

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

September 2, 2021

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, September 2, 2021, in Commissioner Chambers.

Chair Dyes called the meeting to order at 6:30 p.m. Commissioner Marchetti 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 and Mike Grice.

COMMISSIONERS ABSENT: Commissioners Robert Benjamin and Jeremiah Jones.

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

PUBLIC COMMENT (Agenda Items Only)

CCIEA Union President Fern Smith shared information regarding the HSA that was approved at the previous board meeting. She contacted MERS to learn that it was a 401K medical plan that could only be used for medical needs once the employee retired. It required both the county and the employee to contribute funds. She added that employees were told that MERS was not a viable program and the county could not continue to fund the current program; however, the county added another MERS program. She reminded commissioners the MERS representative made it clear that moving away from the defined benefit would require the same amount due or cause an increased amount due.

Clerk/Register Employee and City of Dowagiac resident Mary Parmley questioned payments made to Civil Counsel under line items for supplies/COVID-19 as well as line items for legal fees/labor and employment.

APPROVAL OF THE AGENDA

Commissioner Marchetti moved, seconded by Commissioner File, to approve the September 2, 2021, Cass County Board of Commissioner's Agenda. Motion carried by voice vote.

RECOGNITIONS

None.

PRESENTATIONS

FORFEITURE REPORT

Treasurer Hope Anderson provided the tax forfeiture report and explained recent changes under Public Acts 255 and 256. Because of the restraints on revenue from new tax foreclosures in addition to ongoing litigation regarding past proceeds, Treasurer Anderson did not recommend moving monies to the general fund.

MEDICAL CARE FACILITY REPORT

Medical Care Facility Director Christian Lutes and County Administrator Jeff Carmen informed the board that research showed the Medical Care Facility Campus provided ample open space to construct independent and semi-independent living space. The space could include fully funded as well as income-based housing. Consultants were working to prepare a plan to share with boards from both facilities to address the growing need for independent and semi-independent housing.

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-152-21) A motion to approve Claims dated August 6, 2021 and August 20, 2021.

(M-153-21) A motion to approve the August 19, 2021 Board of Commissioners Regular Meeting Minutes

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Laylin, File, Dyes, Marchetti and Grice.

No (0): None.

Absent (2): Commissioners Benjamin and Jones.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioners Laylin, Marchetti and Dyes offered Committee Reports.

ADMINISTRATOR'S REPORT

Administrator Carmen presented the Administrator's Report.

FINANCE REPORT

There was no Finance Report.

PUBLIC SAFETY UPDATE

There was no Public Safety Update.

COUNTY PARTNERS

None.

ELECTED OFFICIALS UPDATE

Treasurer Hope Anderson shared information regarding the Land Bank Authority. She also offered to share a PowerPoint presentation.

UNFINISHED BUSINESS

None.

NEW BUSINESS

R-154-21

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

PROCLAMATION NATIONAL RAIL SAFETY WEEK

WHEREAS, 1,889 rail grade crossing collisions resulted in 678 personal injuries and were responsible for 201 fatalities in the United States during 2020; and

WHEREAS, 1,088 trespassing incidents have occurred in the United States resulting in 532 pedestrians being killed and another 556 injured while trespassing on railroad property rights of way during 2020; and

WHEREAS, educating and informing the public about rail safety, reminding the public that railroad right of ways are private property, enhancing public awareness of the dangers associated with highway rail grade crossings, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws will reduce the number of fatalities and injuries; and

WHEREAS, the International Association of Chiefs of Police, National Operation Lifesaver, United States Department of Transportation, and all local, state, county, and railroad law enforcement officers, first responders, and railroad corporations commit to partnering together in an effort to educate at a national level all aspects of railroad safety, to enforce applicable laws in support of National Rail Safety Week;

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners attest their full support proclaiming September 20 through 26, 2021, National Rail Safety Week and we encourage all citizens to recognize the importance of rail safety education.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners File, Dyes, Marchetti, Grice and Laylin.

No (0): None.

Absent (2): Commissioners Benjamin and Jones.

Resolution R-154-21 carried by roll call vote.

R-155-21

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

**RESOLUTION SUPPORTING THE MICHIGAN ASSOCIATION OF LAND BANK'S,
MICHIGAN COMMUNITY INVESTMENT PROGRAM**

WHEREAS, The Cass County Treasurer acquires properties through foreclosure processes; and

WHEREAS, there needed to be a means to dispose of said properties and to assist our local jurisdictions in development, redevelopment and removal of blight; and

WHEREAS, the Cass County Board of Commissioners created the Cass County Land Bank Authority on October 16, 2008 as a separate legal entity and as a public body corporate under Public Act 258 of 2003; and

WHEREAS, an American Rescue Act Plan (ARPA) request was sent to Governor Whitmer by the Michigan Association of Land Banks; and

WHEREAS, in an effort to create new housing opportunities, improve the health and safety of neighborhoods, support local businesses and more productively use vacant land, MALB is asking for support of a statewide program, in the amount of \$100 million; and

WHEREAS, every existing land bank in Michigan would be eligible and could opt-in for an initial flat amount of funding, and each land bank could also competitively apply for significant additional funds out of the \$100 million program.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners supports the efforts of the Michigan Association of Land Banks to procure the eligibility for Cass County to receive funding from the Michigan Association of Land Bank's, Michigan Community Investment Program.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Dyes, Marchetti, Grice, Laylin and File.

No (0): None.

Absent (2): Commissioners Benjamin and Jones.

Resolution R-155-21 carried by roll call vote.

PUBLIC COMMENT

Clerk/Register employee and City of Dowagiac resident Mary Parmley asked how she would get answers to her questions. Administrator Carmen stated he would be happy to meet with her.

CLOSED SESSION

M-156-21

Commissioner Marchetti moved, seconded by Commissioner Grice, to enter into closed session to review Tentative Agreements reached by the Sheriff, County Administrator and Deputy Finance Director and the Fraternal Order of Police Corrections Sergeants Union, The Fraternal Order of Police Corrections and Clerical Employees Union, The Fraternal Order of Police Animal Control Employees Union, and the Police Officer's Association of Michigan Command Union and also to consider material exempt from discussion or disclosure by state or federal statute. The material is exempt from discussion under MCL 15.243(1)(s)(viii), MCL 15.243(1)(a), MCL 15.243(1), and the Americans with Disabilities Act. The material relates to a request for leave of a law enforcement officer in connection with a medical evaluation and to include County Clerk Monica McMichael, Sheriff Behnke, County Administrator Jeff Carmen, and Becky Moore.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Marchetti, Grice, Laylin, File and Dyes.

No (0): None.

Absent (2): Commissioners Benjamin and Jones.

The meeting moved to closed session at 7:02 p.m.

The meeting returned to open session at 8:22 p.m.

M-157-21

Commissioner Marchetti moved, seconded by Commissioner Grice, to approve the Special Leave for the corrections officer as identified in closed session effective September 2, 2021 through January 9, 2022. Motion carried by voice vote.

R-158-21

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

A RESOLUTION TO APPROVE COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE CORRECTIONS SERGEANTS UNION, THE FRATERNAL ORDER OF POLICE CORRECTIONS OFFICERS AND CLERKS EMPLOYEES' UNION, THE FRATERNAL ORDER OF POLICE ANIMAL CONTROL EMPLOYEES' UNION, AND THE COMMAND OFFICER'S ASSOCIATION OF MICHIGAN UNION CAPTAINS, LIEUTENANTS, AND DISPATCH COORDINATOR UNION

WHEREAS, the Sheriff, Deputy Finance Director, and County Administrator of Cass County in good faith have negotiated collective bargaining agreements with the Fraternal Order of Police Corrections Sergeants Union, the Fraternal Order of Police Corrections Officers and Clerks Employees' Union, the Fraternal Order of Police Animal Control Employees' Union, and the Command Officer's Association of Michigan Captains, Lieutenants, and Dispatch Coordinator Union, concerning wages, hours, terms, and other conditions of employment; and

WHEREAS, the Agreements have been lawfully and properly ratified by the membership of the Fraternal Order of Police Corrections Sergeants Union, the Fraternal Order of Police Corrections Officers and Clerks Employees' Union, the Fraternal Order of Police Animal Control Employees' Union, and the Command Officer's Association of Michigan Captains, Lieutenants, and Dispatch Coordinator Union; and

WHEREAS, the Cass County Board of Commissioners find that the best interests of the County are served by executing the Agreements; and

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

1. The collective bargaining agreements between Cass County and Fraternal Order of Police Corrections Sergeants Union, the Fraternal Order of Police Corrections Officers and Clerks Employees' Union, the Fraternal Order of Police Animal Control Employees' Union, and the Command Officer's Association of Michigan Captains, Lieutenants, and Dispatch Coordinator Union are hereby authorized and approved.
2. The Chairperson of the Cass County Board of Commissioners is hereby authorized to execute said agreements on behalf of Cass County.

The Chair instructed the Clerk to call roll:

Yes (5): Commissioners Grice, Laylin, File, Dyes and Marchetti.

No (0): None.

Absent (2): Commissioners Benjamin and Jones.

Resolution R-156-21 carried by roll call vote.

BOARD MEMBER COMMENTS OR ANNOUNCEMENTS

Commissioner File thanked Administrator Carmen, Deputy Finance Director Becky Moore, Sheriff Behnke and anyone else that worked on the union agreements.

ADJOURNMENT

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

The meeting adjourned at 8:32 p.m.

Approved: _____
Date

Dwight Dyes, Chair

Monica McMichael, Clerk/Register