

**CASS COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

March 6, 2025

The Cass County Board of Commissioners met in regular session on Thursday, March 6, 2025, in Commission Chambers.

Chair Jones called the meeting to order at 5:00 p.m. Commissioner Langley provided the Invocation. Commissioner Lee led the Pledge of Allegiance to the Flag of the United States of America.

Clerk/Register Monica McMichael called roll:

COMMISSIONERS PRESENT: Tom Langley, James Lawrence, Alan Northrop, Jeremiah Jones, Michael Grice, Samuel Barrera, Roseann Marchetti and RJ Lee.

COMMISSIONERS ABSENT: None.

PUBLIC HEARING

Commissioner Marchetti moved, seconded by Commissioner Lee, to open the Community Development Block Grant (CDBG) Funding hearing. Motion carried by voice vote. The hearing began at 5:01 p.m.

There were no public comments.

Commissioner Lee moved, seconded by Commissioner Marchetti, to close the public hearing. Motion carried by voice vote. The hearing ended at 5:02 p.m.

PUBLIC COMMENT (Agenda Items Only)

None.

ADDITIONS/DELETIONS TO THE AGENDA

Chair Jones amended the language of motion M-36-2025 to read:

A motion to approve the request for Board of Commissioner's approval of Search/Recruitment/Hiring Process for Open County Administrator position with approval of a budget not to exceed \$11,000 for a hiring search firm.

APPROVAL OF THE AGENDA

Commissioner Marchetti moved, seconded by Commissioner Lee, to approve the March 6, 2025, Cass County Board of Commissioner's Agenda as amended. Motion carried by voice vote.

RECOGNITIONS

None.

PRESENTATIONS

Judge Bealor and Court Appointed Special Advocates (CASA) Board Members Hope Anderson, Jeff Robinson and Sue Heinrich provided a brief presentation outlining CASA's functions and services.

CONSENT AGENDA

Vice-Chair Lawrence moved, seconded by Commissioner Lee, 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-31-2025) A motion to approve claims dated 2/1/2025 to 2/28/25

(M-32-2025) A motion to approve minutes dated February 6, 2025

(M-33-2025) A motion to approve special meeting minutes dated February 20, 2025

(R-1-2025) A resolution to approve Emergency Home Repair (CDBG) Program updated program guidelines

A RESOLUTION TO AUTHORIZE THE 2025 EMERGENCY REPAIR LOAN PROGRAM

WHEREAS, the Cass County Board of Commissioners established an Emergency Repair Loan Program utilizing Community Development 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, Program Income for 2023-2024 was 85,607; and

WHEREAS, the City of Dowagiac is no longer able to provide administrative support for this grant, as outlined in R-166-21; and

WHEREAS, the Cass County Treasurer's Office has graciously offered to assume these responsibilities; and

WHEREAS, the Michigan State Housing Development Authority which oversees this program has given Cass County permission to transition the Emergency Home Repair Program from a zero-interest loan program to a grant program; and

WHEREAS, granting funds for emergency home repairs in lieu of placing liens on homes participating in the project will allow the County to help homeowners who were hesitant to put liens on their homes; and

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners to authorize \$70,197.74 in CDBG Funding be utilized in continuation of the Emergency Repair Loan Program for 2025-2026; and

BE IT FURTHER RESOLVED that the Cass County Treasurer's Office shall be authorized to administer the Emergency Repair Loan Program for 2025-2026, in coordination with the County.

(M-35-2025) A motion to approve the Computer System and Software License Sales Agreement with Fidlar Technologies for Clerk and Register of Deeds Software

(R-2-2025) A resolution to approve MDOT Permit for Usage of Flock Cameras on State Highways

RESOLVED WHEREAS, the County of Cass hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this Resolution shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Resolution, as provided by law. This Resolution is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.

3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.

4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

7. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

8. This Resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

(M-34-2025) A motion to approve the purchase of three (3) patrol vehicles and three (3) non-pursuit vehicles at a total cost not to exceed \$325,977, along with the necessary budget adjustments to facilitate the purchases

The Chair instructed the Clerk to call roll:

Yes (8): Commissioners Langley, Lawrence, Northrop, Jones, Grice, Barrera, Marchetti and Lee.

No (0): None.

The Consent Agenda carried by roll call vote.

COMMISSIONER REPORTS

Commissioners Langley, Northrop and Marchetti offered committee reports.

ADMINISTRATOR'S REPORT

Interim Administrator Jennifer Rentfrow provided a written Administrator's Report in the board packet.

COUNTY PARTNERS

Soil Erosion and Sedimentation Control (SESC) Administrator Tracy Wesaw shared updates with the board and introduced a new SESC inspector.

ELECTED OFFICIALS

Prosecutor Fitz, Treasurer Anderson, Drain Commissioner VanBelle and Clerk/Register McMichael shared updates with the board.

NEW BUSINESS

M-36-2025

Commissioner Marchetti moved, seconded by Commissioner Lee, to approve the request for Board of Commissioner's approval of Search/Recruitment/Hiring Process for Open County Administrator position with approval of a budget not to exceed \$11,000 for a hiring search firm. Discussion followed. Motion carried by voice vote.

M-37-2025

Interim Administrator Rentfrow opened discussion on setting a date for a Board of Commissioner Workshop. Discussion followed.

Commissioner Lawrence moved, seconded by Commissioner Marchetti, to set April 22, 2025, as the date for a Board of Commissioners Workshop. Motion carried by voice vote.

PUBLIC COMMENT

Public comment occurred.

CLOSED SESSION

None.

BOARD MEMBER COMMENTS/ANNOUNCEMENTS

Commissioners Northrop, Jones and Marchetti shared announcements.

ADJOURNMENT

Chair Jones adjourned the meeting at 5:41 p.m.

Approved: _____
Date

Chair Jeremiah Jones

Monica McMichael, Clerk/Register