

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

April 19, 2018

The County Board of Commissioners met in regular session on Thursday, April 19, 2018 in the Commission Chambers.

Chair Terry Ausra called the meeting to order at 7:00 p.m. Commissioner File 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: Terry Ausra, Annie File, Michael Grice, Roseann Marchetti, Robert Ziliak and E. Clark Cobb.

COMMISSIONERS ABSENT: Skip Dyes.

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

INTRODUCTION OF VISITORS

Visitors introduced themselves.

APPROVAL OF THE AGENDA

Commissioner Cobb moved, seconded by Commissioner Ziliak, to approve the April 19, 2018 Regular Board of Commissioners Meeting Amended Agenda. Motion to approve the agenda carried by voice vote.

RECOGNITIONS

Prosecutor Victor Fitz and Victim Rights Coordinator Marie Anderson introduced the Victim Rights Week Book Cover Winners.

The meeting recessed at 7:20 p.m. for a fire alarm. The meeting reconvened and Commissioner Dyes entered the meeting at 7:30 p.m.

PRESENTATION

Equalization Director Tami Stewart presented the Equalization Annual Report.

RECOGNITION

Milton Township Supervisor Robert Benjamin recognized Equalization Director Tami Stewart for her extraordinary services to the residents of Milton Township. He presented her with a resolution passed by the Milton Township Board.

PRESENTATION

Parks Director Scott Wyman informed the board of upcoming parks events.

INTRODUCTIONS

None.

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-40-18) A motion to approve Claims dated April 6, 2018

(M-41-18) A motion to approve vehicle equipment updates for vehicles at the Sheriff's Office

(M-42-18) A motion to establish a budget for the 2017 Medical Marijuana Project

(M-43-18) A motion to amend the 595 Jail Commissary budget.

(M-44-18) A motion to approve the payment of one invoice to Management Partners. Invoice #5664 for \$3,500.00 to be paid out of line item 245-244-975.098.

(M-45-18) A motion to make an employer voluntary payment contribution of twenty-five percent (25%) of the fiscal year ending September 30, 2017 audited surplus of \$561,572, equaling \$140,393 to MERS to be applied against our unfunded accrued liability for the 2017-2018 fiscal year.

(M-46-18) A motion to approve obtaining two three-year leases from Pitney Bowes for two postage machines. One will be for use at the Law and Courts Building with a monthly cost of \$327.75 and one will be for use at the Sheriff's Office with a monthly cost of \$109.76.

Approval April 5, 2018 Regular Board Meeting.

The Chair instructed the Clerk to call roll:

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

No (0): None.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioners File, Dyes, Marchetti, Ziliak, Grice, Cobb and Ausra furnished committee reports.

ADMINISTRATOR'S REPORT

Administrator Karen L. Folks provided the Administrator's Report.

OLD BUSINESS

None.

NEW BUSINESS

R-47-18

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

RESOLUTION TO ADOPT THE 2018 COUNTY EQUALIZATION REPORT AS SUBMITTED

WHEREAS, the Equalization Department has examined the assessment rolls of the 15 Townships and 2 Cities within Cass County to determine whether the real and personal property in the respective Townships and Cities has been equally and uniformly assessed; and

WHEREAS, based on this examination and studies it conducted, the Equalization Department has prepared and presented to the County Board of Commissioners the attached 2018 Equalization Report; and

WHEREAS, said Equalization Report presents recommended County equalized valuations for each of the 15 Townships and 2 Cities within the County; and

WHEREAS, the recommended County equalized valuations were determined by adding to, or deducting from, the assessed valuations of taxable property in the 15 Townships and

2 Cities within the County, the amount necessary to arrive at the appropriate proportion of true cash value.

NOW, THEREFORE BE IT RESOLVED, that the Cass County Board of Commissioners accepts and adopts the recommended County equalized valuations presented in the 2018 Equalization Report prepared by the Cass County Equalization Department for a total 2018 equalized valuation of real and personal property of \$2,922,796,194 with the breakdown of equalized valuation by property classification as follows:

Agricultural Real Property	\$ 548,739,900
Commercial Real Property	\$ 103,035,200
Industrial Real Property	\$ 40,261,400
Residential Real Property	\$ 2,006,192,006
Developmental Real Property	\$ 0
Total Real Property	\$ 2,698,228,506
Total Personal Property	\$ 224,567,688
Total Real and Personal Property	\$ 2,922,796,194

BE IT FURTHER RESOLVED, that the Cass County Board Chairperson and the County Clerk of the Board of Commissioners are authorized to sign the report; further, that the County Administrator and the Equalization Director are authorized to represent Cass County at both Preliminary and Final State Equalization sessions, if deemed necessary.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-47-18 carried by roll call vote.

R-39-18 AMENDED

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

**OPPOSING AMENDATORY LEGISLATION TO
MICHIGAN PUBLIC ACT 93 OF 2013**

WHEREAS, Michigan Public Act 93 of 2013 created the Michigan Indigent Defense Commission (MIDC), authorized the MIDC to establish minimum standards for the provision of indigent defense services, mandated compliance plans from all Michigan counties by November 20, 2017 to address the first four indigent defense standards, and mandated that any additional costs required to implement these minimum standards be paid by the state; and

WHEREAS, Wexford County partnered with Missaukee County to develop a mandatory compliance plan for implementing the first four indigent defense standards and submitted this plan to the MIDC by the November 20, 2017 deadline; and

WHEREAS, Governor Rick Snyder has now proposed a FY 19 budget for the State of Michigan, which includes insufficient funding to pay the additional indigent defense expenses that are anticipated in association with implementation of the first four indigent defense minimum standards, as required by Michigan Public Act 93 of 2013; and

WHEREAS, realizing state funding as currently proposed is insufficient and in violation of Michigan Public Act 93 of 2013, the Governor has further proposed amendatory legislation, “to clarify and improve” Michigan Public Act 93 of 2013, which include, among other things, establishing a new minimum local share of indigent defense costs to \$7.25 per capita and requiring that 90 percent of the revenue now collected by counties from partially indigent defendants be remitted to the state to support statewide system costs; and

WHEREAS, Cass County requests that there be no additional costs to Counties for the implementation providing indigent defense services compliance with the first four standards.

NOW THEREFORE BE IT RESOLVED, the Cass County Board of Commissioners hereby opposes any amendatory legislation to Michigan Public Act 93 of 2013 that would reduce or eliminate the State of Michigan’s fiduciary responsibility to pay any and all additional costs required to implement the minimum indigent defense standards, as presently legislated.

BE IT FURTHER RESOLVED the Cass County Board of Commissioners remains committed to implementing the new minimum indigent defense standards as mandated by the MIDC, so long as the State of Michigan remains true to its original commitment to pay for any additional costs necessary for their implementation.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Snyder, Representative Fred Upton, Senator John Proos and the Michigan Association of Counties.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-39-18 carried by roll call vote.

R-48-18

CORMORANT CONTROL ACT

WHEREAS, State and Federal natural resource agencies tracked migratory bird populations in the Great Lakes area beginning in the 1900's and annual bird counts documented that the number of Double-crested cormorants appeared to have peaked in the 1940's, with about 6,000 birds. By the mid-1970's there was concern over the decline of most migratory birds in the Great Lakes region due to the effects of contamination (i.e. DDT), and cormorant numbers were estimated to be less than 100 birds; and

WHEREAS, Cormorants migrate from the Gulf of Mexico to the Great Lakes region for the breeding season, spending approximately 150 days along the coastal island areas such as provided by Saginaw Bay. The diet of cormorants is almost exclusively fish and they depend on their surrounding waters to sustain both the breeding adults and their young once they hatch. An adult cormorant will eat 1.3 pounds of fish each day; and

WHEREAS, Throughout the 1980-1990's protections were afforded to migratory birds and their numbers began to increase, persistent chemicals were banned, and extensive clean-up projects were undertaken. During this same period, state, federal and tribal fisheries managers instituted extensive fish stocking programs to restore a better balance to the Great Lakes food web; and

WHEREAS, Today the Great Lakes supports several important fisheries including commercial, recreational and tribal which are collectively valued at more than \$7 billion annually and support more than 75,000 jobs. Yellow Perch in particular is a key staple of the cormorant diet but also the centerpiece of Michigan's recreational fishery, Friday dinner fish fry's and an important economic draw; and

WHEREAS, Resource managers in the Great Lakes now estimate that cormorant numbers have peaked at about 115,000 breeding pair and at these numbers their fish consumption is estimated 77 million pounds each year. In conjunction there has also been a drastic decline in Yellow Perch harvest from a high of 375,000 fish to just 695 fish by the year 2000. Bait shops, fishing resorts and fishing related service industries declined or closed in some communities by up to 40%; and

WHEREAS, In 1998 and again in 2003 the U.S. Fish and Wildlife Service developed orders for state level management of cormorant populations for the benefit of fish, and when implemented, the numbers of Yellow Perch and other game fish rebounded. However, the orders were rescinded in 2016 by the U.S. District Court until the

U.S. Fish and Wildlife Service can reissue an Environmental Assessment to show the effect of the orders allowing lethal control on cormorant populations. In Saginaw Bay the effect of two years without any cormorant control was easily seen last summer when the sky was blackened by such high numbers of the distinctive birds flying low over the horizon in continuous unbroken miles and miles of lines of cormorants; and

WHEREAS, The State of Michigan has gone on record in support of U.S. House Bill 4429, for reinstating effective cormorant management, applied in the same collaboratively way that we use to protect our other natural resources to support important Great Lakes fisheries valued at more than \$7 billion annually and more than 75,000 jobs.

NOW THEREFORE BE IT RESOLVED the Cass County Board of Commissioners hereby supports the “Cormorant Control Act” House Bill 4429 directing the reissuance of a rule relating to extension of the expiration dates for double-crested cormorant depredation orders.

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

Commissioner File left the meeting from 8:45 p.m. until 8:47 p.m.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Cobb, Ausra, Marchetti, Dyes, Ziliak and Grice.

No (0): None.

Absent (1): Commissioner File.

Resolution R-48-18 carried by roll call vote.

PUBLIC COMMENT

MSU Director Julie Pioch introduced the newest MSU Extension employee Jon LaPorte.

CLOSED SESSION

None.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioners Marchetti, Ziliak and Grice offered comments.

ADJOURNMENT

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

The meeting adjourned at 8:50 p.m.

Approved: _____
Date

Terry Ausra, Chair

Monica Kennedy, Clerk/Register