

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**April 21, 2016**

The County Board of Commissioners met in regular session on Thursday, April 21, 2016 in the Commission Chambers.

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

Clerk/Register Monica Kennedy called roll:

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

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Finance Director Angie Steinman and Clerk/Register Monica Kennedy.

**INTRODUCTION OF VISITORS**

Visitors introduced themselves.

**APPROVAL OF THE AGENDA**

Commissioner Marchetti moved, seconded by Commissioner Ziliak, to approve the April 21, 2016 Cass County Board of Commissioner's Amended Agenda. Motion to approve carried by voice vote.

**PUBLIC COMMENT**

There was no public comment.

**R-57-16**

Commissioner Dyes moved, seconded by Commissioner Wagel, to recognize James Becraft and approve the following resolution:

**WHEREAS,** Jim Becraft began working for Cass County on October 24, 1974; and

**WHEREAS,** Mr. Becraft has had many titles over the years such as Draftsman, Property Description Director, Assessor, GIS Technician/Property Description; and

**WHEREAS,** Mr. Becraft has been located in several offices such as Equalization, Planning, Information Systems and the Treasurer's Office; and

**WHEREAS,** Mr. Becraft has been instrumental over his 41½ years with Cass County in establishing detailed property record processes between departments and local government units; and

**WHEREAS,** Mr. Becraft's knowledge of every parcel in the County comes second nature to him and he will be truly missed.

**NOW THEREFORE BE IT RESOLVED** that the Cass County Board of Commissioners recognizes Mr. Becraft and his years of service to Cass County; and

**BE IT FURTHER RESOLVED** that the Board wishes Mr. Becraft the best in his retirement and future endeavors.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Wagel, File, Dyes, Marchetti, Williamson, Ziliak and Cobb.

No (0): None.

Resolution R-57-16 carried by roll call vote.

### **PRESENTATION**

Prosecutor Fitz presented the 2016 Victim Rights Week Book Cover Winners.

### **PRESENTATION**

Jeff Elliott, Van Buren/Cass District Health Department Director, presented the 2015 Annual Report.

### **CONSENT AGENDA**

Commissioner Ziliak 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-58-16)** A motion to approve Claims dated 4/8/16

**(R-50-16)** Part 91, Soil Erosion and Sedimentation Control

**WHEREAS,** Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 91) was passed by the

state legislature, this law and all rules promulgated under this law are incorporated by reference in this resolution; and

**WHEREAS**, Part 91 requires that the County Board of Commissioners designate a county agency, or conservation district upon the concurrence of the conservation district as the county enforcing agency responsible for administering and enforcing Part 91 and the rules promulgated under Part 91.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners hereby designates the Cass County Conservation District as the Enforcing Agent responsible for administering and enforcing Part 91 and the rules promulgated under Part 91.

**(R-51-16)** 2015 Homeland Security Grant Program Intergovernmental Funding Agreement

**WHEREAS**, the 2015 Homeland Security Grant Program Intergovernmental Funding Agreement between County of Van Buren and County of Cass has been submitted to the Cass County Board of Commissioners for approval.

**NOW THEREFORE BE IT RESOLVED**, that the Cass County Board of Commissioners on behalf of the County of Cass hereby accepts and binds the County of Cass to the terms and conditions of the Agreement and authorizes Bernie Williamson and Angie Steinman to execute the Agreement.

**(R-52-16)** 2016 State Equalized Values

**WHEREAS**, the Equalization Department has carefully considered the assessment rolls of the several townships of the County, the City of Dowagiac and the City of Niles; and

**WHEREAS**, Real and Personal Property has been equalized separately by class according to Section 34 of the General Property Tax law as amended;

**NOW THEREFORE BE IT RESOLVED** by the Cass County Board of Commissioners that the attached report be adopted as a just equalization in compliance with Section 211.34 MCL as amended, and that this report be made part of the permanent record; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners authorizes former Equalization Director Anthony Meygaard, as its legal representative, to act on behalf of Cass County in all matters before the State Tax Commission relative to the adoption of the 2016 state equalized values.

**(M-53-16)** A motion to amend several line item budgets in an effort to increase the budget for the Jury Fund. This will restore the original FYE2016 budget requested by the County Clerk which was reduced during the budget process to help balance the General Fund Budget. There are several trials on the horizon, including a murder trial, all of which will contribute to the need for an increased jury fee budget this fiscal year. The net effect on the General Fund Budget for these amendments is zero.

Revenues

101-000-437.000	Industrial Facilities Tax	7,420
101-000-478.000	Soil Erosion Permits	4,580
101-000-659.010	Circuit Court Bond Forfeiture	2,500
101-000-680-050	REIM Wages-Work Comp	3,500
Total Revenues		18,000

Expenditures		
101-219-804.000	Jury Fees	20,000
101-851-707.000	Compensated Absences	(2,000)
Total Expenditures		18,000

**(M-54-16)** A motion to approve the purchase of computer equipment for the Imaging Project from Dell Computer Corp. in the amount of \$17,699.92. The purchase will be paid from the 2016 Friend of the Court budget 101-141-980.141.

**(M-55-16)** A motion to approve the purchase of equipment for the K-9 Dog Fund vehicle from Tel-Rad in the amount of \$10,330.00. The purchase will be paid from Fund 272.

**(R-56-16)** Resolution in Support of SB 703

**WHEREAS**, SB 703 would amend 976 PA 388, entitled "Michigan Campaign Finance Act" by amending section 57 (MCL 169.257), as amended by 2015 PA 269; and

**WHEREAS**, the proposed amendment would remove the unreasonable restriction that was included in 2015 PA 269, that being the inability to discuss ballot questions during the period of 60 days before the election in which the ballot question will appear; and

**WHEREAS**, SB 571 as it was presented to Governor Snyder, which included that a public body shall not discuss local ballot issues during the period of 60 days prior to the election in which the issue appears on the ballot; and

**NOW THEREFORE BE IT RESOLVED** that the Cass County Board of Commissioners support SB 703 to remove this restriction on how County Officials communicate with their constituents about local ballot questions; and now

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to all Michigan Counties, Representative Aaron Miller, Representative Pagel, Senator Proos, Governor Snyder, and the Michigan Association of Counties.

Approval of the April 7, 2016 Regular Meeting Minutes

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners File, Dyes, Marchetti, Williamson, Ziliak, Cobb and Wagel.

No (0): None.

The Consent Agenda carried by roll call vote.

### COMMITTEE REPORTS

Commissioner Marchetti and Cobb furnished committee reports.

## ADMINISTRATOR'S REPORT

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

### NEW BUSINESS

There was no new business.

### OLD BUSINESS

#### M-60-16

Commissioner Marchetti moved, seconded by Commissioner Wagel, to approve the Memo of Understanding between the Village of Cassopolis and the Cass County Sheriff's Office with all abbreviations of CCSD changed to CCSO. The board approval authorizes Sheriff Underwood to sign the agreement. Motion carried by voice vote.

#### R-46-16

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

#### **COALITION AGAINST BIGGER TRUCKS (CABT)**

**WHEREAS**, Counties play an important role in managing local road and bridge systems; and

**WHEREAS**, many of our roads and bridges are deteriorating faster than we can repair or replace them; and

**WHEREAS**, a 2015 U.S. Department of Transportation (USDOT) Comprehensive Truck Size and Weight Limit Study found that increased in truck size and weight could result in another \$2 billion in projected costs per year and \$1.2 billion to \$1.8 billion in additional pavement costs every year nationwide.

**NOW THEREFORE BE IT RESOLVED** that the Cass County Board of Commissioners supports sending this Resolution to Senators Debbie Stabenow and Gary Peters and Representative Fred Upton asking for their support in opposition to amending HR 22 and opposition to HR 4371.

Commissioner Marchetti read a resolution passed by the Cass County Road Commission regarding the same issue. Commissioner Wagel questioned if a Senate Bill should be added to the resolution as the resolution is being forwarded to Senators Stabenow and Peters. Chair Williamson assured Commissioner Wagel someone would into it and correct, if needed.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Dyes, Marchetti, Williamson, Ziliak, Cobb, Wagel and File.

No (0): None.

Resolution R-46-16 carried by roll call vote.

### **M-59-16**

Commissioner Ziliak moved, seconded by Commissioner File, to pass the following motion:

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 MCL211), 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,

This is a motion to forward the question of incompatibility within the proposed Contractual Agreement with Nathan Brousseau and Kyle Harris to provide Cass County with assessing services, to the Office of the Attorney General for clarification of their own opinion, or if so accepted, on to the Cass County Circuit Court Judge Michael Dodge, via Prosecutor Victor Fitz, for his decision – per MCL 15.184 – Section 4.

Discussion followed.

Commissioner Wagel moved, seconded by Commissioner Marchetti, to table the motion. Motion to table carried by voice vote.

### **BOARD MEMBER COMMENTS OR ANNOUNCEMENTS**

Commisisoners Marchetti, Ziliak and Wagel provided announcements.

### **PUBLIC COMMENT**

Clerk/Register Monica Kennedy expressed her gratitude to Information Systems Deputy Director Jodi Nestich for having the office back up and running within three hours after the main server completely died.

**ADJOURNMENT**

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

The meeting adjourned at 8:12 p.m.

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

\_\_\_\_\_  
Bernie Williamson, Chairperson

\_\_\_\_\_  
Monica Kennedy, Clerk/Register