

**CASS COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**June 2, 2022**

The Cass County Board of Commissioners met for their Regular Meeting on Thursday, June 2, 2022, in Commissioner Chambers. Due to COVID-19 concerns, public participation was offered via Zoom.

Chair Dyes called the meeting to order at 5:00 p.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, Mike Grice and Jeremiah Jones.

COMMISSIONERS ABSENT: Robert Benjamin.

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

**INTRODUCTION OF VISITORS**

Visitors present introduced themselves.

**PUBLIC COMMENT**

Merry Clark, candidate for County Commissioner, stated that she would like to see more bike paths in Cass County.

**APPROVAL OF THE AGENDA**

Commissioner Laylin moved, seconded by Commissioner Marchetti, to approve the June 2, 2022, Cass County Board of Commissioner's Agenda. Motion to approve the agenda carried by voice vote.

**TRUTH IN TAXATION**

Chair Dyes opened the Truth in Taxation hearing at 5:04 p.m. There were no comments. Commissioner Marchetti moved, seconded by Commissioner Laylin, to close the hearing. Motion carried by voice vote.

## **RECOGNITIONS**

None.

## **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-116-22)** A motion to approve Claims dated May 27, 2022.

**(M-117-22)** A motion to approve the May 19, 2022 Board of Commissioners Regular 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 Laylin, Marchetti and Jones offered Committee Reports.

## **APPOINTMENTS COMMITTEE REPORT**

Commissioner Marchetti announced openings on the Historical Commission and the Woodlands Board of Directors.

## **ADMINISTRATOR'S REPORT**

Deputy Administrator Matthew Newton offered the Administrator's Report.

## **PUBLIC SAFETY UPDATE**

Sheriff Behnke shared the public safety update.

## **COUNTY PARTNERS**

County Conservation District Director Korie Blyveis showed off the new vests and car logos for investigators. She also shared that Pat Boyle earned his Wetland Delineation Certification. She then asked commissioners to complete the 2022 conservation needs assessment survey.

Bob Thompson, Road Commission Manager, stated that road paving began last week. He also stated that he was part of a committee working to form a bike path between the Village of Cassopolis and Lawless Park. He went on to report that the Road Commission was fully staffed and had one seasonal employee. Roadside mowing began in the southern part of the county. A contractor will mow the eight townships in the north end of the county. Finally, he explained the roundabout project in Milton Township would be delayed due to an issue obtaining property needed for the project.

## **ELECTED OFFICIALS UPDATE**

Prosecutor Fitz congratulated Matt Newton. He went on to share information on Tiffany Montenegro who leaves the Prosecutor's Office after 16 years of making a difference in the lives of victims and making Cass County a safer place.

Treasurer Hope Anderson thanked the board in advance for opposing HB 4729, 4730, 4731 and 4732. If approved at the state level, they would provide County Register of Deeds and County Treasurer data at a fraction of the cost to large companies such as Zillow while individuals continued to pay full price.

Jeff VanBelle, Drain Commissioner, thanked the county for implementing the new GIS web site. He also shared that he placed two test wells at Barron Lake. If tests proved successful, he will place a production well at the site.

## **UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**R-118-22**

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

**2022 TRUTH IN TAXATION HEARING/L-4029 RESOLUTION**

WHEREAS, it is the statutory duty of Cass County Board of Commissioners to authorize the levy of the county's millage rate for 2022; and

WHEREAS, the county millage is affected by MCL Section 211.34d, Headlee Rollback, that has limited the County to 6.5255 mills for 2022; and

WHEREAS, the county millage is affected by PA 5 of 1982, Truth in Taxation, and would further limit the county to 6.4543 mills which could result in a tax dollar shortfall of \$184,708; and

WHEREAS, the State Treasury has notified Cass County on monies to be received under the Convention Facility Liquor Tax of \$139,203 and Health and Safety Fund Act Revenue of \$0 for a total of \$139,203 which further reduces the county millage rate to 6.4543 mills due to MCL Section 211.34d and PA 5 of 1982; and

WHEREAS, the County Board of Commissioners has the authority to levy a maximum of 6.5255 mills, which includes 4.5702 allocated mills, 0.9858 mills for Council on Aging, 0.4751 allocated mills for Drug Enforcement, and 0.4944 mills for Cass County Medical Care Facility; and

WHEREAS, the county can levy the full millage rate of 6.5255 only after fulfilling the public requirements of MCL Section 211.34d and PA 5 of 1982; and

WHEREAS, the Cass County Board of Commissioners has fulfilled the requirements of MCL 211.34d and PA 5 of 1982.

NOW, THEREFORE BE IT RESOLVED, that after much deliberation and consideration of the county's budgetary needs for 2022, the Cass County Board of Commissioners has decided, in the best interest of the county, to levy 6.5255 mills, which is 4.5702 allocated mills, 0.9858 mills for Council on Aging, 0.4751 mills for Drug Enforcement and 0.4944 mills for Cass County Medical Care Facility.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-118-22 carried by roll call vote.

**M-119-22**

Vice Chair Grice moved, seconded by Commissioner Laylin, to appoint Dwight Dyes to the Shavehead Lake Governmental Lake Board. Motion carried by voice vote.

**R-120-22**

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

**A RESOLUTION OPPOSING MICHIGAN HOUSE BILLS 4729, 4730, 4731, & 4732**

WHEREAS, Zillow, a for-profit corporation from Seattle, WA, has been lobbying the Michigan Legislature to pass legislation that undermines the integrity of Register of Deeds and Treasurer Offices across the State of Michigan; and

WHEREAS, the legislation that Zillow is lobbying for would require Register of Deeds and Treasurer Office across the State of Michigan to provide for-profit corporations copies of any official records maintained by those offices at a significant discount or in some instances free of any charge. As a result, the taxpayers will be responsible for picking up the tab for providing these records and the financial burden created by the loss of revenue for these offices; and

WHEREAS, if these Bills become law, Zillow and other for-profit corporations will have the ability to demand the manner in which the Register of Deeds and Treasurer must provide copies of official records; and

WHEREAS, if these Bills become law, they would impose new restrictions and limits on what Register of Deeds and Treasurer Offices can charge for parcel cards, and would burden Michigan taxpayers with the cost to provide records to out-of-state entities and corporate organizations; and

WHEREAS, Zillow and other corporations will capitalize on selling publicly owned records, provided to them free of charge, while at the same time placing Michigan residents at a higher risk for fraud and theft; and

WHEREAS, the Michigan Association of Counties, Michigan Association of County Treasurers, Michigan Association of County Clerks, Michigan Association of Register of Deeds, and the Michigan Municipal League are united in opposing Michigan House Bills 4729, 4730, 4731, & 4732.

THEREFORE, BE IT RESOLVED, that the Cass County Board of Commissioners OPPOSE Michigan House Bills 4729, 4730, 4731, & 4732, as private corporations should not benefit financially from public records at the expense of Michigan taxpayers; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Gretchen Whitmer, the Speaker of the Michigan House of Representatives, the Majority Leader of the Michigan Senate, Senator Kim LaSata, Representative Steve Carra, Representative Brad Paquette, the Michigan Association of Counties, the Michigan Association of County Treasurers, the Michigan Association of County Clerks, the Michigan Association of Register of Deeds, and the Michigan Municipal League.

The Chair instructed the Clerk to call roll:

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

No (0): None.

Absent (1): Commissioner Benjamin.

Resolution R-120-22 carried by roll call vote.

#### **M-121-22**

Commissioner Laylin moved, seconded by Commissioner File, to approve the renewal of a contract between Cass County Sheriff's Office and Canteen Service, Inc. for food service for the Cass County Jail. Motion carried by voice vote.

#### **M-122-22**

Commissioner Jones moved, seconded by Commissioner Laylin, to create an Ad-Hoc Homelessness Committee to study homelessness in the County to be comprised of a member of the Board of Commissioners and one member each appointed by the Community Action Agency, DHHS, City of Dowagiac, Area Agency on Aging, and Veteran's Affairs with final findings and recommendations to be presented on or before December 15, 2022. Motion carried by voice vote.

#### **CLOSED SESSION**

#### **M-123-22**

Commissioner Marchetti moved, seconded by Commissioner Grice, to enter a closed session to discuss with our attorney trial and/or settlement strategy in the pending lawsuit Grainger v Ottawa County et al pending in the Federal District Court for the Western District of Michigan because discussion on the open record will have a detrimental financial effect on the litigating or settlement position of Cass County and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g), pursuant to MCL 15.268(h) and to include Attorney Allan Vander Laan, Clerk/Register Monica McMichael, Treasurer Hope Anderson and Deputy County Administrator Matt Newton.

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.

Motion M-123-22 carried by roll call vote. The meeting moved to closed session at 5:47 p.m.

The meeting returned to open session at 6:20 p.m.

**BOARD MEMBER COMMENTS/ANNOUNCEMENTS**

Commissioner Marchetti stated that on June 11 and 12, 2022, residents have free entrance, fishing and use of trails at state parks.

**ADJOURNMENT**

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

The meeting adjourned at 6:22 p.m.

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

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

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