

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**June 3, 2021**

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, June 3, 2021 in Commissioner Chambers. Due to COVID-19 concerns, all public participation was offered via Zoom.

Chair Dyes called the meeting to order at 6:30 p.m. Commissioner Jones provided the Invocation. Commissioner File 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, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: Robert Benjamin.

STAFF PRESENT: County Administrator Jeff Carmen, Finance Director Jennifer Rentfrow, Human Resources Specialist Beth Daly and Clerk/Register Monica McMichael.

**PUBLIC HEARING**

Chair Dyes opened the Truth and Taxation Hearing at 6:32 p.m. There were no comments. The meeting returned to regular session.

**PUBLIC COMMENT (Agenda Items Only)**

None.

**APPROVAL OF THE AGENDA**

Commissioner Laylin moved, seconded by Commissioner Marchetti, to approve the June 3, 2021 Cass County Board of Commissioner's Agenda. Motion carried by voice vote.

## RECOGNITIONS

### 2021 VALEDICTORIANS/SALUTATORIANS

Commissioners recognized the following 2021 Valedictorians and Salutatorians from Cass County:

Cassopolis Public Schools:	Valedictorian Gabriella Rowan Salutatorian Taylor Herwick
Constantine Public Schools:	Salutatorian Kennedy Wolf
Dowagiac Union Schools:	Valedictorian Martha Schaller Salutatorian Mason Dzakowic
Edwardsburg Public Schools:	Valedictorian Emily Andrina Valedictorian Reagan Hartman Valedictorian Jackson Hoover Valedictorian Noah Houseworth Valedictorian Thomas Oppman Salutatorian Elizabeth Nass
Marcellus Community Schools:	Valedictorian Rachel Mihills Valedictorian Erin Morgan Valedictorian Drake Surach Valedictorian Jaxon VanTilburg Salutatorian Makenna Stezowski
Niles Community Schools:	Salutatorian Kaleb Ott

### R-90-21

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

#### **A RESOLUTION HONORING MARY GEEGAN MIDDLETON**

WHEREAS, Mary Geegan Middleton has been building health care muscle in Cass County and Niles, Michigan for 40 years; and

WHEREAS, Mary is a graduate of Dowagiac High School, Southwest Michigan College and Ferris State University; and

WHEREAS, Mary began her career in health care at Four Flags Health Ventures in Niles and began at Cass Medical Clinic on School Street in Cassopolis, painting and papering and making sure the clinic ran smoothly; and

WHEREAS, in 2004 the clinic became the Cass Family Clinic and in 2005 became a Federally Qualified Health Center Look-Alike; and

WHEREAS, in 2012 through Mary's efforts Cass Family Clinic was awarded a 4.4 million dollar Capital Improvement Grant, became the Cass Family Clinic Network and broke ground on a new 30,000 square foot building completed in 2014; and

WHEREAS, again through Mary's efforts, vision and hard work, in 2015 a new Niles Community Health Center was planned; and it opened in November 2019; and

WHEREAS, Mary has recently received the Liberty Bell Award from the Cass County Bar Association and was honored at the clinic for her 40 years of health care initiatives.

NOW THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners congratulate and thanks Mary Geegan Middleton for her 40 years of caring for our community and for providing them with medical care, dental care, and behavioral care and wishes her continued success in her life as she seeks to further health care here in Southwest Michigan.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Laylin, File, Dyes, Marchetti, Grice and Jones.

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-90-21 carried by roll call vote.

### **PRESENTATIONS**

Treasurer Hope Anderson presented the 2021 Tax Foreclosure Report that included 26 properties. She also announced the 2021 Cass County Tax Sale would take place on Tuesday, August 24, 2021, online at [www.tax-sale.info](http://www.tax-sale.info).

### **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-91-21)** A motion to approve Claims dated May 28, 2021.

**(M-92-21)** A motion to approve the May 20, 2021 Board of Commissioners Regular Meeting Minutes.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners File, Dyes, Marchetti, Grice, Jones and Laylin.

No (0): None.

Absent (1): Commissioner Benjamin.

The Consent Agenda carried by roll call vote.

### **COMMITTEE REPORTS**

Commissioners Marchetti and Grice offered Committee Reports.

### **APPOINTMENTS COMMITTEE**

Commissioner Marchetti stated that the Appointments Committee met last week and made a number of appointments.

### **ADMINISTRATOR'S REPORT**

Administrator Carmen presented the Administrator's Report. He also informed commissioners of a Work Study set for November 5, 2021.

### **PUBLIC SAFETY UPDATE**

Sheriff Behnke provided a Public Safety Update.

### **COUNTY PARTNERS**

Michigan State University Extension Educator Beth Ferry shared an update.

### **ELECTED OFFICIALS UPDATE**

Treasurer Hope Anderson offered updates on the county banking system.

Prosecutor Fitz thanked Administration for keeping things on track. He also stated that jury trials were set to resume next week.

Judge Dobrich informed board members that doors to the Law and Courts Building opened Tuesday, June 1, 2021. She also provided information on jury trials that were to resume the following week.

### **UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**R-93-21**

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

**2021 Truth and Taxation/L-4029 Resolution**

- WHEREAS**, it is the statutory duty of Cass County Board of Commissioners to authorize the levy of the county's millage rate for 2021; and
- WHEREAS**, the county millage is affected by M.C.L. Section 211.34d, Headlee Rollback, that has limited the County to 6.7531 mills for 2021 and;
- WHEREAS**, the county millage is affected by P.A. 5 of 1982, Truth in Taxation and would further limit the county to 6.6077 mills which could result in a tax dollar shortfall of \$354,166 and;
- WHEREAS**, the State Treasury has notified Cass County on monies to be received under the Convention Facility Liquor Tax of \$127,924 and Health and Safety Fund Act Revenue of \$0 for a total of \$127,924 which further reduces the county millage rate to 6.6077 mills due to M.C.L. Section 211.34d and P.A. 5 of 1982 and;
- WHEREAS**, the County Board of Commissioners has the authority to levy a maximum of 6.7531 mills, which includes 4.5909 allocated mills, 0.9903 mills for Council on Aging, 0.1979 mills for E911 Services, 0.4773 allocated mills for Drug Enforcement, and 0.4967 mills for Cass County Medical Care Facility and;
- WHEREAS**, the county can levy the full millage rate of 6.7531 only after fulfilling the public requirements of M.C.L. Section 211.34d and P.A. 5 of 1982 and;
- WHEREAS**, the Cass County Board of Commissioners has fulfilled the requirements of M.C.L. 211.34d and P.A. 5 of 1982.
- NOW, THEREFORE BE IT RESOLVED**, that after much deliberation and consideration of the county's budgetary needs for 2021, the Cass County Board of Commissioners has decided, in the best interest of the county, to levy 6.7531 mills, which is 4.5909 allocated mills, 0.9903 mills for Council on Aging, 0.1979 mills for E-911 Services, 0.4773 mills for Drug Enforcement and 0.4967 mills for Cass County Medical Care Facility.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Dyes, Marchetti, Grice, Jones, Laylin and File.

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-93-21 carried by roll call vote.

**M-94-21**

Commissioner File moved, seconded by Commissioner Jones, to not approve the purchase of tax reverted properties. Motion carried by voice vote.

**M-95-21**

Commissioner Marchetti moved, seconded by Commissioner Laylin, to appoint Diane Seifert to the Department of Human Services Board to an expired term ending October 31, 2023. Motion carried by voice vote.

**R-96-21**

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

**DARK SKY AWARENESS MONTH IN CASS COUNTY**

**WHEREAS**, The beauty of a dark sky night is part of our cultural and scientific heritage which should be protected and preserved; and

**WHEREAS**, the overuse of improperly designed outdoor lighting constitutes “light pollution” of the nighttime environment thereby masking the beauty of the night sky; and

**WHEREAS**, Empirical evidence reveals the negative health effects of light pollution on human and environmental health; and

**WHEREAS**, attention to the problem of light pollution and its mitigation efforts will help ensure that **the sky is preserved; and**

**WHEREAS**, the economic benefits of dark sky astro-tourism are hereby recognized.

**NOW THEREFORE, BE IT RESOLVED**, that the Cass County Board of Commissioners declare July 2021 as Dark Sky month in Cass County.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Marchetti, Grice, Jones, Laylin, File and Dyes.

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-96-21 carried by roll call vote.

**R-97-21**

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

**ACT 152 COMPLIANCE**

**WHEREAS**, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011; and

**WHEREAS**, the Act contains three options for complying with the requirements of the Act; and

**WHEREAS**, the three options are as follows:

- 1) Section 3 - “Hard Caps” Option - limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – “80%/20%” Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

**WHEREAS**, the Cass County has decided to adopt the 80%/20% option as its choice of compliance under the Act.

**NOW THEREFORE BE IT RESOLVED**, the Cass County Board of Commissioners elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80%/20% option for the medical benefit plan coverage year September 1, 2021 through August 31, 2022.

Discussion followed.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Grice, Jones, Laylin, File, Dyes and Marchetti.

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-97-21 carried by roll call vote.

**R-98-21**

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

**OPPOSING MICHIGAN SECRETARY OF STATE**

**“BY APPOINTMENT ONLY”**

**WHEREAS**, Michigan Secretary of State Jocelyn Benson, recently stated Michigan residents will always need an appointment to conduct business at a Secretary of State branch office and suggested making this permanent change, is an improvement in service; and

**WHEREAS**, the Secretary of State called walk in service at the branches an “antiquated, inefficient, take-a-number system that nobody liked”; the reality is that most people do want the option to walk in to a branch office for service at their convenience; and

**WHEREAS**, not only Cass County residents but all residents of the State of Michigan should have the ability to renew and make changes to all necessary documentation timely and locally through services provided by the Michigan Secretary of State; that these changes defy common sense in serving the public and is a significant reduction in convenient service; and

**WHEREAS**, some industry changes were positive during the coronavirus and made sense; this change does not as constituents need to be able to transfer vehicles, renew and update driver’s licenses expediently, so that they can prove and provide legal ownership and residency; and

**WHEREAS**, these changes have been established without input from constituents, who are directly affected by this sweeping change and web-based services do not completely replace the need for walk in service at the branch offices. Many older residents and those without computers or internet will simply be turned away at the Secretary of State door; and

**WHEREAS**, these changes will only continue to frustrate citizens who just would like their license renewed or to be able to sell a vehicle, without having to wait weeks or even months or drive to a different service area to accomplish these simple tasks.

**NOW THEREFORE, BE IT RESOLVED**, that the Cass County Board of Commissioners hereby **STRONGLY** opposes ‘By Appointment Only’ services for the residents not only in Cass County but for the entire State of Michigan; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Secretary of State Jocelyn Benson, Senate and House leaders, and Michigan Association of Counties.

Discussion followed.



The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Jones, Laylin, File, Dyes, Marchetti and Grice.

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-98-21 carried by roll call vote.

### **PUBLIC COMMENT**

None.

### **CLOSED SESSION**

#### **M-99-21**

Commissioner Grice moved, seconded by Commissioner Laylin, to enter into a closed session with the County's Attorney to discuss a potential settlement and to also include the County Clerk, Judge Dobrich, Sheriff Behnke and the County Administrator.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Laylin, File, Dyes, Marchetti, Grice and Jones.

No (0): None.

Absent (1): Commissioner Benjamin

The meeting moved to Closed Session at 7:30 p.m.

The meeting returned to Open Session at 7:55 p.m.

#### **M-100-21**

Commissioner Marchetti moved, seconded by Commissioner Laylin, to approve the settlement as described by the County's Attorney in closed session and to authorize the Chief Judge to execute settlement documents in a form approved by the County's Attorney. Motion carried by voice vote.

**BOARD MEMBER COMMENTS OR ANNOUNCEMENTS**

None.

**ADJOURNMENT**

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

The meeting adjourned at 7:57 p.m.

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

\_\_\_\_\_  
Dwight Dyes, Chair

\_\_\_\_\_  
Monica McMichael, Clerk/Register