

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

May 5, 2022

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, May 5, 2022, in Commissioner Chambers. Due to COVID-19 concerns, public participation was offered via Zoom.

Chair Dyes called the meeting to order at 5:00 p.m. Commissioner Marchetti provided the Invocation. Commissioner Laylin led the Pledge of Allegiance to the Flag of the United States of America.

Clerk/Register Monica McMichael called roll:

COMMISSIONERS PRESENT: Ryan Laylin, Annie File, Skip Dyes, Roseann Marchetti, Robert Benjamin, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Deputy County Administrator Matthew Newton, Finance Director Jennifer Rentfrow and Clerk/Register Monica McMichael.

INTRODUCTION OF VISITORS

Visitors present introduced themselves.

PUBLIC COMMENT

Ontwa Township resident Norman Krupp spoke in favor of the proposed ORV ordinance; however, he stated that the fee was too high and flags should not be required. He also suggested that lights be required on all ORVs.

Mason Township resident RJ Lee relayed information from farmers that he spoke with regarding the ORV ordinance. They supported the ordinance but were strongly opposed to the fee.

Kent Clark, a resident of LaGrange Township, asked the commissioners to take into account the information provided in writing to the board.

Jefferson Township resident Merry Clark expressed concern over ORV safety on the roads.

APPROVAL OF THE AGENDA

Commissioner File moved, seconded by Commissioner Benjamin, to approve the May 5, 2022, Cass County Board of Commissioner's Agenda. Motion to approve the agenda carried by voice vote.

RECOGNITIONS

None.

PRESENTATIONS

Prosecutor Fitz introduced the winners of the Victim Rights Week Book Contest.

Treasurer Hope Anderson presented the 2022 Foreclosure Report to the board.

CONSENT AGENDA

Vice Chair Grice 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-95-22) A motion to approve Claims dated April 29, 2022.

(M-96-22) A motion to approve the April 21, 2022 Board of Commissioners Regular Meeting Minutes.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Laylin, File, Dyes, Marchetti, Benjamin, Grice and Jones.

No (0): None.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioners Laylin, Marchetti, Benjamin and Jones offered Committee Reports.

APPOINTMENTS COMMITTEE REPORT

Commissioner Marchetti announced an opening on the Historical Commission.

ADMINISTRATOR'S REPORT

Deputy Administrator Matthew Newton stated that the report was in the board packet.

PUBLIC SAFETY UPDATE

Undersheriff Roach shared the Public Safety Update.

COUNTY PARTNERS

None.

ELECTED OFFICIALS UPDATE

None.

UNFINISHED BUSINESS

O-01-22

Commissioner Laylin shared updates made to the ORV ordinance after the last reading.

M-97-22

Commissioner Laylin moved, seconded by Commissioner File, to approve Ordinance # 01-22 Cass County ORV Ordinance.

Commissioner Marchetti moved, seconded by Commissioner Grice, to postpone the motion. Discussion followed.

The Chair instructed the Clerk to call roll:

Yes (3): Commissioners Grice, Marchetti and Benjamin.

No (4): Commissioners File, Jones, Dyes and Laylin.

Motion to postpone failed by roll call vote.

Commissioner Marchetti questioned why proof of insurance was removed from the ordinance. She also asked that the ordinance be published in both Leader Publications and the Marcellus News. Commissioner Marchetti then requested that specific language be added to stipulate ORVs were not to trespass on farmland. Discussion followed and the language was not added to the ordinance as it already stated they were not to trespass on private land.

Chair Dyes stated that he did not support a permit fee as ORV owners already paid a fee to the State of Michigan.

Commissioner Benjamin asked how updates and messages would be relayed to ORV owners.

Commissioner Grice shared that 60% of township supervisors were against the ORV ordinance. Commissioner File stated that three of the four townships she represented had ordinances approving ORVs.

Commissioner Benjamin stated that Milton Township did not want the ORV ordinance approved for their township. He stated that the township had concerns about ORVs driving slow on busy roads with higher speed limits. He also suggested that insurance be a requirement listed in the ordinance. Commissioner Benjamin went on to request that sections 6 and 12 be eliminated and that section 7 state speed limits. He questioned a ten foot flag as he was concerned that was too tall. Finally, he asked the hours of ORV operation be limited.

Commissioner Marchetti asked that Section 15 be added to the ordinance to read, "The ordinance may be reviewed at the request of the Board of Commissioners, the Sheriff or the Clerk."

Commissioner Laylin explained that state statute required a flag to appear ten feet from the ground on farm vehicles. That is why the requirement of an ORV flag was added to the ordinance.

Commissioner Marchetti moved, seconded by Commissioner File, to remove D and G. Discussion followed. Motion failed by voice vote.

Commissioner Benjamin moved to add to section 6 M, "ORVs on county roads will be prohibited between the hours of 12:00 a.m. and 5:00 a.m." The motion died due to lack of support.

Commissioner Laylin moved, seconded by Commissioner Jones, to approve the ordinance with the addition of section 15 and removal of sections 6 and 12.

The Chair instructed the Clerk to call roll:

Yes (4): Commissioners Jones, Dyes, File, Laylin and Marchetti.

No (2): Commissioners Grice and Benjamin.

Motion M-97-22 carried by roll call vote.

Good Governance Seminar

Chair Dyes instructed anyone who wished to participate in the Good Governance Seminar to notify him before the end of the day Friday.

NEW BUSINESS

M-98-22

Vice Chair Grice moved, seconded by Commissioner Marchetti, to not approve purchase of Tax Reverted Properties. Motion carried by voice vote.

R-99-22

Commissioner Jones moved, seconded by Commissioner Benjamin, to approve the following resolution:

RESOLUTION TO RECOGNIZE NATIONAL CORRECTIONAL OFFICER WEEK IN CASS COUNTY

WHEREAS, the professionalism, courage, and dedication of Correctional Officers are deserving of recognition for their valuable role in supporting public safety; and

WHEREAS, in 1984, Congress, by Senate Joint Resolution 132, designated the week beginning May 6, 1984 as “National Correctional Officers Week” and authorized the President to issue an appropriate proclamation; and

WHEREAS, in 1984, President Ronald Reagan signed a proclamation creating “National Correctional Officers Week” which would fall on the first full week of May each year; and

WHEREAS, National Correctional Officers Week in the County of Cass recognizes employees of the Cass County Jail for their role in safeguarding the community by providing safe, secure, and humane incarceration to those within their custody; and

WHEREAS, the Cass County Sheriff’s Office currently employs 19 well trained, educated, and highly skilled Correctional Officers who work in a demanding environment with great responsibility in carrying out the mandates of the court, while assisting those who are experiencing incarceration in developing social and life skills to reduce recidivism.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners hereby proclaims the week of May 1-7, 2022 as National Correctional Officers Week in Cass County and call upon the people of Cass County to express their gratitude and appreciation for the professionalism, courage, dedication, and valuable contributions made to public safety by Cass County Correctional Officers.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners File, Dyes, Marchetti, Benjamin, Grice, Jones and Laylin.

No (0): None.

Resolution R-99-22 carried by roll call vote.

R-100-22

Commissioner Jones moved, seconded by Commissioner Jones, to approve the following resolution:

RESOLUTION TO RECOGNIZE NATIONAL POLICE WEEK AND TO HONOR THE SERVICE AND SACRIFICE OF THOSE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING OUR DEMOCRACY

WHEREAS, the Congress and the President of the United States have designated May 15 as Peace Officers' Memorial Day and the week in which May 15 falls as National Police Week; and

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Cass County Sheriff's Office; and

WHEREAS, National Police Week will be observed May 15 - May 21, 2022, to commemorate law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established themselves an enviable and enduring reputation for preserving the rights and security of all citizens; and

WHEREAS, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Cass County Sheriff's Office; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC; and

WHEREAS, 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags shall be flown at half-staff; and

WHEREAS, the Cass County Sheriff's Office will hold a memorial on May 18th at 12:00 PM in memory of Deputy Shane Britton.

NOW, THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners hereby designates and proclaims the week of May 15 - 21, 2022 as "National Police Week" and publicly salutes the service of all law enforcement officers in our community and in communities across the nation.

BE IT FURTHER RESOLVED to designate and proclaim May 15th as "Peace Officers Memorial Day" in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty and recognize and pay respect to the survivors of our fallen heroes.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Dyes, Marchetti, Benjamin, Grice, Jones, Laylin and File.

No (0): None.

Resolution R-100-22 carried by roll call vote.

R-101-22

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

RESOLUTION CASS COUNTY FAMILY DRUG COURT DEFICIT ELIMINATION PLAN

WHEREAS, Cass County's Family Drug Court Grant Fund has a \$ 953 deficit fund balance on September 30, 2021; and

WHEREAS, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury.

NOW THEREFORE, BE IT RESOLVED, that the Cass County Board of Commissioners adopts the following as the Cass County Family Drug Court Fund Deficit Elimination Plan:

	<i>FY 2022</i>
TOTAL FUND BALANCE (DEFICIT) SEPT 30, 2021	(953)
REVENUES	
GRANT REVENUE (SCAO) (S)	73,000
OJJDP 2019-2022 (F)	266,477
TOTAL REVENUES	339,477
EXPENDITURES	
FULL TIME WAGES	10,800
FICA	800
LIFE INSURANCE	32
RETIREMENT	190
WORKERS COMPENSATION INSURANCE	22
DISABILITY INSURANCE	395
SUPPLIES	1,170
SUPPLIES (SCAO)	500
WOODLANDS	100,000
CONTRACTUAL	123,416
(SCAO) (MHSDCP) CONTRACTUAL	71,280
OJJDP TRAVEL	12,940
TRAVEL	15,728
TRAVEL (SCAO)	1,220
TOTAL EXPENDITURES	338,493
TOTAL FUND BALANCE (DEFICIT) SEPT 30, 2022	31

Explanation: An accrual was done after year-end grant reporting, debiting an expenditures and crediting accounts payable. The grant will reimburse us in the next calendar year when payment is made and will eliminate the deficit.

BE IT FURTHER RESOLVED that the Cass County Finance Director submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Discussion followed.

The Chair instructed the Clerk to call roll:

Yes (7): Commissioners Marchetti, Benjamin, Grice, Jones, Laylin, File and Dyes.

No (0): None.

Resolution R-101-22 carried by roll call vote.

M-102-22

Commissioner Laylin moved, seconded by Commissioner Benjamin, to direct Capital Project Committee to investigate site and construction for County Recycling Center. Discussion followed. Motion carried by voice vote.

CLOSED SESSION

None.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioner Marchetti discussed a daycare study to be conducted by the Heritage ISD. Commissioner Marchetti moved, seconded by Commissioner Laylin, to approve the writing of a resolution honoring daycare workers. Commissioner Marchetti will write the resolution. Motion carried by voice vote.

ADJOURNMENT

Commissioner Laylin moved, seconded by Commissioner Jones, to adjourn. Motion carried by voice vote.

The meeting adjourned at 6:37 p.m.

Approved: _____
Date

Chair Skip Dyes

Monica McMichael, Clerk/Register