

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

October 7, 2021

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, October 7, 2021, in Commissioner Chambers.

Chair Dyes called the meeting to order at 6:30 p.m. Commissioner File provided the Invocation. Commissioner Jones 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, Roseann Marchetti, Robert Benjamin, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: Ryan Laylin.

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

PUBLIC HEARING

Chair Dyes opened the hearing regarding Michigan Community Development Block Grant (CDBG) Funding at 6:33 p.m. Deputy County Administrator Matt Newton explained the County received \$57,152 in grant funding and would partner with the City of Dowagiac for administration. There were no public comments. Commissioner Benjamin moved, seconded by Commissioner Marchetti, to close the public hearing. Motion carried by voice vote.

PUBLIC COMMENT (Agenda Items Only)

Jefferson Township Supervisor Dean Hass thanked the county for cooperating with Jefferson Township and Midwest Energy Cooperative for broadband coverage.

APPROVAL OF THE AGENDA

Commissioner Marchetti moved, seconded by Commissioner Jones, to approve the October 7, 2021, Cass County Board of Commissioner's Agenda. Discussion followed. Commissioner Marchetti moved, seconded by Commissioner Jones to approve the amended agenda.

The Chair instructed the Clerk to call roll:

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

No (2): Commissioners Benjamin and Grice.

Absent (1): Commissioner Laylin.

Motion to approve the amended agenda carried by roll call vote.

RECOGNITIONS

Deputy County Administrator Matt Newton recognized local artist Vivian Purkhiser for donating artwork to the county.

PRESENTATIONS

None.

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-164-21) A motion to approve Claims dated September 17, 2021.

(M-165-21) A motion to approve the September 9, 2021 Board of Commissioners Special Meeting Minutes and the September 16, 2021 Board of Commissioners Regular Meeting Minutes.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners File, Dyes, Marchetti, Benjamin, Grice and Jones.

No (0): None.

Absent (1): Commissioner Laylin.

The Consent Agenda carried by roll call vote.

COMMITTEE REPORTS

Commissioners File, Marchetti and Jones offered Committee Reports.

ADMINISTRATOR'S REPORT

Administrator Carmen presented the Administrator's Report.

PUBLIC SAFETY UPDATE

Sheriff Behnke provided a Public Safety Update.

COUNTY PARTNERS

None.

ELECTED OFFICIALS UPDATE

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

R-166-21

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

**APPROVING MEMORANDUM OF UNDERSTANDING FOR THE CITY OF DOWAGIAC
TO ADMINISTER EMERGENCY REPAIR LOAN PROGRAM ON BEHALF OF CASS
COUNTY**

WHEREAS, The Cass County Board of Commissioners established an Emergency Repair Loan Program utilizing Community Develop Block Grant funding through the Michigan Economic Development Corporation; and

WHEREAS, Program Income of more than \$35,000.00 per year must be expensed upon continued Emergency Repair Loan activities or be returned to the State of Michigan; and

WHEREAS, the County seeks to partner with the City of Dowagiac to administer the Emergency Repair Loan Program to ensure said funds continue to benefit the residents of the County.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners approve for the Chairperson of the Cass County Board of Commissioners to execute Memorandum of Understanding - Emergency Loan Program by and between the County of Cass and the City of Dowagiac.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Dyes, Marchetti, Benjamin, Grice, Jones and File.

No (0): None.

Absent (1): Commissioner Laylin.

Resolution R-166-21 carried by roll call vote.

M-167-21

Commissioner Jones moved, seconded by Commissioner File, to appoint Sheriff Richard Behnke to the Community Corrections Advisory Board for a term ending September 30, 2025. Motion carried by voice vote.

M-168-21

Commissioner File moved, seconded by Commissioner Marchetti, to appoint Judge Mark Herman to the Community Corrections Advisory Board for a term ending September 30, 2025. Motion carried by voice vote.

M-169-21

Commissioner Laylin moved, seconded by Commissioner Marchetti, to appoint Judge Susan Dobrich to the Community Corrections Advisory Board for a term ending September 30, 2025. Discussion followed. Motion carried by voice vote.

M-170-21

Commissioner Marchetti moved, seconded by Commissioner Grice, to appoint Judge Stacey Rentfrow to the Community Corrections Advisory Board for a term ending September 30, 2025. Motion carried by voice vote.

M-171-21

Commissioner Grice moved, seconded by Commissioner Marchetti, to appoint Prosecutor Victor Fitz to the Community Corrections Advisory Board for a term ending September 30, 2025. Discussion followed. Motion carried by voice vote.

M-172-21

Commissioner Jones moved, seconded by Commissioner Grice, to appoint Bob Weber to the Community Corrections Advisory Board for a term ending September 30, 2025. Motion carried by voice vote.

Election of County Board of Canvassers Members

Clerk/Register Monica McMichael explained the appointment process for Members of the County Board of Canvassers as required by MCL 168.24c(2). The Chairs of the local Democratic and Republican Parties each provided the Clerk with the names of three individuals willing to serve on the Board of Canvassers. Democratic Party nominees included Mary Ann Crete, Carolyn Kelly and Felomina Patton. Republican Party nominees included Miriam Bollweg and J.D. Glaser and Mary Howie. Clerk/Register McMichael informed the board that Mary Ann Crete and Miriam Bollweg were current members of the board and were willing to be re-appointed. Because they had the required training and years of experience, Clerk/Register McMichael asked board members to re-appoint Ms. Crete and Ms. Bollweg to the Board of Canvassers.

Clerk/Register McMichael called roll for the Democratic Member of the Board of Canvassers:

Commissioner File: Mary Ann Crete
Commissioner Jones: Felomina Patton
Commissioner Grice: Mary Ann Crete
Chair Dyes: Felomina Patton
Commissioner Marchetti: Mary Ann Crete
Commissioner Benjamin: Mary Ann Crete

Clerk/Register McMichael then called roll for the Republican Member of the Board of Canvassers:

Commissioner Jones: J.D. Glaser
Commissioner Grice: Miriam Bollweg
Chair Dyes: Miriam Bollweg
Commissioner Marchetti: Miriam Bollweg
Commissioner Benjamin: Miriam Bollweg
Commissioner File: Miriam Bollweg

M-173-21

Commissioner File moved, seconded by Commissioner Jones, to appoint Mary Ann Crete to the Cass County Board of Canvassers for a term ending October 31, 2025. Motion carried by voice vote.

M-174-21

Commissioner File moved, seconded by Commissioner Jones, to appoint Miriam Bollweg to the Cass County Board of Canvassers for a term ending October 31, 2025. Motion carried by voice vote.

R-175-21

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

FY2021 EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT

WHEREAS, the State of Michigan FY2021 Emergency Management Performance Grant Agreement

between the Michigan Department of State Police Emergency Management Homeland Security Division

and County of Cass has been submitted to the Cass County Board of Commissioners for approval.

NOW THEREFORE BE IT RESOLVED, that the Cass County Board of Commissioners on behalf of the County of Cass hereby accepts and binds the County of Cass to the terms and conditions of the Agreement and authorizes Dwight W. Dyes and Jeff Carmen to execute the Agreement.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Marchetti, Benjamin, Grice, Jones, File and Dyes.

No (0): None.

Absent (1): Commissioner Laylin.

Resolution R-175-21 carried by roll call vote.

R-176-21

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

APPROVING THE JEFFERSON TOWNSHIP PILOT FIBER PROJECT

WHEREAS, the County Board of Commissioners established a Broadband Committee to explore options to facilitate expanded broadband access throughout Cass County via collaboration, partnerships, and initiatives; and

WHEREAS, Midwest Energy & Communications has proposed a pilot project in collaboration with Jefferson Township for fiber installation on Davis Lake St; and

WHEREAS, the costs of the proposed project would be divided equally between Cass County and Jefferson Township; and

WHEREAS, the Broadband Committee recommends the approval of the proposed project.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to approve the Jefferson Township Pilot Fiber Project at a cost of \$62,500.00.

Discussion followed.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Benjamin, Grice, Jones, File, Dyes and Marchetti.

No (0): None.

Absent (1): Commissioner Laylin.

Resolution R-176-21 carried by roll call vote.

M-178-21

Commissioner Jones moved, seconded by Commissioner File, to appoint Lauren Thurston to the Economic Development Corporation Board for an unexpired term ending September 30, 2027. Motion carried by voice vote.

M-179-21

Commissioner File moved, seconded by Commissioner Jones, to appoint Matthew Bussler to the Historical Commission for a three-year term ending July 1, 2024. Motion carried by voice vote.

M-180-21

Commissioner Marchetti moved, seconded by Commissioner Grice, to appoint Rick Russwurm to the Economic Development Corporation Board for a six-year term ending September 30, 2027. Motion carried by voice vote.

PUBLIC COMMENT

Cass County Sheriff's Office (CCSO) employee and county resident Zachary Nixon spoke against changing the MERS retirement systems from defined benefit to defined contribution. He went on to discuss the affect the change would have on CCSO staffing and public safety.

County employee and Attorney Leigh Feldman offered data regarding the MERS defined benefit plan and urged board members to retain the current retirement system in order to retain employees.

CCIEA President Fern Smith reported the union currently had five grievances. She stated that it was scary to think she would not be paid if she contracted Covid. She also suggested that board members fact check the information she provided regarding defined benefit and defined contribution retirement plans.

County employee and resident Linda Krumb asked the board to keep their promise to employees and retain the MERS defined benefit retirement program.

County resident and recently retired county employee Mary Parmley suggested the county conduct an audit to determine the actual unfunded liability.

County resident Beth Pompey stated that Cass County Sheriff's Office (CCSO) employees worked through the pandemic. She went on to share the physical, mental and emotional trauma experienced by first responders. She urged commissioners to maintain the current retirement plan for CCSO employees.

CCIEA Vice President April McKee reported on the diminishing employee morale in the county. She stated that MERS was not a union issue but rather an employee issue.

County resident and employee Lizzie Mesko suggested commissioners do their own research regarding County Administration and the promise to employees of a defined benefit pension. She asked commissioners to keep the current pension plan.

Cass County Republican Party Chair Mark Howie urged commissioners to consider what employees were stating regarding the retirement plan. He also asked commissioners to contact him with input regarding commissioner district reapportionment.

County resident Jean Schultz informed commissioners that she had enjoyed her time serving on the Historical Commission and working to restore the Newton Home. She asked board members to consider purchasing the Red Brick Schoolhouse from Cassopolis Public Schools and to work to preserve one-room schoolhouses and local history. She added that the Newton House would be open to the public November 7, 2021, from 1:00 p.m. until 4:30 p.m.

Cass County Sheriff's Office employee Makenzie Kreiner shared information on how the change to a defined contribution pension plan would affect the Sheriff's Office. She stated that road deputies would leave, which could put deputies and citizens in danger.

Commissioner Benjamin requested that Board Member Comments and Announcements occur before moving in to closed session.

BOARD MEMBER COMMENTS OR ANNOUNCEMENTS

Commissioner Jones offered his appreciation for all first responders as they put their lives on the line for the public good every day. He added his support for employees of the Cass County Sheriff's Office and offered his understanding of the mental stress experienced by first responders.

Commissioner Benjamin requested that a discussion item for Commissioner goals be added to the November 5, 2021 Workshop Agenda. He would like to map out priorities and measurable goals. He also stated that he would like to put a mechanism in place to monitor employee morale.

CLOSED SESSION

M-177-21

Commissioner File moved, seconded by Commissioner Marchetti, to enter into a closed session to review Opioid litigation with Attorney Barry Conybeare and to include Clerk/Register Monica McMichael, Matt Newton, Jennifer Rentfrow and Becky Moore.

The Chair instructed the Clerk to call roll:

Yes (6): Commissioners Grice, Jones, File, Dyes, Marchetti and Benjamin.

No (0): None.

Absent (1): Commissioner Laylin

Motion to enter closed session carried by roll call vote. The meeting moved to closed session at 8:01 p.m.

The meeting returned to open session at 8:20 p.m.

ADJOURNMENT

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

The meeting adjourned at 8:20 p.m.

Approved: _____
Date

Dwight Dyes, Chair

Monica McMichael, Clerk/Register