

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**July 15, 2021**

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, July 15, 2021, in Commissioner Chambers.

Chair Dyes called the meeting to order at 6:30 p.m. Commissioner File provided the Invocation. Commissioner Grice led the Pledge of Allegiance to the Flag of the United States of America.

Clerk/Register Monica McMichael called roll:

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

COMMISSIONERS ABSENT: None.

STAFF PRESENT: County Administrator Jeff Carmen, Finance Director Jennifer Rentfrow, Deputy Finance Director Becky Moore and Clerk/Register Monica McMichael.

**INTRODUCTION OF VISITORS**

Visitors present introduced themselves.

**PUBLIC COMMENT (Agenda Items Only)**

None.

**APPROVAL OF THE AGENDA**

Commissioner Marchetti moved, seconded by Commissioner Jones, to approve the July 15, 2021, Cass County Board of Commissioner's Agenda. Motion carried by voice vote.

**RECOGNITIONS**

None.

**PRESENTATIONS**

Veteran's Director Karee Krause provided the Annual Veterans Report.

CEO Lynn Kellogg shared the Area Agency on Aging Annual Report.

## **CONSENT AGENDA**

Vice Chair Grice moved, seconded by Commissioner File, 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-118-21) A motion to approve Claims dated July 9, 2021.

(M-119-21) A motion to approve the July 1, 2021 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**

Commissioner Marchetti offered a Committee Report.

### **APPOINTMENTS COMMITTEE**

Commissioner Marchetti announced there were openings on the following boards: Woodlands, Historical Commission and the Solid Waste Planning Commission.

### **BROADBAND COMMITTEE REPORT**

No report.

### **REAL ESTATE COMMITTEE REPORT**

Commissioner Laylin stated a second bid was received for the timber harvest at the Medical Care Facility.

### **ADMINISTRATOR'S REPORT**

Administrator Carmen presented the Administrator's Report.

**FINANCE REPORT**

The Finance Report was included in the board packet.

**PUBLIC SAFETY UPDATE**

No report.

**COUNTY PARTNERS**

Road Commission Manager Robert Thompson shared the following information: Road Commission contracted with MACOG to perform countywide traffic counts, hourly employee volunteered to pave spaces at the fair (fair to pay for materials), they currently have job openings for three hourly positions and one supervisory position, 40% of paving is complete, and a minor vehicle accident that resulted in no damage to the Road Commission employee or truck.

**ELECTED OFFICIALS UPDATE**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**M-120-21**

Commissioner Jones moved, seconded by Commissioner File, to approve the following agreements to implement the 2021 Survey and Remonumentation Grant:

Tom Stephenson, Grant Representative Surveyor	\$ 4,805.00
Abonmarche Consultants, Inc.	\$ 6,150.00
Kesler Land Surveying	\$ 6,150.00
Jones, Petrie, Rafinski	\$ 6,150.00
Marbach, Brady & Weaver, Inc.	\$ 7,380.00
Stephenson Land Surveying	\$ 6,151.00
Total	\$36,785.00

The costs will be reimbursed from the Michigan State Survey and Remonumentation Act Grant for 2021. Motion carried by voice vote.

**R-121-21**

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

WHEREAS, Cass County and the Cass County Courts have a contract with independent attorneys, who have been identified as the Cass County Defenders, who provide indigent defense representation in criminal matters, including misdemeanor and felony cases, as well as provision of Managed Assigned Counsel Management attorney services, to oversee case assignments, attorney training, use of experts, and conflict assignments, as required by MIDC, for the term October 1, 2020, through September 30, 2021, with a total contract cost of \$334,884; and

WHEREAS, Cass County and the Cass County Courts have a contract with independent attorneys, who have been identified as the Cass County Arraignment attorneys, who provide indigent defense services at first arraignment in criminal matters, for the term October 1, 2020, through September 30, 2021, with a total contract cost of \$51,480; and

WHEREAS, annual Michigan Indigent Defense Commission (MIDC) grants provide Cass County with funding for indigent defense costs that were previously borne solely by Cass County with additional indigent defense services now available in Cass County (such as the Cass County arraignment attorneys) paid for solely by the MIDC grant and other indigent defense services maintained in Cass County (such as the Cass County Defenders) paid for on a shared basis between the MIDC grant and Cass County so long as the contracted attorneys comply with the MIDC act requirements including annual minimum training requirements; and

WHEREAS, it is desirable for continuity to extend the existing contracts according to the same terms, including costs, for the next two years, for fiscal year 2022 and fiscal year 2023; and

WHEREAS, the contracts for fiscal year 2022 and fiscal year 2023 will be between the attorneys and Cass County without the Cass County Courts as a party to the contract since the MIDC standards require indigent defense contracts to be handled independently from the judiciary starting with fiscal year 2022.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners authorizes approval of the Contract for Counsel at First Arraignment, FY 2022 & FY 2023, and approval of the Contract for Indigent Defense Representation, FY 2022 & FY 2023, by the Cass County Administrator and the Chair of the Cass County Commissioners, or their designees.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-121-21 carried by roll call vote.

**R-122-21**

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

WHEREAS, Cass County has been approved for a Michigan Indigent Defense Commission (MIDC) grant for fiscal year 2022 (October 1, 2021-September 30, 2022) to comply with the MIDC standards pursuant to the MIDC Act (See MCL 780.981 – 780.1003); and

WHEREAS, MIDC provided official notice on June 21, 2021, that Cass County's fiscal year 2022 MIDC plan and cost analysis submitted through the MIDC grant application process in the State of Michigan's E-Grams system has been approved by the MIDC; and

WHEREAS, the annual MIDC grants provide Cass County with funding for indigent defense costs that were previously borne solely by Cass County with additional indigent defense services now available in Cass County (such as counsel at first arraignment) paid for solely by the MIDC grant and other indigent defense services maintained in Cass County (such as the indigent defense attorneys handling criminal matters including misdemeanors and felonies) paid for on a shared basis between the MIDC grant and Cass County; and

WHEREAS, the FY 2022 MIDC grant application requests MIDC grant funds of \$244,915.60 which when added to Cass County's local share of \$251,853.40 provides total funds of \$496,769.00 to provide compliance with the MIDC Act; and

WHEREAS, MIDC is in the process of submitting financial estimates and related information to the Department of Licensing and Regulatory Affairs and the State Budget Office to secure funding to distribute Cass County's grant and upon approval of a final budget by the legislature and Governor, the MIDC will provide details regarding distribution of the MIDC grant for fiscal year 2022 to Cass County; and

WHEREAS, a grant contract will be uploaded into the State of Michigan's E-Grams system by the MIDC and it will be electronically housed there and it will require approval by Cass County in the State of Michigan's E-Grams system upon notification of the availability of said grant contract.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners authorizes approval of the MIDC grant contract for fiscal year 2022, effective October 1, 2021, and ending September 30, 2022, in the E-Grams system by the Cass County Finance Director or her designee.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-122-21 carried by roll call vote.

**R-123-21**

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

WHEREAS, the Cass County Prosecutor's Office has a Cooperative Reimbursement Program (CRP) contract with the Office of Child Support (OCS) to provide IV-D establishment services in Cass County, Michigan with an effective date of 10/1/2016 with an initial term of five years which was approved by the Cass County Board of Commissioners Chairperson, Bernie Williamson, and Prosecutor Victor Fitz, providing federal reimbursement of 66% of the Prosecutor's Office's eligible IV-D activities as well as additional federal pass through IV-D incentive money; and

WHEREAS, the Cass County Friend of the Court Office has 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 with an effective date of 10/1/2016 with an initial term of five years which was approved by the Cass County Board of Commissioners Chairperson, Bernie Williamson, and Chief Judge Susan L. Dobrich, providing federal reimbursement of 66% of the Friend of the Court Office's eligible IV-D activities as well as additional federal pass through IV-D incentive money; and

WHEREAS, OCS has notified its partner IV-D agencies around the state of Michigan, which includes the Cass County Prosecutor's Office and the Cass County Friend of the Court Office, that OCS is exercising the two, one-year extensions for current CRP contracts for Fiscal Year 2022 and Fiscal Year 2023; and

WHEREAS, the CRP contract amendments are electronically housed and require approval in the State of Michigan's E-Grams system.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners authorizes approval in the E-Grams system by the Cass County Prosecutor's Office and the Cass County Friend of the Court Office of the two, one-year extensions of the FY 2017 CRP contract which was effective 10/1/2016, for Fiscal Years 2022 (10/1/21-9/30/22) and 2023 (10/1/22-9/30/23)

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-123-21 carried by roll call vote.

**M-124-21**

Commissioner Laylin moved, seconded by Commissioner Grice, to approve the FY2022 Community Corrections Application and Plan. Motion carried by voice vote.

**R-125-21**

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

**CCSO REHEAT UPGRADE**

WHEREAS, The Cass County Jail was constructed in 1988 and there have been problems with the heating and cooling since the onset; and

WHEREAS, the systems have improved over the last several years due to upgrades; and

WHEREAS, moving forward for future use the proposal from Trane is to replace the existing cooling only VAV boxes with reheat coils.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves Trane as the vendor for the CCSO Reheat Upgrade Project to be paid out of Public Improvement Fund line item 245-244-980.000 at a cost of \$36,875.00 and the process approved by the County Administrator and Funding approved by the Finance Director.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-89-21 carried by roll call vote.

**M-126-21**

Commissioner Marchetti moved, seconded by Commissioner Benjamin, to approve the purchase of two 2021 Chevrolet Equinox LT from C. Wimberley, one for \$20,885.00 with trade in vehicle to be paid out of the Motor Pool Fund over the next four years and one for \$28,510.00 without a trade to be paid out of CCDET line item 271-301-945.010 and process approved by the County Administrator and the availability of funds verified by the Finance Director. Motion carried by voice vote.

**M-127-21**

Commissioner File moved, seconded by Commissioner Marchetti, to approve the FY2022 Area Agency on Aging Annual Implementation Plan. Motion carried by voice vote.

**R-128-21**

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

**JAIL WINDOW REPLACEMENT**

WHEREAS, There are a total of seventy-two security windows at the jail that have failed, seals have been damaged and glass is broken due to what is believed to have been a design flaw in the original windows; and

WHEREAS, with the assistance of Intersect Studios an RFP was sent out and due to the complexity of the project vendors were pre-qualified; and

WHEREAS, a recommendation was received from Intersect Studios with Reliable Glass Installers LLC being the preferred vendor.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners approves Reliable Glass Installers, LLC as the vendor for the Jail Window Replacement Project to be paid out of the Public Improvement Fund at a cost of \$148,660.00 and the process approved by the County Administrator and Funding approved by the Finance Director.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-128-21 carried by roll call vote.

**M-129-21**

Commissioner Laylin moved, seconded by Commissioner Marchetti, to appoint Korie Blyveis to the Solid Waste Planning Commission for a two-year term ending June 1, 2023. Motion carried by voice vote.

**M-130-21**

Commissioner Jones moved, seconded by Commissioner File, to appoint David Kring to the Cass County Planning Commission for a three-year term ending June 1, 2023. Motion carried by voice vote.



**M-131-21**

Commissioner Marchetti moved, seconded by Commissioner Jones, to appoint Joseph Gross to the Cass District Library Board as the Ontwa/Calvin/Porter representative to an unexpired term ending December 31, 2022. Motion carried by voice vote.

**M-132-21**

Commissioner Jones moved, seconded by Commissioner Grice, to appoint Roseann Marchetti to the Land Bank Authority for a term ending December 31, 2021. Motion carried by voice vote.

**R-133-21**

Commissioner Grice moved, seconded by Commissioner Jones, to approve quarterly budget adjustments.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-133-21 carried by roll call vote.

**PUBLIC COMMENT**

Animal Control Director Ron Butts reminded the public to check their animals for ticks.

MSU Educator Tyler Augst said hello and let commissioners know he was available to assist in several areas including planning and zoning.

Ontwa Township Supervisor Jerry Marchetti suggested that AFC funds may help with the cost to update the heating and cooling system at the jail.

**CLOSED SESSION**

**R-134-21**

Commissioner Benjamin moved, seconded by Commissioner Marchetti, to enter Closed Session for the purpose of deliberating on strategy in connection with the negotiation of collective bargaining agreements and to include the Clerk/Register, County Sheriff, County Administrator and Deputy Finance Director.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Motion to enter Closed Session carried by roll call vote. The meeting entered Closed Session at 7:40 p.m.

The meeting returned to open session at 8:40 p.m.

**BOARD MEMBER COMMENTS OR ANNOUNCEMENTS**

Commissioner Marchetti shared that pickup truck tires will be accepted at the Hazardous Waste Collection on August 21, 2021.

**ADJOURNMENT**

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

The meeting adjourned at 8:42 p.m.

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

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

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