

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**October 6, 2022**

The Cass County Board of Commissioners met in regular session on Thursday, October 6, 2022, in Commission Chambers.

Chair Dyes called the meeting to order at 5:00 p.m. Commissioner Marchetti 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, Annie File, Skip Dyes, Roseann Marchetti, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: Robert Benjamin.

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

**INTRODUCTION OF VISITORS**

Visitors present introduced themselves.

**PUBLIC COMMENT**

City of Dowagiac resident and County Commissioner candidate Steve Mammal questioned the excessive increase in commissioner salary. He strongly believed the money could be spent in other areas.

Pokagon Township resident Lynn Schantz complained about the huge increase in commissioner salary.

Jefferson Township Taras Lyssenko informed commissioners of a program regarding nuclear energy from the Department of Energy. He urged commissioners to contact him for more information.

Merry Clark, County Commissioner candidate, commented on the architecture qualifications for the firm working on the Historic Courthouse. She went on to question the proposed salary increase for county commissioners. Ms. Clark also asked that future meetings be scheduled to allow everyone to attend as the Friday Special Board Meeting was set for 11:00 a.m.

Kalamazoo County resident Casey Powell thanked the board for supporting the No-Fault Auto Insurance Resolution.

## **APPROVAL OF THE AGENDA**

Commission Laylin moved, seconded by Commissioner Marchetti, to approve the October 6, 2022, Cass County Board of Commissioner's Agenda. Commissioner Grice moved to remove Resolutions R-188-22 and R-189-22 from the agenda and refer them back to committees. The motion died for lack of support. Motion to approve the original agenda carried by voice vote.

## **RECOGNITIONS**

None.

## **PRESENTATIONS**

Health Officer Danielle Persky presented the Van Buren Cass District Health Department Annual Report.

## **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-183-22)** A motion to approve Claims dated September 30, 2022.

**(M-184-22)** Motion to approve the September 15, 2022 Board of Commissioners Regular Meeting Minutes and the September 29, 2022 Special Meeting Minutes.

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 Consent Agenda carried by roll call vote.

## **COMMITTEE REPORTS**

Commissioners Marchetti, Grice and Jones shared Committee Reports.

## **APPOINTMENTS COMMITTEE REPORT**

Commissioner Marchetti stated that the Appointments Committee would meet on October 13<sup>th</sup>. There were currently openings on the Woodlands Board and the Historical Commission.

## **ADMINISTRATOR'S REPORT**

Administrator Newton shared the Administrator's Report.

## **PUBLIC SAFETY UPDATE**

Sheriff Behnke offered the Public Safety Update.

## **COUNTY PARTNERS**

Road Commission Manager Robert Thompson shared the following update:

- Paving will end next week.
- The Road Commission will pave the roads in the Village of Cassopolis Cemetery.
- There will be much less paving next year due to the huge increase in the cost of oil.
- The Road Commission hired a professional to conduct an analysis on certain intersections. They will implement the majority of suggestions, including eliminating shadows.
- MDOT will provide funding for the North Shore Bridge Project in 2025.
- Announced the passing of CCRC Senior Employee Bob Couchman.
- Thanked Dave Reiff and Matt Newton for their assistance and leadership.

## **ELECTED OFFICIALS UPDATE**

None.

## **UNFINISHED BUSINESS**

### **M-185-22**

Commissioner Laylin announced he would abstain from voting due to a conflict of interest as he was related to the owner of the business.

Commissioner File moved, seconded by Commissioner Marchetti, to approve a Cleaning Contract with the Cleanest Co LLC from July 7, 2022 until July 30, 2024 at a cost of \$16,650.00 per month. Discussion followed. Motion carried by voice vote.

**NEW BUSINESS**

**M-186-22**

Commissioner Jones moved, seconded by Commissioner Laylin, to dissolve the Ad-Hoc Homeless Committee and transfer ongoing work and efforts to grassroots, community-driven initiative. Motion carried by voice vote.

**M-187-22**

Commissioner Marchetti moved, seconded by Commissioner Laylin, to approve Budget Amendments as presented. Motion carried by voice vote.

**R-188-22**

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

**RESOLUTION ESTABLISHING BOARD OF COMMISSIONER  
SALARY SCHEDULE FOR 2023 & 2024**

WHEREAS, the Cass County Board of Commissioners is authorized to establish the Compensation for the Board of Commissioners; and

WHEREAS, the Board of Commissioners cannot make changes in compensation which affect the Board during the current term, but can make changes to be effective for the next term; and

WHEREAS, the Board of Commissioners wishes to establish the Commissioners' Compensation for the period of January 1, 2023 through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners that effective on the date indicated, the salaries for the Cass County Board of Commissioners shall be as follows:

	Current Compensation	January 1, 2023	January 1, 2024
Board Chair	\$13,225.00	\$18,500.00	\$18,500.00
Vice-Chair	\$12,225.00	\$18,500.00	\$18,500.00
Other Commissioners	\$11,725.00	\$18,500.00	\$18,500.00

BE IT FURTHER RESOLVED that each Commissioner shall not be eligible to receive any other per diem paid by the County.

BE IT FURTHER RESOLVED that mileage shall only be paid to each Commissioner for travel outside of Cass County only for actual miles traveled on county business, at the rate established by the Internal Revenue Service.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (1): Commissioner Grice.

Absent (1): Commissioner Benjamin.

Resolution R-188-22 carried by roll call vote.

### **R-189-22**

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

#### **RESOLUTION TO AUTHORIZE THE TRANSITION OF NON-UNION, NON-ELECTED EMPLOYEES IN THE EXISTING ADMINISTRATOR'S DC AND NEWLY HIRED EMPLOYEES INTO THE NEW DEFINED CONTRIBUTION PLAN**

WHEREAS, Cass County (the "County") currently maintains an Administrator's Defined Contribution Plan (#140201110019) with an employee contribution rate of 1, 2, or 3% and an employer contribution rate of 3, 5, or 7% respectively; and

WHEREAS, M-183-20 provided that the County Administrator, Deputy County Administrator, Finance Director, Deputy Finance Director, GIS Director, and all other employees in supervisory positions added as hired were to be placed into the Administrator's Defined Contribution Plan; and

WHEREAS, M-133-22 approved a MERS Transition Plan for non-elected, non-union employees as amended that applied to existing employees covered by the Defined Benefit Plan; and

WHEREAS, the County desires to ensure consistency and fairness in the benefits offered to non-union, non-elected employees.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to authorize the following for non-union, non-elected qualified County employees participating in the existing Administrator's Defined Contribution Plan and qualified non-union, non-elected employees hired after the adoption of the MERS Transition Plan on July 7th, 2022:

1. The employer contribution rates will take effect as follows:

- a. October 1, 2022 12%
- b. January 1, 2023 13%
- c. January 1, 2024 14%
- d. January 1, 2025 15%

2. Employee contribution rates to the Defined Contribution Plan will constitute a mandatory 5% contribution. Vesting shall be immediate.

3. The County shall contribute 4% to a Health Care Savings Plan for each employee. Vesting shall be immediate for all existing employees in the current Administrator's DC Plan and employees hired after the adoption of the MERS Transition Plan on July 7, 2022 through September 30, 2022. Employees hired on or after October 1, 2022 shall be subject to employer's 10-year vesting schedule.

4. An ETO Payout of up to 60 hours of unused ETO shall be completed annually at the beginning of October of each fiscal year, beginning in CY 2023, with ETO hours calculated as of September 30th of the prior fiscal year.

5. The County shall make financial/investment education and advice through MissionSquare or other professionals not less than twice per year.

Discussion followed.

The Chair instructed the Clerk to call roll:

Yes (4): Commissioners Dyes, Marchetti, Laylin and File.

No (2): Commissioners Grice and Jones.

Absent (1): Commissioner Benjamin.

Resolution R-189-22 carried by roll call vote.

#### **M-190-22**

Commissioner Jones moved, seconded by Commissioner Marchetti, to adopt the Solid Waste Planning Commission Bylaws. Motion carried by voice vote.

#### **M-191-22**

Commissioner Laylin moved, seconded by Commissioner Jones, to approve the CCDET proposal from Intersect Studio in the amount of \$24,200.00 to be paid for from the CCDET Fund. Motion carried by voice vote.

**R-192-22**

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

**RESOLUTION IN SUPPORT OF AMENDING MICHIGAN NO-FAULT AUTO INSURANCE REFORM ACT**

WHEREAS, the Michigan No-Fault Auto Insurance Reform Act of 2019 introduced a fee cap, which took final effect on July 1, 2021; this cap set percentage limits on how much residential care facilities, home health care providers, and other persons can be reimbursed for providing treatment/care to auto accident victims; and

WHEREAS, these reimbursement caps are 55% of the reimbursement rates that Home Care Providers were collecting in 2019;

WHEREAS, 55% of a Home Health Care provider's 2019 collections, is an unsustainable reimbursement cap to continue caring for catastrophically injured individuals following an auto accident.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners hereby urges the Michigan Legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address a sustainable fee cap (i.e. Michigan's Workman's Compensation Fee Cap for Ancillary Services) for Home Health Care providers, to uphold these benefits that have been paid for by the survivors who are currently receiving and who will receive in-home, long-term care, when purchasing an Unlimited PIP Auto Insurance policy, paid by the Michigan Catastrophic Claims Association.

BE IT FURTHER RESOLVED that the Cass County Clerk/Register of Deeds is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the State Senate Majority and Minority leaders, the State House Speaker and Minority Leader, the members of the Cass County delegation to the Michigan Legislature, and the other 82 counties of Michigan as Commissioner Correspondence.

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-192-22 carried by voice vote.

**M-193-22**

Vice Chair Grice moved, seconded by Commissioner Marchetti, to approve VBCD FY 23 Scrap Tire Grant MOU. Motion carried by voice vote.

**R-194-22**

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

**RESOLUTION AUTHORIZING ENGAGEMENT OF THE STATE LAND BANK  
AUTHORITY OF MICHIGAN'S BLIGHT ELIMINATION PROGRAM BY THE CASS  
COUNTY LAND BANK AUTHORITY**

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, the FY2023-24 Blight Elimination Program legislation allocated \$21,550,000 to be distributed by the State Land Bank Authority to revitalize communities and grow the economy; and

WHEREAS, county land banks are guaranteed a \$200,000 allocation to address vacant, abandoned, and deteriorated properties in their communities. In areas served by a land bank authority, the land bank authority must serve as the lead applicant for grants within its jurisdiction; and

WHEREAS, county land banks may apply for grants above the guaranteed minimum of \$200,000; and

WHEREAS, the Cass County Land Bank must complete a submission package in response to the Request for Proposal (RFP) during the submission period October 1, 2022 thru January 31, 2023.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners authorizes engagement of the State Land Bank Authority of Michigan's Blight Elimination Program by the Cass County Land Bank Authority.

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-194-22 carried by roll call vote.

**M-195-22**

Commissioner Jones moved, seconded by Commissioner Grice, to approve a proposal from Flock Safety for ten-unit investigative camera system at a cost of \$53,000.00 including a one-time setup fee and 2 years of service to be paid for from the CCDET Fund. Discussion followed. Motion carried by voice vote.

**BOARD MEMBER COMMENTS/ANNOUNCEMENTS**

Commissioner Jones announced there was a nice turnout at the Historical Society event where he served as a bladesmith last weekend. He would be in the City of Dowagiac at Front and Commercial Streets the next weekend.

**ADJOURNMENT**

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

The meeting adjourned at 6:15 p.m.

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

\_\_\_\_\_  
Chair Skip Dyes

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