

**CASS COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING**

**October 7, 2022**

The Cass County Board of Commissioners met in special session on Friday, October 7, 2022, in Commission Chambers.

Chair Dyes called the meeting to order at 11:00 a.m. Commissioner Jones provided the Invocation. Commissioner Marchetti 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, Robert Benjamin, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: None.

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

**INTRODUCTION OF VISITORS**

Visitors present introduced themselves.

**PUBLIC COMMENT**

Zane Lankford asked that future meetings be announced and advertised publicly. She also asked commissioners to speak loudly as the microphones were not on. Finally, she asked who the public should speak with if they had questions or concerns.

Sheriff Behnke expressed concern over approved projects at the Sheriff's Office that were put on the "back burner" due to the courthouse project coming in over budget. The current jail system was 22 years old and in need of upgrading. He was very disappointed that public safety was getting a back seat to the courthouse.

**APPROVAL OF THE AGENDA**

Commissioner File moved, seconded by Commissioner Jones, to approve the October 7, 2022, Cass County Board of Commissioner's Agenda. Motion to approve the agenda carried by voice vote.

## **PRESENTATIONS**

Bill LaDitka and Lindsay Reed of Intersect Studio provided a review of the final design and layout of the Historic Courthouse Project. Representatives from Plazacorp joined Mr. LaDitka and Ms. Reed to answer questions from board members and from members of the public.

## **NEW BUSINESS**

### **R-196-22**

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

#### **RESOLUTION TO ENGAGE INTERSECT STUDIO FOR PHASE 3 CONSTRUCTION DOCUMENT AND ADMINISTRATION FOR HISTORIC COURTHOUSE BUILDING**

WHEREAS, the Cass County Board of Commissioners approved the engagement of Intersect Studio to complete Phase 2 Design and Development Services for the Historic Courthouse on February 3, 2022; and

WHEREAS, the Phase 2 Programming was successfully completed and presented to the Board of Commissioners on October 7, 2022; and

WHEREAS, the Capital Projects Committee recommends proceeding with Intersect Studio for Phase 3 Construction Document and Construction Administration Services; and

WHEREAS, this project was anticipated and provided for in the FY 23 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to authorize the engagement of Intersect Studio to complete Phase 3 Construction Document and Construction Administration Services at a fee not to exceed \$181,550.00 plus reimbursable fees and expenses. Scope of services will include final floor plans, finish materials, plans and details, interior and exterior features, door and window schedule, site plan layout, mechanical, electrical, plumbing, and construction engineering, coordination with technology designer, furniture and window treatments selection for coordination with MiDeal, branding design, plan review, support for County and construction team, site visits as necessary, reviewing change orders, and providing punch list support.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-196-22 carried by roll call vote.

**R-197-22**

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

**RESOLUTION TO APPROVE OWNER'S REPRESENTATIVE AGREEMENT WITH PLAZACORP REALTY ADVISORS, INC**

WHEREAS, R-34-22 authorized the County Administrator and the Capital Projects Committee to negotiate with Plazacorp on a Development Services Agreement; and

WHEREAS, negotiations were facilitated to determine the required development services to be requested and create a framework for a formal agreement; and

WHEREAS, it was determined that proceeding with Plazacorp as an Owner Representative for the Historic Courthouse Project would provide essential benefits to the County in completing the project including representing the County in key project meetings, providing developer insight into construction methods and design with a focus on cost, quality, and schedule performance, monitoring project schedule, reviewing quality assurance and control, site inspections, providing status reports, managing and submitting payment requests and sworn statements, facilitating Certificate of Occupancy, and providing documentation of process, issues, and applicable costs; and

WHEREAS, the Capital Projects Committee recommends approving the Owner's Representative Agreement with PlazaCorp Realty Advisors, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to approve the Owner's Representative Agreement with PlazaCorp Realty Advisors, LLC at a cost not to exceed \$725,000.00.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Resolution R-197-22 carried by roll call vote.

**R-198-22**

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

**RESOLUTION TO OBLIGATE FUNDING FOR HISTORIC COURTHOUSE  
BUILDING PROJECT**

WHEREAS, Cass County endeavors to complete the renovation of the Historical Courthouse to enhance and improve operations and provide an increased level of service to the County; and

WHEREAS, R-43-22 designated \$5 million of the County's allocated \$10,059,018.00 in funding under the Coronavirus State and Local Fiscal Recovery Fund ("CSLFRF") Program of the American Rescue Plan Act ("ARPA") toward the Historic Courthouse Renovation Project; and

WHEREAS, the completion of Phase 2 Design and Development services resulted in the creation of a final, detailed project budget; and

WHEREAS, the total project budget is \$9,626,276.00, including \$535,418.00 in contingency and less the already completed interior demolition work; and

WHEREAS, the project completion timeline will result in project expenditures being spread across FY 23 and FY 24; and

WHEREAS, the commitment of funds to the Historical Courthouse Project prior to October 31, 2022 will guarantee pricing and prevent further cost escalation; and

WHEREAS, the County currently has \$8,118,819.04 remaining in total CSLFRF funding; and

WHEREAS, said funding previously designated for use on other County projects shall be redesignated and obligated for use on the Historical Courthouse Project.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to obligate funding for the Historic Courthouse Renovation Project as follows:

1. \$8,118,819.04 million in funding from the Coronavirus State and Local Fiscal Recovery Fund (ARPA)
2. \$1,507,456.96 million in funding from the Public Improvement Fund

BE IT FURTHER RESOLVED that the designation of funding does not preclude the County from seeking alternative funding sources or grants as may be applicable to further reduce overall costs; and

BE IT FURTHER RESOLVED that the County shall seek all cost-saving opportunities on the project, where applicable, which will not have any adverse impact on future operation, function, or maintenance of the Historical Courthouse.

Discussion followed.

The Chair instructed the Clerk to call roll:

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

No (1): Commissioner Benjamin.

Resolution R-198-22 carried by roll call vote.

### **BOARD MEMBER COMMENTS/ANNOUNCEMENTS**

Commissioner File asked that funding for projects at the Sheriff's Office be revisited. She stated she felt that the commissioners were left out of funding discussions.

Zane Lankford asked for information on the amount of marijuana taxes received by the county.

Commissioner Marchetti also asked that funding for Sheriff's Office projects be evaluated.

Commissioner Laylin requested a work study be conducted on Cass County Law Enforcement.

### **ADJOURNMENT**

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

The meeting adjourned at 12:39 p.m.

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

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

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