

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Virtual Board Meeting Minutes**  
**July 9, 2020**

**Staff Present:** County Clerk Sharon Tyler  
Annette Christie, Executive Assistant to the Administrator  
Brian Dissette, County Administrator  
Sheriff Paul Bailey  
Nicki Britten, Health Officer (via Zoom)  
Hailey Richards (via Zoom)

**BOC Present:** Chairperson R. McKinley Elliott

**CHAIRMAN TO CALL THE MEETING TO ORDER:**

Chairperson R. McKinley Elliott called the regular meeting to order at 11:01 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

**INVOCATION:**

Commissioner Michael Majerek gave the invocation.

**PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:**

County Administrator Brian Dissette led us in the Pledge of Allegiance to the United States of America.

**ROLL CALL:**

The Chair instructed the Clerk to take a roll call with the following results:

12 PRESENT: R. McKinley Elliott, Robert Harrison, Ezra Scott, Don Meeks (Arrived at 11:06 A.M.), Michael Majerek, David Vollrath, Mamie Yarbrough, Jon Hinkelman, Jim Curran, Christopher Heugel, William Chickering and Teri Freehling.

0 ABSENT.

**MOMENT OF SILENCE IN MEMORY AND HONOR OF JOE ZANGARO AND RON KIENZLE WHOSE LIVES WERE LOST ON JULY 11, 2016 AT THE BERRIEN COUNTY COURTHOUSE:**

Sheriff Paul Bailey asked for a moment of silence in memory and honor of Joe Zangaro and Ron Kienzle whose lives were lost on July 11, 2016 at the Berrien County Courthouse.

**APPROVE MINUTES OF THE JUNE 25, 2020 MEETING:**

Commissioner Majerek moved and supported by Commissioner Heugel, to approve the BOC virtual meeting minutes of June 25, 2020.

The Chair instructed the Clerk to take the roll with the following results:

11 YEAS: Yarbrough, Harrison, Hinkelman, Scott, Chickering, Vollrath, Freehling, Curran, Heugel, Majerek and Elliott.

Motion carried, no nays.

**COMMUNICATION(S):**

County Clerk Sharon Tyler received the following communications:

- M. Smith, Office of Economic Development/Michigan Department of Transportation, an email on the grant summary for the Berrien County Road Department on the Marquette Greenway Phase I and 2, received on June 30, 2020.
- Tuscola County Board of Commissioners, a resolution supporting the Enbridge's proposed tunnel replacement project, received on July 1, 2020.
- Mahlon McMichael, Niles City, an email regarding the neighborhood, received on July 6, 2020.

Commissioner Scott spoke about the communication on the Transportation Alternatives Program (TAP) grant for Marquette Greenway Phase I and 2. He stated that New Buffalo Township had a meeting yesterday to place the project on hold. Discussion was held.

**PUBLIC COMMENTS REGARDING RESOLUTIONS - Public comments at this portion of the meeting must be related to resolutions listed on today's agenda only. Those speaking through the You Tube chat during public comments shall identify themselves by name (including last name) and city, township, or village: None.**

**CONSENT CALENDAR:**

Chairperson Elliott requested that Resolution #P2007290 be moved from the Added Resolution(s) to the Consent Calendar. Chairperson Elliot received a request from Commissioner Scott to pull Resolution #P2007290 from the Consent Calendar and be presented separately.

\*\*Commissioner Freehling abstained from requisitions #44363 for \$5837.50 and #44364 for \$8000.00 – REV Excavating on Resolution #B2007084, due to possible conflict of interest.

\*Commissioner Yarbrough abstained from the Road Department's check number 207263 – Kalin Construction Co., Inc. for \$58,454.05 on Resolution #F2007037, due to possible conflict of interest with her son working for Kalin Construction Co., Inc.

Commissioner Curran moved and supported by Commissioner Freehling, to pull Resolution #P2007290 from the Added Resolution(s) to the Consent Calendar and to be presented separately; and to approve today's Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
*F2007037	Weekly Bills
**B2007084	Weekly Requisitions
F2007121	Road Payables
A2007288	SWMBA Grant Application
A2007293	SCAO funding Drug Treatment Court
A2007294	SCAO funding Mental Health Court
A2007295	SCAO funding Swift & Sure Program

The Chair instructed the Clerk to take the roll with the following results:

12 YEAS: Yarbrough, Harrison, Hinkelman, Scott, Chickering, Vollrath, Freehling, Curran, Heugel, Majerek, Meeks and Elliott.

Motion carried, no nays.

Resolution #P2007290 - Contract with KKzo, LLC for illness tracking services:

Commissioner Scott shared his concerns over Resolution #P2007290 and not being able to have the contract to review. Chairperson Elliott stated that Corporate Counsel has reviewed the Resolution and contract, and Personnel and Human Services Committee has approved Resolution #P2007290. Health Officer Nicki Britten and Administrator Disette answered Commissioner Scott's concerns and discussed the illness tracking services. A lengthy discussion was held.

Commissioner Harrison moved and supported by Commissioner Heugel, to approve Resolution #P2007290.

The Chair instructed the Clerk to take the roll with the following results:

9 YEAS: Yarbrough, Harrison, Chickering, Vollrath, Curran, Heugel, Majerek, Meeks and Elliott.

3 NAYS: Hinkelman, Scott and Freehling.

Motion carried.

**ADDED RESOLUTION(S):**

Resolution #P2007290 - Contract with KKzo, LLC for illness tracking services

Added Resolution #P2007290 was moved to the Consent Calendar and presented separately.

**COMMITTEE ACTION:**

Personnel and Human Services Committee (PHSC) Chairperson Chickering explained the pension refund/rollover and why this motion was being taken during the Board meeting.

PHSC Chairperson Chickering moved and seconded by PHSC member Vollrath, to approve the pension refunds/rollovers as presented. Support needed by PHSC members.

The Chair instructed the Clerk to call the PHSC roll resulting as follows:

3 YEAS: Chickering, Freehling and Vollrath.

Motion carried, no nays.

**COMMISSIONER REPORTS:** None.

**ADMINISTRATOR REPORT:**

Administrator Dissette thanked the Board for being given this opportunity as the County Administrator and gave his report.

**GENERAL PUBLIC COMMENTS – Those speaking through the You Tube chat during public comments shall identify themselves by name (including last name) and city, township, or village.**

Tony Benhart, Sodus Township, spoke about a large gathering in the Three Oaks Park and the Road Department regarding Colfax Avenue in Benton Harbor.

Cheryl Marie, of the Lynch family, spoke about the letter she sent to the Board members regarding COVID-19 policies and a link to a video.

**OTHER BUSINESS:**

Commissioner Yarbrough asked whether we will be having a Board meeting on the fifth Thursday, July 30, 2020. Chairperson Elliott responded at the time being, we are not planning to meet.

Chairperson Elliott spoke about the Local State of Emergency Declaration COVID-19 that will be expiring on July 10, 2020 and deactivating the Emergency Operations Center (EOC). Health Officer/Director Nicki Britten feels comfortable with allowing the Local State of Emergency Declaration to sunset. Chairperson Elliott stated the EOC was in consensus of allowing the resolution to sunset. Discussion was held.

Chairperson Elliott has created the "COVID Coordinating Committee" that will meet on Wednesdays at 2:30 P.M. The Committee consists of the following members: Sheriff Paul Bailey; Undersheriff Chuck Heit; Captain Rockey Adams; Sgt. Ron Bush; Deputy David Albers; Health Officer Nicki Britten; Deputy Health Officer Courtney Davis; Administrator Brian Dissette; Chairperson R. McKinley Elliott (alt. Vice Chair Scott); and Commissioners Chickering, Curran, Harrison, Vollrath and Yarbrough.

Motion: Commissioner Scott moved and supported by Commissioner Curran, to allow the Local State of Emergency Declaration COVID-19 to sunset at 12:01 A.M. on July 11, 2020 and to deactivate the EOC.

The Chair instructed the Clerk to take the roll with the following results:

12 YEAS: Yarbrough, Harrison, Hinkelman, Scott, Chickering, Vollrath, Freehling, Curran, Heugel, Majerek, Meeks and Elliott.

Motion carried, no nays.

Commissioner Scott spoke about the Finance Committee putting together language regarding bids for the Road Department. The Finance Committee is targeting to meet on Thursday, July 23, 2020 at 9:30 A.M. Administrator Dissette will review the language prior to the Finance Committee meeting. Commissioner Meeks would like to listen to the Finance Committee's discussion.

Commissioner Freehling stated she is a member of the Berrien County Planning Commission and they are working on the County's master plan. She will be sending an email to the Commissioners seeking their input on the County's master plan and would like to receive their input by Monday, July 13, 2020 in the evening. The County's master plan is approved by the Board of Commissioners.

**ANNOUNCEMENTS/REMINDERS:**

Chairperson Elliott announced that we will be having a virtual BOC meeting on Thursday, July 16, 2020 at 10:30 A.M.

Commissioner Scott thanked Annette Christie for putting the meeting together today.

**ADJOURNMENT:**

The meeting was adjourned at 12:25 P.M.

---

R. McKinley Elliott, Chairperson

---

Sharon J. Tyler, County Clerk

***Minutes are to be approved at the next BOC meeting.***