

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

May 5, 2016

The County Board of Commissioners met in regular session on Thursday, May 5, 2016 in the Commission Chambers.

Chair Williamson 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.

Deputy Clerk/Register Amanda Smego called roll:

COMMISSIONERS PRESENT: Robert Wagel, Annie File, Dwight Dyes, Roseann Marchetti, Bernie Williamson, and E. Clark Cobb.

COMMISSIONERS ABSENT: Robert Ziliak.

STAFF PRESENT: Finance Director Angie Steinman and Deputy Clerk/Register Amanda Smego.

INTRODUCTION OF VISITORS

Visitors introduced themselves.

APPROVAL OF THE AGENDA

Commissioner Wagel moved, seconded by Commissioner File, to approve the May 5, 2016 Cass County Board of Commissioner's Agenda. Motion to approve carried by voice vote.

PUBLIC COMMENT

There was no public comment.

PRESENTATION

Cass County Road Commission Chairperson Pete Fournier provided handouts to the Board and introduced Managing Director Steve Lucas. Mr. Lucas gave an update on the Road Commission and provided an overview on the following main functions: snow plowing, pothole repair, culvert replacement, paving operations, transition joints, gravel road maintenance, training and mechanization.

CONSENT AGENDA

Commissioner Cobb moved, seconded by Commissioner Marchetti, 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-64-16) A motion to approve Claims dated 4/22/16

(M-143-15) A motion to approve Purchasing Policy

(M-62-16) A motion to approve the following appointment:

Appoint Judy Brown to the Woodlands Behavioral Healthcare Network Board for an unexpired term ending March 31, 2017

*This appointment is at the recommendation of the Woodlands Board.

(M-63-16) A motion to reflect the receipt of the signing bonus in the amount of \$40,000.00 within the 267 Non-Drug Forfeiture Fund and the following budget adjustments:

Increase revenue	267.301.676.000	Other Revenue
Increase expenditure	267.301.980.000	Equipment

(M-67-16) A motion to approve the Law Enforcement Contract between Howard Township, the Office of the Sheriff, Cass County and the County of Cass.

Approval of the April 21, 2016 Regular meeting minutes, the April 22, 2016 Special meeting minutes and the April 28, 2016 Special meeting minutes.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Wagel, File, Dyes, Marchetti, Williamson and Cobb

No (0): None

Absent (1): Ziliak

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioner Marchetti furnished a committee report.

ADMINISTRATOR'S REPORT

Finance Director/Deputy Administrator Angie Steinman provided a written Administrator's Report.

FINANCIAL REPORT

Finance Director/Deputy Administrator Angie Steinman provided a written Financial Report. Ms. Steinman also stated that the majority of department heads have submitted their preliminary budget requests.

OLD BUSINESS

M-65-16

Commissioner File moved, seconded by Commissioner Cobb, to remove M-49-16, which is a motion to simultaneously rescind M-42-16 and adopt separate contracts with Roger Mc Evers, Nathan Brousseau and Kyle Harris – from the table for reconsideration. Discussion followed. Motion to remove from the table failed.

Chair Williamson moved, seconded by Commissioner Cobb, to amend M-49-16, which is a motion to simultaneously rescind M-42-16 and adopt a separate contract with Roger Mc Evers and postpone contracts with Nathan Brousseau and Kyle Harris – from the table for reconsideration. Discussion followed. Motion to amend carried by voice vote. Chair Williamson moved, seconded by Commissioner Cobb, to approve the amended motion carried by voice vote.

M-66-16

Commissioner Cobb moved, seconded by Commissioner Dyes, to take M-59-16, which is a motion to forward the question of appraiser incompatibility to the Attorney General – from the table for amendment and consideration. Discussion followed.

Commissioner Marchetti moved, seconded by Commissioner Cobb to amend the motion to include the wording from Commissioner Dyes. Motion carried by voice vote

Commissioner Marchetti moved, seconded by Commissioner Dyes, to approve the amended motion M-59-16 as follows:

Whereas, the perceived issue of “incompatibility” was based on Attorney General Opinion (AGO) 6808, and

Whereas, the Michigan Constitution, Courts and the Attorney General are in charge of interpretation of law, and

Whereas, we have a statute that specifies the course of action for a remedy – including interpretation by our own Circuit Court (MCL 15.184).

And whereas the State Tax Commission is in charge of Property Assessment Administration and administering the General Property Tax Act (found in MCL 211), the matter in question is

outside of the General Property Tax Act, and the matter in question has also been partially addressed by the Attorney General,

May a county contract with a corporation, or with an individual who is an officer, director, shareholder, employee, or subcontractor of that corporation, to serve as equalization director, or provide other equalization department technical services, when the corporation simultaneously has a contract to serve as assessor for a township in that county?

If the positions are incompatible, will vacating either position solve the dilemma for the current or following tax year given that the county personnel review the assessment roll already prepared by the township?

Motion carried by voice vote.

NEW BUSINESS

Chairperson Williamson advised that the following Commissioners have been appointed to serve on the Committee to view the County Administrator Contract: Marchetti, Cobb and Ziliak.

BOARD MEMBER COMMENTS OR ANNOUNCEMENTS

Commissioners Marchetti, Cobb and Wagel provided announcements.

PUBLIC COMMENT

Pete Fournier provided public comment.

ADJOURNMENT

Commissioner Wagel moved, seconded by Commissioner Cobb, to adjourn. Motion carried by voice vote.

The meeting adjourned at 8:15p.m.

Approved: _____
Date

Bernie Williamson, Chairperson

Amanda Smego, Deputy Clerk/Register