

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

February 17, 2022

The County Board of Commissioners met in regular session Thursday, February 17th, 2022 in the Board of Commissioners chambers. Due to COVID-19 concerns, public participation was offered via Zoom.

Vice Chair Grice called the meeting to order at 5:00 p.m. Commissioner Jones provided the Invocation. Commission Laylin led the Pledge of Allegiance to the flag of the United States of America.

Chief Deputy Clerk/Register Heather Harding called roll:

Commissioners Present (6): Ryan Laylin, Annie File, Mike Grice, Roseann Marchetti, Robert Benjamin and Jeremiah Jones.

Commissioners Absent (1): Dwight Dyes.

STAFF PRESENT: County Administrator Jeff Carmen, Deputy County Administrator Matt Newton, Finance Director Jennifer Rentfrow, Deputy Finance Director Becky Moore and Chief Deputy Clerk/Register Heather Harding.

INTRODUCTION OF VISITORS

Visitors introduced themselves.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF THE AGENDA

Commissioner Marchetti moved to approve the Cass County Board of Commissioners Regular Meeting Agenda for February 17th, 2022 with the removal of M-44-22. Commissioner Jones seconded with a stipulation that there still be discussion about M-44-22. Commissioner Jones went on to say that he has done research regarding the Solid Waste Planning Committee. The committee is supposed to have 14 members with specific people filling those spots. He indicated that as of now there is only 5 members. Commissioner Jones shared that there is currently no chair and there has historically been drama associated with this committee. Jones felt there are not enough members, and the committee needs to be sorted out.

Commissioner Benjamin spoke indicating Commissioner Jones is the author of the motion and if he wants to have discussion the board should vote the current motion down and approve the agenda as presented.

The Vice Chair instructed the Clerk to call roll:

Yes(0): None.

No(6): Commissioners File, Jones, Grice, Laylin, Marchetti and Benjamin.

Absent(1): Commissioner Dyes.

The motion to approve the Cass County Board of Commissioners Regular Meeting Minutes for February 17th, 2022 with the removal of M-44-22 did not pass by roll call vote.

Commissioner Benjamin moved, seconded by Commissioner Jones, to approve the Cass County Board of Commissioners Regular Meeting Agenda for February 17th, 2022 as presented. There was no discussion. Motion carried by voice vote.

RECOGNITIONS

There were none.

PRESENTATIONS

There were none.

CONSENT AGENDA

Vice Chair Grice moved, seconded by Commissioner Laylin, 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-36-22

Motion to approve Claims dated February 4, 2022.

M-37-22

Motion to approve the February 3, 2022 Cass County Board of Commissioners Regular Meeting minutes.

There was no discussion.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Absent(1): Commissioner Dyes.

The consent agenda passed by roll call vote.

Chair Dyes arrived at 5:15 pm and took the meeting over.

COMMITTEE REPORTS

Commissioners Marchetti, Benjamin and Jones offered committee reports.

APPOINTMENTS COMMITTEE REPORT

Commissioner Marchetti reported five to six people applied for the vacancy for the Woodlands Board. Commissioner Benjamin offered that a candidate with financial background would be great. There was no further discussion.

ADMINISTRATOR'S REPORT

County Administrator Jeff Carmen offered the Administrator's Report.

FINANCE REPORT

Finance Director Jennifer Rentfrow informed the board that the report was included in the board packet.

PUBLIC SAFETY UPDATE

Sheriff Behnke gave a brief public safety update. The showers and HVAC system at the Sheriff's office had updates recently. He also indicated that there will be a meeting with the Medical Examiners office at the March Law Advisory meeting.

COUNTY PARTNERS

Cass County Road Commission Managing Director Bob Thompson spoke about the winter budget. He indicated that they are on track this week; however, next week will be a different story. He wanted to let everyone know that Cass County does not have a bare road policy. MDOT is able to do that with the budget they have but Cass County is not able to do that. There are four trucks parked behind the road commission out of service due to frame problems. He indicated that he was able to get three new trucks that will arrive in the third quarter. He also thanked the board for considering the road commission to receive ARPA funds.

ELECTED OFFICIALS UPDATE

Prosecutor Victor Fitz provided an update on his office. He indicated that jury trials have helped to get the cases moving again. Since resuming there have been twelve or thirteen jury trials. Most recently, this week a drug case handled by DeVante McCullom with a guilty verdict. He also informed the board that a couple of weeks ago when Oxford High School resumed classes they had asked for emotional support dogs from around the state to be present that first day.

Amanda Smego along with canine Belle were present to help support the students. He is hoping to add Amanda to one of the March agendas to speak.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

R-38-22

Vice Chair Grice moved, seconded by Commissioner Marchetti, to approve resolution R-38-22:

RESOLUTION TO ENDORSE FEBRUARY AS BLACK HISTORY MONTH

WHEREAS, February is National Black History month; and

WHEREAS, Cass County is home to more than 51,000 residents and more than 4,000 are African Americans; and

WHEREAS, Cass County was home to several ‘stations’ on the Underground Railroad from 1830-1860, and over 1,500 freedom seekers passed through this area on their way to Canada, helped by Quaker and Free Black communities; and

WHEREAS, in the 1840’s and 1850’s many Free Black families arrived here, bought land, and established thriving farms, assisted by Cass County’s Quaker Community, and many descendants of those families still reside in Cass County; and

WHEREAS, Underground Railroad Days is an annual festival that celebrates the story and the legacy of the Underground Railroad in Cass County; and

WHEREAS, Our African American brothers and sisters are part of our modern story as leaders and important members of our county community.

NOW THEREFORE BE IT RESOLVED the Cass County Board of Commissioners to uphold and endorse February as Black History Month and encourage all members of the Community to participate in events surrounding Black History Month and to celebrate this important part of our heritage in Cass County.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-38-22 passed by roll call vote.

R-39-22

Commissioner Jones moved, seconded by Commissioner Laylin, to approve resolution R-39-22:

RESOLUTION APPROVING ARPA FUNDING FOR CASS COUNTY ROAD COMMISSION REVENUE LOSS

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law establishing the Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Program; and

WHEREAS, Cass County will receive a total of \$10,059,018.00 in funds under the CSLFRF Program; and

WHEREAS, the Cass County Board of Commissioners created the ad-hoc ARPA Committee to review options and provide recommendations for the use of said funds; and

WHEREAS, the Cass County Road Commission has submitted an ARPA RFP under Category 6 - Revenue Loss; and

WHEREAS, the Cass County Road Commission calculated their COVID-19 related funding losses to be \$4,548,123.00; and

WHEREAS, the Cass County Road Commission has requested \$991,493.00 to complete projects that were delayed due to the lost revenue; and

WHEREAS, approving this request would fund direct investment in county roads and create an opportunity for a partnership to facilitate improvements in the Cass County Park system; and

WHEREAS, the ARPA Committee evaluated the RFP and recommends authorizing the obligation and transfer of \$991,493.00 in ARPA funding to the Cass County Road Commission.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to approve the ARPA RFP and authorize \$941,493.00 in expenditure of ARPA funding to the Cass County Road Commission.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-39-22 passed by roll call vote.

R-40-22

Commissioner Marchetti moved, seconded by Commissioner Grice, to approve resolution R-40-22:

RESOLUTION OBLIGATING ARPA FUNDING FOR LOCAL INFRASTRUCTURE INVESTMENT MATCHING PROGRAM

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law establishing the Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Program; and

WHEREAS, Cass County will receive a total of \$10,059,018.00 in funds under the CSLFRF Program; and

WHEREAS, the Cass County Board of Commissioners created the ad-hoc ARPA Committee to review options and provide recommendations for the use of said funds; and

WHEREAS, Cass County recognizes the importance of additional investment in improving our local infrastructure; and

WHEREAS, the ARPA Committee has evaluated and recommends the approval of a proposal to establish a Local Infrastructure Investment Matching Program; and

WHEREAS, the program provides \$500,000.00 in ARPA funding for local road infrastructure to all Cass County townships based on a percentage of total lane miles; and

WHEREAS, each township will be required to provide a match of the funding provided to be eligible to participate in the program; and

WHEREAS, the program will create over \$1,000,000.00 in total infrastructure investment across Cass County; and

WHEREAS, the Cass County Road Commission will administer the program, including providing quarterly reports until all eligible funds are committed; and

WHEREAS, any funds not committed under the program by September 30, 2022, will be required to be returned to the county.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to obligate \$500,000.00 of the county’s total ARPA funding toward the Local Infrastructure Investment Matching Program to be administered by the Cass County Road Commission.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-40-22 passed by roll call vote.

R-41-22

Commissioner Jones moved, seconded by Commissioner Laylin, to approve resolution R-41-22:

RESOLUTION DESIGNATING ARPA FUNDING FOR SHERIFF OFFICE IMPROVEMENT PROJECT

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law establishing the Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Program; and

WHEREAS, Cass County will receive a total of \$10,059,018.00 in funds under the CSLFRF Program; and

WHEREAS, the Cass County Board of Commissioners created the ad-hoc ARPA Committee to review options and provide recommendations for the use of said funds; and

WHEREAS, Intersect Studio completed a Program Analysis on the Sheriff's Offices in July 2021; and

WHEREAS, the Multi-Purpose Room, Public Interview Room, and Report Stations were determined to be urgent upgrades necessary to improve the daily function of the Sheriff's Department; and

WHEREAS, the committee reviewed the Sheriff Office Improvement Project proposal and recommends the designation of ARPA funding for the estimated project cost of \$297,000.00; and

WHEREAS, the designation of ARPA funding does not preclude seeking alternate funding sources or grants; and

WHEREAS, if final project costs attributable to ARPA funding are less than \$297,000.00, any remaining funds will be undesignated and available for an alternative use; and

WHEREAS, an RFP is required with bids to be submitted for final approval by the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to designate \$297,000.00 of the county's total ARPA funding toward the Sheriff Office Improvement Project.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-41-22 passed by roll call vote.

R-42-22

Commissioner Jones moved, seconded by Commissioner Marchetti, to approve resolution R-42-22:

RESOLUTION OBLIGATING ARPA FUNDING FOR JAIL IMPROVEMENT PROJECT

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law establishing the Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Program; and

WHEREAS, Cass County will receive a total of \$10,059,018.00 under the CSLFRF Program; and

WHEREAS, the Cass County Board of Commissioners created the ad-hoc ARPA Committee to review options and provide recommendations for the use of said funds; and

WHEREAS, the County Jail was not originally designed to accommodate the necessary isolation of people with a potentially highly contagious virus; and

WHEREAS, Intersect Studio completed a Mechanical Separation Analysis on the County Jail in July 2020 to evaluate improvements that would address this deficiency; and

WHEREAS, the proposed Jail Improvement Project would provide mechanical separation of the heating, cooling, and fresh air system allowing the facility to effectively meet CDC guidelines governing the separation of incoming detainees and provide for medical isolation in cases of positive COVID-19 cases; and

WHEREAS, the project would also enhance the ability of the jail facility to address any future infectious virus outbreaks that may arise and help ensure the health and safety of incoming detained or incarcerated people and facility staff; and

WHEREAS, the committee reviewed the Jail Improvement Project proposal and recommends the designation of ARPA funding in the amount of the estimated project cost of \$1.5 million; and

WHEREAS, the designation of ARPA funding does not preclude seeking alternate funding sources or grants; and

WHEREAS, if final project costs attributable to ARPA funding are less than \$1.5 million, any remaining funds will be undesignated and available for an alternative use; and

WHEREAS, an RFP is required with bids to be submitted for final approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to designate \$1.5 million of the county’s total ARPA funding toward the Jail Improvement Project.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-42-22 passed by roll call vote.

R-43-22

Chair Dyes moved, seconded by Commissioner Laylin, to approve resolution R-43-22:

RESOLUTION DESIGNATING ARPA FUNDING FOR HISTORIC COURTHOUSE RENOVATION

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law establishing the Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Program; and

WHEREAS, Cass County will receive a total of \$10,059,018.00 in funds under the CSLFRF Program; and

WHEREAS, the Cass County Board of Commissioners created the ad-hoc ARPA Committee to evaluate proposals and provide recommendations for the use of said funds; and

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, on February 3, 2022, the Board of Commissioners approved the completion of Phase 2 Design and Development services and authorized the County Administrator and Capital Projects Committee to begin negotiations on a Development Services Agreement; and

WHEREAS, determining the source(s) of funding are critical to finalizing a Development Services Agreement; and

WHEREAS, the use of ARPA funding for the Historical Courthouse Renovation would result in significant long-term cost savings of financing fees and interest; and

WHEREAS, the ARPA Committee has evaluated and recommends the approval of the designation of \$5 million in ARPA funding to support the Historical Courthouse Renovation; and

WHEREAS, the designation of ARPA funding does not preclude the County from seeking alternative funding sources or grants as may be applicable to further reduce overall costs; and

WHEREAS, if final project costs attributable to ARPA funding are less than \$5 million, any remaining funds will be undesignated and available for an alternative use.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to designate \$5 million of the county’s total ARPA funding toward the Historic Courthouse Renovation Project.

Chair Dyes spoke and told the board he was proud to be a commissioner. The Historic Courthouse has been topic of discussion for almost twenty years, and he stated he was happy to see this happening.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Resolution R-43-22 passed by roll call vote.

M-44-22

Commissioner Jones moved, seconded by Commissioner File, to rescind M-90-88 and dissolve the Solid Waste Planning Committee. Discussion followed. Motion M-44-22 failed by voice vote.

CLOSED SESSION

Commissioner Laylin moved, seconded by Commissioner Jones, to enter a closed session to provide an update on Labor Negotiations and Disputes and to include Chief Deputy Clerk/Register Heather Harding, Treasurer Hope Anderson, Judge Carol Bealor, Sheriff Rick Behnke, Prosecutor Victor Fitz, County Administrator Jeff Carmen, Deputy Administrator Matt Newton, Finance Director Jennifer Rentfrow and any other party as may be designated by the Board Chair.

The Chair instructed the Clerk to call roll:

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

No(0): None.

Entered Closed Session at 5:50 pm.

Entered Open Session at 6:34 pm.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioner Benjamin made board member comments/announcements.

ADJOURNMENT

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

The meeting adjourned at 6:37 p.m.

Approved: _____
Date

Dwight Dyes, Chair

Heather Harding, Chief Deputy Clerk