

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**November 19, 2015**

The County Board of Commissioners met in regular session Thursday, November 19, 2015 in the Cass County Commission Chambers.

Chairperson Bernie Williamson called the meeting to order at 7:00 p.m. Commissioner Marchetti provided the Invocation. Commissioner Ziliak led the Pledge of Allegiance to the Flag of the United States of America.

Chief Deputy Clerk/Register Heather Harding called roll:

COMMISSIONERS PRESENT: Robert Wagel, Annie File, Dwight Dyes, Roseann Marchetti, Bernie Williamson, Robert Ziliak and E. Clark Cobb.

COMMISSIONERS ABSENT: None.

STAFF PRESENT: County Administrator/Controller Roger Fraser and Chief Deputy Clerk/Register Heather Harding.

**INTRODUCTION OF VISITORS**

Visitors introduced themselves.

**APPROVAL OF THE AGENDA**

Commissioner Dyes moved, seconded by Commissioner Marchetti, to approve the November 19, 2015 Board of Commissioners Regular Meeting Amended Agenda. Motion carried by voice vote.

**PUBLIC COMMENT**

There was no public comment.

## **CONSENT AGENDA**

Commissioner Ziliak 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:

### **Motion approving claims dated 11/06/2015 (M-170-15)**

**6C. Motion to authorize the Finance Director to make end of FY2015 budget adjustments (M-168-15)**

**6D. Motion to approve the Inmate Phone Contract (M-169-15)**

A motion to approve a five (5) year inmate phone contract with ICSolutions beginning January 1, 2016 and ending December 31, 2020.

**6E. Motion to approve purchase order-Motorola Project (M-171-15)**

**Approval of the October 29, 2015 Special meeting minutes.**

**Approval of the November 5, 2015 Regular meeting minutes.**

Commissioner Marchetti recognized County Clerk/Register of Deeds Monica Kennedy for doing a "fine job" with the minutes every meeting.

The Chair instructed the Clerk to call roll:

Yes(7):Commissioners Wagel, File, Dyes, Marchetti, Williamson, Ziliak and Cobb.

No(0): None.

The Consent Agenda carried by roll call vote.

## **COMMITTEE REPORTS**

Commissioners Marchetti and Ziliak offered committee reports.

## **ADMINISTRATOR REPORT**

County Administrator/Controller Roger Fraser informed the board of the handout they were given with the updates from his office. He informed the board the Housing Grant was submitted on time and he is hoping to get it approved. No further discussion.

**NEW BUSINESS**

There was no new business.

**OLD BUSINESS**

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

**R-164-15**

**RESOLUTION  
CASS COUNTY BOARD OF COMMISSIONERS**

**WHEREAS,** Todd M. Johnson would like to purchase three (3) years of generic service credit in the MERS retirement program at his cost, and

**WHEREAS,** the Agreement by and between COAM, the Sheriff and Cass County Board of Commissioners provides that employees shall be permitted to purchase up to five (5) years of generic service as defined by MERS; if they pay one hundred (100%) percent of the employer and employee cost;

**NOW THEREFORE BE IT RESOLVED** that the Cass County Board of Commissioners grant the three (3) years of generic service credit to Todd M. Johnson provided that he pay the total actuarial cost of \$37,550.

**ADOPTED THIS 19th DAY OF November, 2015.**

Commissioner Ziliak spoke against this resolution. He informed the board he will be voting “no” tonight.

The Chair instructed the Clerk to call roll:

Yes(7): Commissioners File, Dyes, Marchetti, Williamson, Cobb and Wagel.

No(0): Commissioner Ziliak.

Resolution R-164-15 carried by roll call vote.

## **BOARD MEMBER COMMENTS/ANNOUNCEMENTS**

Commissioners File, Ziliak and Williamson made board member comments/announcements.

### **PUBLIC COMMENT**

Jason Pompey addressed the board regarding the resolution just passed. He thanked those that voted “yes” for adhering to the contract. He went on further to state he feels this does not cost the county anything extra and benefits them in the long run.

Jerry Marchetti announced a Harvest Fest at Our Lady of the Lake Church this weekend. This is put on by the local Knights of Columbus and he encouraged everyone to come out and enjoy good company and great food.

### **CLOSED SESSION**

Commissioner File moved, seconded by Commissioner Marchetti, to enter into closed session to discuss the pending litigation regarding an Unfair Labor Practice (ULP). The board would take Chief Deputy Clerk/Register Heather Harding and attorney Doug Callandar into closed session. The board will return to regular session to discuss the resolution of the ULP.

Commissioner Dyes moved, seconded by Commissioner Wagel, to amend that motion to also discuss termination of County Administrator/Controller Roger Fraser in 2016.

Commissioner Williamson made comments about the amended motion.

The Chair instructed the Clerk to call roll:

Yes(4): Commissioners Dyes, Marchetti, Ziliak and Wagel.

No(3): Commissioners Williamson, Cobb and File.

The amended motion carried by roll call vote.

The motion made by Commissioner File to enter into closed session was up for vote.

The Chair instructed the Clerk to call roll:

Yes(7): Commissioners Marchetti, Williamson, Ziliak, Cobb, Wagel, File and Dyes.

No(0): None.

Motion (M-172-15) carried by roll call vote.

The board entered into closed session at 7:28 p.m.

The board came back into open session at 8:35 p.m.

Attorney Callandar gave a synopsis of what transpired on November 16<sup>th</sup> and November 17<sup>th</sup> in Lansing. He went on to read the settlement that was placed on the record on Tuesday November 17<sup>th</sup>. He informed the board there will be no written record of the settlement.

Commissioner Wagel moved, seconded by Commissioner Dyes, to accept the settlement as read by Attorney Doug Callandar.

The Chair instructed the Clerk to call roll:

Yes(7): Commissioners Williamson, Ziliak, Cobb, Wagel, File, Dyes and Marchetti.

No(0): None.

Motion carried by roll call vote.

Commissioner Marchetti moved, seconded by Commissioner Ziliak, to table discussion regarding the termination of County Administrator/Controller Roger Fraser.

The Chair instructed the Clerk to call roll:

Yes(7): Commissioners Ziliak, Cobb, Wagel, File, Dyes, Marchetti and Williamson.

No(0): None.

Motion carried by roll call vote.

### **ADJOURNMENT**

Commissioner Wagel moved, seconded by Commissioner Cobb, to adjourn. Motion carried by voice vote.

The meeting adjourned at 8:42 p.m.

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

\_\_\_\_\_  
Bernie Williamson, Chairperson

\_\_\_\_\_  
Heather Harding, Chief Deputy Clerk/Register