

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

July 7, 2022

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, July 7, 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 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: Annie File, Skip Dyes, Robert Benjamin, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: Ryan Laylin and Roseann Marchetti.

STAFF PRESENT: Deputy County Administrator Matthew Newton and Clerk/Register Monica McMichael.

INTRODUCTION OF VISITORS

Visitors present introduced themselves.

PUBLIC COMMENT

Jefferson Township resident Rose Kelsheimer spoke regarding the MERS retirement plan as well as issues with transparency.

Friend of the Court employee Ravan Bakeman thanked the non-union committee members for their work. She also asked the board to opt out of the health care savings plan and put the 4% contribution into the defined contribution retirement plan.

Merry Clark, a Jefferson Township resident, commented on a confederate flag that flew near her home. She asked the board to pass a resolution or make a statement.

Assistant Prosecutor Ryan Funk urged the board to pass the original agreement reached by the non-union committee.

Probate Register Kelley James-Jura asked why the plan was altered from the 4% going into the defined contribution instead of the health care savings plan. She asked the board to amend the motion to place the 4% into the defined contribution as was presented to non-union employees.

Prosecutor Fitz stated his disappointment that not all members of the committee supported the recommendation of the committee as members had agreed to do at the very start of meetings. He asked the board to pass the plan as it was originally presented.

Lisa Withers, District Court Administrator, stated that she preferred the 4% contribution be added to the defined contribution retirement instead of the health care savings plan. She went on to ask that the board not renew a cleaning contract with the current company as they did not complete tasks outlined in the current contract.

Friend of the Court Attorney Referee Melissa Sytsma informed the board that the change in retirement plan would result in a 50% reduction in benefits. She asked commissioners to move the 4% contribution from the health care savings program to the defined contribution to make up for the loss to her retirement plan.

Judge Bealor informed board members that elected officials did their jobs with honesty and integrity. The committee agreed to stand together after reaching a consensus. The board altering the agreement disturbed the credibility of the elected officials who urged employees to accept the plan originally proposed by the committee.

Clerk McMichael shared her frustration with the lack of transparency and the last-minute changes to motions and agendas.

APPROVAL OF THE AGENDA

Commissioner Jones moved, seconded by Commissioner Grice, to approve the July 7, 2022, Cass County Board of Commissioner's Agenda with the removal of motion M-143-22. Motion to approve the agenda carried by voice vote.

RECOGNITIONS

None.

PRESENTATIONS

None.

CONSENT AGENDA

Vice Chair Grice moved, seconded by Commissioner Jones, 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-131-22) A motion to approve Claims dated June 24, 2022.

(M-132-22) A motion to approve the June 16, 2022 Board of Commissioners Regular Meeting Minutes and the June 23, 2022 Special Meeting Minutes.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners File, Dyes, Benjamin, Grice and Jones.

No (0): None.

Absent (2): Commissioners Laylin and Marchetti.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioner Jones shared a Committee Report.

APPOINTMENTS COMMITTEE REPORT

There was no report.

ADMINISTRATOR'S REPORT

Administrator Matthew Newton offered the Administrator's Report.

PUBLIC SAFETY UPDATE

There was no report.

COUNTY PARTNERS

None.

ELECTED OFFICIALS UPDATE

None.

UNFINISHED BUSINESS

M-133-22

Vice Chair Grice moved, seconded by Commissioner File, to approve the MERS Transition Plan for non-elected, non-union employees as amended to include the Health Care Savings Plan with a 4% County contribution and an Employer DC contribution of 12% beginning on 10/01/22 and increasing by 1% on January 1st of each year up to 15% on January 1, 2025. Discussion followed. Motion carried by voice vote.

NEW BUSINESS

M-134-22

Commissioner File moved, seconded by Commissioner Jones, to appoint Darren Bettinger to the Historical Commission to an unexpired term ending July 1, 2024. Motion carried by voice vote.

M-135-22

Commissioner Jones moved, seconded by Commissioner Grice, to appoint Annie File to the Historical Commission to a three-year term ending July 1, 2025. Motion carried by voice vote.

M-136-22

Commissioner File moved, seconded by Commissioner Jones, to appoint Jean Schultz to the Historical Commission to a three-year term ending July 1, 2025. Motion carried by voice vote.

M-137-22

Commissioner File moved, seconded by Commissioner Grice, to appoint Dianna McGrew to the Historical Commission to a three-year term ending July 1, 2025. Motion carried by voice vote.

M-138-22

Commissioner Jones moved, seconded by Commissioner Grice, to approve FY 2023 Area Agency on Aging Annual Implementation Plan. Motion carried by voice vote.

R-139-22

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

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 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, 2022 through August 31, 2023

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Benjamin, Grice, Jones, File and Dyes.

No (0): None.

Absent (2): Commissioners Laylin and Marchetti.

Resolution R-139-22 carried by roll call vote.

R-140-22

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

A RESOLUTION AUTHORIZING THE COUNTY TO TRANSITION CREDIT CARD SERVICES TO HUNTINGTON BANK'S COMMERCIAL CREDIT CARD PROGRAM

WHEREAS, 1995 PA 266 authorizes the use of credit cards for the purchase of goods and services by County officers and employees; and

WHEREAS, the Cass County Board of Commissioners approved a Resolution to Authorize the Issuance and Use of County Credit Cards on April 9, 1996; and

WHEREAS, Cass County currently utilizes the services of First National Bank of Omaha to facilitate the issuance and use of credit cards in Cass County; and

WHEREAS, the County desires to transition to Huntington Bank's Commercial Credit Card Program to consolidate services to the County's primary banking partner.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners as follows:

1. Authorize the transition of the County's credit card services to Huntington Bank's Commercial Credit Card Program.
2. Approve a maximum spend limit of \$10,000.00 per month and a total card program of \$20,000.00 per month.

3. Designate County Treasurer Hope Anderson and Finance Director Jennifer Rentfrow as approved signers for implementation and ongoing maintenance of said Credit Card Program.

Discussion followed.

Commissioner Benjamin moved, seconded by Commissioner File, to amend the resolution to remove number 2. Approve a maximum spend limit of \$10,000 per month and a total card program of \$20,000.00 per month. Motion to amend carried by voice vote.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Grice, Jones, File, Dyes and Benjamin.

No (0): None.

Absent (2): Commissioners Laylin and Marchetti.

Amended resolution R-140-22 carried roll call vote.

R-141-22

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

RESOLUTION IN OPPOSITION TO THE PROPOSED WAGNER-PEYSER ACT RULE CHANGE

WHEREAS, the US Department of Labor (USDOL) has published a Notice of Proposed Rulemaking on Wagner-Peyser Act staffing (Docket No. ETA-2022-0003) which would require States with no exceptions, to use State merit staff to provide Wagner-Peyser Act Employment Service (ES) services; and

WHEREAS the proposal would reverse current federal policy that allows States maximum flexibility in staffing to provide ES services; and

WHEREAS, current federal policy has allowed the State of Michigan to use local merit staff employees to deliver ES services through the local network of Michigan Works! agencies to over 86,000 job seekers in 2021; and

WHEREAS, our primary concern is the negative impact of this proposal to Michiganders and the primary customers of the workforce development system - both job seekers and employers; and

WHEREAS, a key benefit to greater staffing flexibility is strong local strategic relationship with businesses, higher education, nonprofits, childcare, elementary and secondary education, adult education providers, and other partners which allows for more efficient customer service to connect job seekers with in-demand jobs and training opportunities and facilitate a pipeline for those students to local employers; and

WHEREAS, the Kinexus Group Board, comprised of business, labor, and community leaders is currently responsible for the effective and efficient delivery of four Michigan Works! American Job Centers in Cass, Van Buren, and Berrien Counties using ES local staff, and this rule would take away local control of Employment Services; and

WHEREAS, with this required staffing model, staff and service reduction are inevitable as services currently provided by over 400 Michigan Works! staff would be reduced to approximately 100 State of Michigan staff resulting in significantly longer wait times for job seekers and delays in service for the 32,000 businesses served annually; and

WHEREAS, will force the closure of up to 22 of the 99 Michigan Works! American Job Centers across the state and would negatively impact our constituents by decreased assistance in filling job openings, reduction and elimination of job fairs, cutting of industry-led collaboratives, and decreased or no access to job training programs; and

WHEREAS, limiting ES staffing to State staff, would eliminate the advantage of the streamlined current staffing model in Michigan which leverages other program funding from WIOA Title II Adult Education, SNAP, TANF, TAA, and others to supplement the Wagner-Peyser state allocation.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners hereby urges the USDOL to abandon this proposed rule change and requests Michigan Governor Gretchen Whitmer and the Michigan

Congressional Delegation support local control by the Workforce Development Boards through opposing this rule and notifying the USDOL Secretary that it would have an adverse impact on the Michigan "One Stop" workforce development system; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Employment and Training Administration/US Department of Labor, Governor Gretchen Whitmer, Senator Kim LaSata, Representative Steve Carra, Representative Brad Paquette, Senator Gary Peters, Senator Debbie Stabenow, and Representative Fred Upton.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Jones, File, Dyes, Grice and Benjamin.

No (0): None.

Absent (2): Commissioners Laylin and Marchetti.

Resolution R-141-22 carried by roll call vote.

R-142-22

Vice Chair Grice moved, seconded by Commissioner File, to approve the following resolution:

A RESOLUTION OPPOSING MICHIGAN SENATE BILLS 597 AND 598

WHEREAS, Cass County Community Mental Health Authority is a Community Mental Health Services Program (CMHSP) serving residents of Cass County, Michigan and provided specialized mental health services and supports to nearly 1,300 adults with serious and persistent mental illness, children with serious emotional disturbance, adults with substance use disorder, and individuals with intellectual/developmental disabilities in 2021; and

WHEREAS, the CMHSP system in Michigan is a state and county partnership ensuring that related policy objectives are accountable to local communities and their elected representatives, and the local county government ultimately maintains authority and control of public health, mental health, and substance use disorder services in Cass County; and

WHEREAS, Senate bills 597 and 598 will transfer all county CMHSP funding and responsibilities to private health insurance companies under the guise of "healthcare integration"; and

WHEREAS, the very cost and risk avoidance strategies routinely applied by the health insurance industry is what has led to the need for a strong public CMHSP safety net over the last 58 years; and

WHEREAS, the key policy approaches specifically advocated for in Senate Bills 597 and 598 have already been implemented in several states including Iowa, Kansas, Texas, Connecticut, and Illinois with devastating results for consumers, families, providers, and communities; and

WHEREAS, the sponsors of Senate Bills 597 and 598 insist that the use of private health insurance corporations for financial integration of Medicaid mental health services will save taxpayer money and improve care. These claims are made even though Medicaid health plans in Michigan have composite administrative rates (i.e., profit, underwriting and liability expense) of nearly 21%, second worse among the 36 states included in a recent study by Milliman (the state's Medicaid actuary). This amounts to a \$500-\$600 million loss to direct consumer care when compared to the current CMHSP system; and

WHEREAS, Senate Bills 597-598 are intended to create a path to end county mental health programs. These bills transfer all CMHSP funding (Medicaid, general funds, county appropriations) and statutory responsibilities from a constituent-based, state-county partnership, and citizens along with their local elected representatives to a commodity-based, monetized arrangement with private corporations and NO accountability to the local community; and

WHEREAS, unelected appointees in Lansing will NOT be better advocates for the citizens of Cass County than the elected local representatives that are directly accountable to their neighbors; and

WHEREAS, as a result, sixty-three (63) County Commissions have passed resolutions opposing legislative changes that fail to honor the existing state and county partnership for the CMHSP safety net and its direct accountability to the communities, persons, and families receiving these services; and

WHEREAS, these County Commissions were joined by advocacy organizations such as the National Alliance for the Mentally Ill, ARC, Michigan Association of Counties, Michigan Sheriffs Association, Michigan Judge's Association, and the Michigan Association of Family Court Administrators in formally opposing Senate Bills 597 and 598.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners strongly opposes Senate Bills 597 and 598 and encourages the legislature to continue to support bi-partisan system changes that are consistent with emerging best practices such as Certified Community Behavioral Health Clinics and Behavioral Health Homes that improve healthcare integration directly at the point of consumer contact, produce more sustainable outcomes, and are inherently accountable to both the persons receiving services and the larger community, ensuring that care decisions reflect the interests of all public stakeholders;

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Gretchen Whitmer, the Majority Leader of the Michigan Senate, Senator Kim LaSata, the Michigan Association of Counties, and the Community Mental Health Association of Michigan.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners File, Dyes, Grice, Benjamin and Jones.

No (0): None.

Absent (2): Commissioner Laylin and Marchetti.

Resolution R-142-22 carried by roll call vote.

M-144-22

Vice Chair Grice moved, to approve recommendations from the Salary Committee as follows:

- a. Reclassify Executive Assistant Human Resources at Grade 11 to Human Resources & Payroll Director at Grade 13.
- b. Classify Human Resources Assistant at Grade 6.
- c. Classify Help Desk Technician II at Grade 8.
- d. Classify Office Manager – IT from Grade 8 to Grade 10.
- e. Approve Step Increase for IT Director from Step 4 to Step 9.

Motion died for lack of support.

R-145-22

Commissioner File moved, seconded by Commissioner Jones, to provide GIS Road and Address Point Data to Cass County School Districts for use in their Transportation Software.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Dyes, Grice, Benjamin, Jones and File.

No (0): None.

Absent (2): Commissioners Laylin and Marchetti.

Resolution R-145-22 carried by roll call vote.

M-146-22

Commissioner Jones moved, seconded by Commissioner Grice, to approve the transfer of Maintenance Department Truck to the Parks Department, the disposal of the current Parks Truck through auction, and the procurement of new Maintenance Vehicle through MiDeal Program at a price not to exceed \$53,000. Motion carried by voice vote.

CLOSED SESSION

None.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioner Jones commented on the string of emails received by commissioners and asked that Administrator Newton respond. He went on to state that Becky Moore was no longer on county payroll. Finally, he suggested the county look into longevity pay for long-term employees.

Commissioner Benjamin asked the Administrator's Office to determine if the countywide emergency order was in place. If so, he asked it be placed on the next agenda in order to be rescinded.

ADJOURNMENT

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

The meeting adjourned at 5:54 p.m.

Approved: _____
Date

Chair Skip Dyes

Monica McMichael, Clerk/Register