioner Ausra read a thank you card from Dowagiac Union High School Valedictorian Mae Hartsig.

Commissioner File announced dinner at the Red Brick Schoolhouse at 4:00 p.m. on August 15th.

Chair Benjamin spoke regarding resolutions R-136-19 and R-137-19 (the resolutions regarding Woodlands).

Commissioner Grice reminded everyone of the used tire collection in the parking lot of the Cass County Building to be held on August 10, 2019 from 9:00 a.m. until noon.

ADJOURNMENT

Commissioner Dyes moved, seconded by Commissioner Grice, to adjourn. Motion carried by voice vote.

The meeting adjourned at 8:38 p.m.

Approved: _____
Date

Robert Benjamin, Chair

Monica McMichael, Clerk/Register