

BERRIEN COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
March 5, 2020

CHAIRMAN TO CALL THE MEETING TO ORDER:

Chairperson R. McKinley Elliott called the regular meeting to order at 10:33 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

INVOCATION:

Sheriff Paul Bailey gave the invocation.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Chairperson R. McKinley Elliott 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:

9 PRESENT: Jim Curran, Teri Freehling, Christopher Heugel, Michael Majerek, Don Meeks (departed at 10:35 A.M. and returned at 10:59 A.M.), Ezra Scott, David Vollrath, Mamie Yarbrough (arrived at 10:37 A.M.) and R. McKinley Elliott.

3 ABSENT: William Chickering, Robert Harrison and Jon Hinkelman.

APPROVE MINUTES OF THE FEBRUARY 27, 2020 MEETING:

Commissioner Scott moved, seconded by Commissioner Vollrath, to approve the BOC meeting minutes of February 27, 2020. Motion carried, no nays.

1 ABSTAIN: Elliott.

COMMUNICATION(S):

County Clerk Sharon Tyler received and distributed to the Board the following communications:

- Hillsdale County Board of Commissioners – Received via email on February 26, 2020 - Resolution to uphold the rights of the citizens of Hillsdale County, protected by the Second Amendment to the United States Constitution and Article 1, Section 6, of the Michigan Constitution.
- Lake County Board of Commissioners – Received via email on February 27, 2020 - Resolution to declare Lake County a Second Amendment Sanctuary County.
- Arenac County Board of Commissioners – Received via email on February 27, 2020 - Resolution to declare Arenac County a Second Amendment Sanctuary County.
- Menominee County Board of Commissioners – Received via email on February 27, 2020 - Resolution to declare Menominee County a Second Amendment Sanctuary County.
- Charlevoix County Board of Commissioners – Received via email on February 28, 2020 – The following two resolutions: To declare Charlevoix County a Second Amendment Sanctuary County and a declaration of Charlevoix County as a Constitutional Sanctuary.
- Berrien County Democratic Party – Received via email on February 29, 2020 – Resolution to support remediation of Great Lakes erosion.
- Monroe County Board of Commissioners – Received via email on March 3, 2020 - Resolution to declare its support for the Second Amendment in Monroe County.
- Dr. Johansen, Berrien County Health Department – Received via email on March 4, 2020 – At Your Service, news from the Berrien County Health Department.

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 during public comments may do so no longer than two minutes and shall identify themselves by name and city, township, or village. (Article III, 3.9B-C): None.

CONSENT CALENDAR:

Commissioner Heugel moved, seconded by Commissioner Scott, to approve today's Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
F2003021	Weekly Bills
B2003068	Weekly Requisitions
F2003112	Road Payables
A2003189	Accept grant for Child and Parent Legal Representation
F2003195	Berrien Springs #29 Refunding Bond
F2003196	Coloma #30 Refunding Bond
B2003197	Honorary Resolution

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

8 YEAS: Curran, Freehling, Heugel, Majerek, Scott, Vollrath, Yarbrough and Elliott.

Motion carried, no nays.

ADDED RESOLUTION(S): None.

PARENT COMMITTEE REPORTS:

The Finance, Administration, and Personnel and Human Services Committees presented their Parent Committee Reports. Parent Committee minutes are available at www.berriencounty.org.

COMMISSIONER REPORTS:

Commissioners presented their Commissioner Reports.

ADMINISTRATOR REPORT:

Administrator William Wolf announced a conference call at 2:00 P.M. today with Moody's Investors Service for the County's bond rating.

GENERAL PUBLIC COMMENTS - Those speaking during public comments may do so no longer than two minutes and shall identify themselves by name and city, township, or village. (Article III, 3.9B-C):

Adolf Pelzer, Hagar Township, apologized for last week regarding the Board member's census t-shirts and thanked the Board for the t-shirt.

Darrin Schaer, Pipestone Township, spoke about his concerns on how the Closed Session was listed on the Agenda.

OTHER BUSINESS:

Chairperson Elliott stated the Board will be going into Closed Session and the only business that will be taken after returning to Open Session will be the approval of the Closed Session minutes. Chairperson Elliott responded to Darrin Schaer's public comment. Chairperson Elliott stated that the state statute does not require names to be listed and the Board receives a Quarterly Litigation Update from Corporate Counsel.

ANNOUNCEMENTS/REMINDERS:

Chairperson Elliott announced that daylight savings time will begin on Sunday, March 8th at 2:00 A.M.

CLOSED SESSION – MCL 15.268 (e) – Quarterly Litigation Update – Corporate Counsel James McGovern - "To consult with its attorney regarding trial and settlement strategy in connection with pending litigation."

Commissioner Yarbrough moved, seconded by Commissioner Curran, to recess the public meeting and go into Closed Session at 10:58 A.M., for a quarterly litigation update to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.

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

8 YEAS: Freehling, Heugel, Majerek, Scott, Vollrath, Yarbrough, Curran and Elliott.

Motion carried, no nays.

Commissioner Meeks returned at 10:59 A.M.

The Board recessed at 11:01 A.M. to go into Closed Session.

The Board reconvened to Open Session at 11:50 A.M.

Commissioner Majerek moved, seconded by Commissioner Meeks, to approve the revised Closed Session minutes of February 13, 2020. Motion carried, no nays.

ADJOURNMENT:

The meeting was adjourned at 11:51 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the full board meeting on March 12, 2020.