

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

July 6, 2023

The County Board of Commissioners met in regular session Thursday, July 6, 2023, in the Board of Commissioners chambers.

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

Chief Deputy Clerk/Register Heather Harding called roll:

Commissioners Present (7): Ryan Laylin, James Lawrence, Joyce Locke, Mary Howie, Samuel Barrera, Roseann Marchetti and RJ Lee.

Commissioners Absent (1): Jeremiah Jones.

STAFF PRESENT: County Administrator Matthew Newton and Finance Director Jennifer Rentfrow.

INTRODUCTION OF VISITORS

Visitors introduced themselves.

PUBLIC COMMENT

There was no public comment.

ADDITIONS/DELETIONS TO AGENDA

There were none.

APPROVAL OF THE AGENDA

Commissioner Barrera moved, seconded by Commissioner Lee, to approve the Cass County Board of Commissioners Regular Meeting Agenda for July 6, 2023. Motion carried by voice vote.

RECOGNITIONS

There were none.

PRESENTATIONS

There were none.

CONSENT AGENDA

Commissioner Marchetti moved, seconded by Commissioner Lee, 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:

A.

M-94-23 Motion to Approve Claims dated May 27, 2023 through June 29, 2023

B.

M-95-23 Motion to Approve June 1, 2023 Board of Commissioners Regular Meeting Minutes

C.

M-96-23 Motion to Approve June 22, 2023 Special Meeting Minutes

D.

M-97-23 Motion to Approve June 22, 2023 Workshop Meeting Minutes

E.

M-98-23 Motion to Reappoint Korie Blyveis to Solid Waste Planning Committee to a term expiring June 1, 2025

F.

M-99-23 Motion to Reappoint Naomi Ludman to Solid Waste Planning Committee to a term expiring June 1, 2025

G.

M-100-23 Motion to Reappoint Amy Huser to Solid Waste Planning Committee to a term expiring June 1, 2025

H.

M-101-23 Motion to Reappoint Nathan Robinson to Historical Commission to a term expiring July 1, 2026

I.

M-102-23 Motion to Reappoint Amy Davidhizar to Historical Commission to a term expiring July 1, 2026

J.

M-103-23 Motion to Rescind Paycheck Release Prior to Payday Policy

K.

M-104-23 Motion to Rescind Parking Policy

L.

M-105-23 Motion to Approve revised County Building Parking Policy

M.

M-106-23 Motion to Rescind Maintenance Supervisor Additional Compensation Policy

N.

M-107-23 Motion to Rescind MERS Purchase of Service Credit Policy

O.

M-108-23 Motion to Rescind Deferred Compensation Plan Policy

P.

M-109-23 Motion to Rescind Restroom Policy

Q.

M-110-23 Motion to Approve revised Claims Policy

R.

M-111-23 Motion to Approve Fraternalization Policy

S.

R-112-23 Resolution Selecting Option for PA 152 Compliance for 2023-2024

A RESOLUTION SELECTING OPTION FOR PA 152 COMPLIANCE FOR 2023-2024

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

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners 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, 2023 through August 31, 2024.

T.

M-113-23 Motion to Approve Silver Creek Police Services Contract

U.

M-114-23 Motion to Approve FY 23 Budget Amendments

V.

R-115-23 Resolution to Authorize Step Level Retention Increases

A RESOLUTION TO AUTHORIZE STEP LEVEL RETENTION INCREASES

WHEREAS, R-229-22 resolved that “the County Administrator is authorized to make ‘full use’ of the compensation schedule when a Department Head or Elected Official determines it is necessary and in the County’s interest to attract and maintain an acceptable level of talent. Additionally, in every instance of such use, the County Administrator will notify the Board of Commissioners by providing a copy of the County Employee Status Change Form together with a Memorandum explaining the necessity;

WHEREAS, the reasons given for adoption of R-229-22 were: (1) a number of recent cases have resulted in no qualified applicants for county positions either internally from county service or external from the community, or the applicants have been unwilling to accept midpoint range in the grade and step; and (2) economic conditions across the region continue to contribute to labor shortages forecasted to continue through 2023;

WHEREAS, in order to maintain the high quality of service needed to properly deliver services to Cass County’s citizens; retain existing employees given job opportunities in the current economic climate; and in recognition of the value of institutional and subject matter expertise acquired by existing employees as well as increased position demands and cross training required to high quality services to Cass County’s citizens;

WHEREAS, there are labor agreements in effect for a portion of Cass County’s workforce and those labor agreements are controlling with respect to the wages paid, including step increases and how step increases are managed; and

WHEREAS, a portion of Cass County’s workforce is not subject to labor agreements and are identified as non-union employees.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners that through December 31, 2023, the County Administrator is authorized to approve step level retention increases of up to three steps within a position’s compensation pay grade schedule for non-union employees (employees not subject to a labor agreement) when a Department Head or Elected Official submits a written request to the County Administrator detailing why such action is necessary, including budgetary impact, and in the County’s interest to retain and maintain an acceptable level of institutional and subject matter expertise. The County Administrator shall provide a written decision in response to the request to the Department Head or Elected Official as well as a copy of that written decision to the Board of Commissioners. If the County Administrator approves the requested step increase, a copy of

the completed County Employee Status Change form, once completed, shall be provided to the Board of Commissioners. If the County Administrator denies the step increase, the Department Head or Elected Official may seek relief from that decision by bringing the matter before the Board of Commissioners.

W.

M-116-23 Motion to Approve Joint Master Plan Commitment Agreements

X.

R-117-23 Resolution Authorizing Approval of FY 24-28 Cooperative Reimbursement Program Contracts

A RESOLUTION TO AUTHORIZE APPROVAL OF THE FY 2024-2028 COOPERATIVE REIMBURSEMENT PROGRAM CONTRACTS

WHEREAS, The Cass County Friend of the Court Office has historically had a Cooperative Reimbursement Program (CRP) contract with the State of Michigan, Office of Child Support (OCS) to provide IV-D establishment-related and enforcement services in Cass County, Michigan, that provides federal reimbursement of 66% of the Friend of the Court's eligible IV-D expenses as well as additional federal pass through IV-D incentive money;

WHEREAS, The Cass County Prosecutor's Office has historically had a Cooperative Reimbursement Program (CRP) contract with the State of Michigan, Office of Child Support (OCS) to provide IV-D establishment-related services in Cass County, Michigan, that provides federal reimbursement of 66% of the Prosecutor's Office's eligible IV-D expenses as well as additional federal pass through IV-D incentive money;

WHEREAS, Both contracts for the Cass County Friend of the Court and Cass County Prosecutor's Office, end this fiscal year;

WHEREAS, Both the Cass County Friend of the Court and Cass County Prosecutor's Office have submitted applications for new five-year CRP Contracts with the state to continue the ability of both departments to receive federal reimbursement of 66% of eligible IV-D expenses and additional federal pass through IV-D incentive money;

WHEREAS, OCS has notified the Cass County Friend of the Court and the Cass County Prosecutor's Office that their applications have been accepted and their contracts will each be renewed for another five years for fiscal years 2024 – 2028; and

WHEREAS, the CRP Contracts are electronically housed and require approval in the State of Michigan's EGrAMS system.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners authorizes approval in the EGrAMS system by the Cass County Friend of the Court and Cass County Prosecutor's Office of the FY 2024 – FY 2028 CRP Contracts.

There was no discussion.

The Vice Chair instructed the Clerk to call roll:

Yes(7): Commissioners Laylin, Lawrence, Locke, Howie, Barrera, Marchetti and Lee.

No(0): None.

Absent(1): Commissioner Jones.

The consent agenda passed by roll call vote.

COUNTY PARTNERS

There were no updates from county partners.

ELECTED OFFICIALS

County Treasurer Hope Anderson gave a brief update regarding the blight elimination program on behalf of the Cass County Land Bank Authority. She gave updates to the parcels involved in the first round of the program. She went on to inform the board that the CCLBA received monies for five of the eight parcels that had been submitted in round two.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Commissioner Marchetti moved, seconded by Commissioner Lawrence, to approve R-118-23:

R-118-23

A RESOLUTION FOR THE ORDER AND DETERMINATION BY THE CASS COUNTY BOARD OF COMMISSIONERS TO ANNEX CERTAIN LANDS TO THE VILLAGE OF MARCELLUS, MICHIGAN

WHEREAS, the Village Council of the Village of Marcellus has by resolution, determined to petition the Board of Commissioners of Cass County to annex certain lands as herein described and also described in said petition and resolution, to the Village of Marcellus;

WHEREAS, such petition and resolution gives as the reason for said proposed annexation that it is necessary to promote residential, commercial, industrial, and economic development of the Village of Marcellus;

WHEREAS, such resolution as presented was duly signed by the President and Clerk of the Village of Marcellus;

WHEREAS, notice of the hearing to be held by the Cass County Board of Commissioners on the question of proposed annexation was published or posted, as required by statute, as appears by the affidavit, in the files of this matter;

WHEREAS, such notice also contained a description of the premises to be annexed;

WHEREAS, all persons interested have been given an opportunity to be heard at a public meeting of the Cass County Board of Commissioners; and

WHEREAS, all proceedings pursuant to Section 6, Chapter 14, of Act 3 of the Public Acts of 1895 of the State of Michigan, (MCL 74.6; MSA 5.1470), have been complied with.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners hereby orders and determines that the following described lands in the Township of Marcellus, Cass County, Michigan:

1. 344-796 273B BEG W 1/4 POST, THE ON 1/4 LINE TO NE COR W 1/2 SW 1/4, S 66 FT, W 610 FT, S 500 FT, E 30 FT, S 794 FT, W 7 40 FT, N 1360 FT TO BEG. SEC 23 23.64 A M/L. SUBJECT TO EASEMENT
2. 348-5 273C 5-13 SEC 23 T5S R13W E 258 FT OF S 230 FT OF N 296 FT OF W 1/2 SW 1/4. 1.36 A M/L.
3. 273 COM AT SECOR W 1/2 SW 1/4, TH S 89 DEG 29'54"W 1094.83 FT, NO DEG 47'W 409.42 FT, S 89 DEG 29'54"W 208.71 FT, NO DEG 47'5"W 866.1 FT, E 1302.44 FT, S 0 DEG 50'20"E 583 FT, S 89 DEG 9'39"W 245.52 FT, S 0 DEG 50'20"E 208.58 FT, N 89 DEG 9'39"E 245.52 FT, S 0 DEG 50'20"E 472.56 FT TO BEG. SEC 23 34.84 A.
4. LC. 458-139 249B COM S 346.5 FT FRM NE COR SEC TH W 473.2 FT, S 344.8 FT E 473.2 FT N 344.8 FT TO BEG SEC 21 3.75 A
5. 457-620 249B-1 COM S 280.5 FT FRM NE COR SEC TH W 473.2 FT S 66 FT, E 473.2 FT, N 66 FT TO BEG SEC 21 .72A
6. 354-1082 249D 5-13 SEC 21 T5S R13W BEG AT PT ON SEC LINE 497 FT W OF NE COR SEC 21 TH W 166 FT ALONG SEC LINE TH S 280.5 FT TH E 166 FT TH N 280.5 FT TO PT OF BEG. 1.069 A M/L.
7. 249C COM W663 FT FRM NE COR SEC, TH SO DEG 2'15"E 200 FT, W 140 FT, N 0 DEG 2'15"W 200 FT, E 140 FT TO BEG. SEC 21 .64 A.
8. 249C-2 COM W 803 FT FRM NE COR SEC, TH S 0 DEG 2'15"E 200 FT, E 140 FT, S 0 DEG 2'15"E 80.5 FT, E 189.8 FT, S 30.6 FT, S 87 DEG 39'W 514.23 FT, N 332.185 FT, E 184 FT TO BEG. SEC 21 1.89 A.
9. 497-838 497-837 249C-1 SEC 21 T5S R13W COM ON SEC LINE 987 FT W OF NE COR SEC, TH W 150 FT, S 280.5 FT, E 150 FT, N 280.5 FT TO BEG .. 97 A M/L.
10. 376-1107 349-914 250 5-13 SEC 21 T5S R13W BEG ON SEC LINE 1137 FT W OF NE COR SEC, TH W 168 FT TO NW COR NE 1/4 NE 1/4, TH S 199.4 FT, E 168 FT PARA SEC LINE TO PT 199.4 FT S OF BEG, N TO BEG.

11. 443-156 260F SEC 22 T5S R13W COM 9 RDS S OF SE COR LOT 50, JONES ADD, S TO GT RR, SWLY ALONG RR TO W BOUNDARY SEC, N TO PT DUE W OF BEG E TO BEG.
12. 443-156 260G 5-13 SEC 22 T5S R13W COM 107.5 RDS S OF NE COR W 1/2 NW 1/4, TH W 11 RDS, N 19 1/2 RDS, W 21 RDS, N TO GT RR, SWLY ALONG RR TOW LINE OF SEC, S ALONG SAID LINE TO PT 406 FT N OF E & W 1/4 LN, EON 1/4 LINE TO E LINE OF W 1/2 OF NW 1/4, N TO BEG. 21.55 A. M/L
13. 379-856 260G-1 5-13 SEC 22 T5S R13W S 406 FT OF W 1/2 NW 1/4. EXE 214.5 FT THEREOF. 10.25 A.
14. . 249E 5-13 SEC 21 T5S R13W BEG AT PT ON SEC LINE 297 FT W OF NE COR OF SEC TH W 200 FT, TH S 280.5 FT, TH E 200 FT, TH N 280.5 FT TO PL OF BEG. 1.29 A.

be and the same are hereby annexed to the Village of Marcellus, Cass County, Michigan and said lands shall be considered hereafter to be included within the corporate limits of said Village.

IT IS FURTHER ORDERED that a copy of this Order and Determination to annex territory to the Village of Marcellus, Michigan, shall be entered on the records of the Cass County Board of Commissioners and that a certified copy of this Order and Determination shall be transmitted by the Clerk of the Cass County Board of Commissioners to the Clerk of the Village of Marcellus, and to the Secretary of State, State of Michigan and that this Order and Determination shall be prima facie evidence of such a change of boundaries of the Village of Marcellus and of the regularity of such proceedings.

There was no discussion.

The Chair instructed the Clerk to call roll:

Yes(7): Commissioners Lawrence, Locke, Howie, Barrera, Marchetti, Lee and Laylin.

No(0): None.

Absent(1): Commissioner Jones.

Resolution R-118-23 passed by roll call vote.

CLOSED SESSION

There was none.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioners Marchetti, Lawrence and Barrera offered comments or announcements.

ADJOURNMENT

Vice Chair Laylin adjourned the meeting at 5:18 p.m.

Approved: _____
Date

Ryan Laylin, Vice Chair

Heather Harding, Chief Deputy Clerk