

BERRIEN COUNTY BOARD OF COMMISSIONERS
Virtual Board Meeting Minutes
September 24, 2020

Staff Present: Clerk Sharon Tyler
(In-person) Treasurer Shelly Weich (Arrived at 11:26 A.M.)
Sheriff Paul Bailey (Left at 11:30 A.M.)
Annette Christie, Executive Assistant to the Administrator
Brian Dissette, County Administrator
SW Michigan Planning Commission Executive Director John Egelhaaf (via ZOOM)
Attorney John Axe, Clark Hill (via ZOOM)

BOC Present: None
(In-person)

CHAIRMAN TO CALL THE MEETING TO ORDER:

Chairperson R. McKinley Elliott called the virtual regular meeting to order at 10:35 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

INVOCATION:

Commissioner Robert Harrison gave the invocation.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Commissioner Ezra Scott 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: William Chickering (Left at 12:45 P.M.), Jim Curran, Teri Freehling, Robert Harrison, Christopher Heugel (Left at 12:09 P.M.), Jon Hinkelman (Left at 12:19 A.M.), Michael Majerek, Don Meeks, Ezra Scott, David Vollrath (12:31 P.M.), Mamie Yarbrough and R. McKinley Elliott (Left at 11:32 A.M.).

0 ABSENT.

APPROVE MINUTES OF THE SEPTEMBER 17, 2020 MEETING:

Commissioner Majerek moved and supported by Commissioner Meeks, to approve the BOC virtual regular meeting minutes of September 17, 2020.

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

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

1 ABSTAIN: Majerek. Commissioner Majerek stated he was not present at the meeting.

Motion carried, no nays.

COMMUNICATION(S):

County Clerk Sharon Tyler received the following communications:

- Bay County Board of Commissioners, a resolution to urge the President of the United States, the Senate and Congress to provide the financial assistance required to aid states and local units of government as they continue to deal with the economic long term effects of COVID-19, received on September 16, 2020.

- One email from email address advocacy@bluestatedigital.com with a name and no addresses, regarding “Michiganians deserve a fair election in November and beyond,” received on September 19, 2020.

ELECTION UPDATE - Clerk Sharon Tyler

Clerk Sharon Tyler gave an update on November’s election. Discussion was held.

BROADBAND DISCUSSION – John Egelhaaf, Executive Director, SW Michigan Planning Commission and John Axe of Clark Hill:

Southwest Michigan Planning Commission Executive Director John Egelhaaf gave a PowerPoint presentation on Broadband Developments and to engage with Merits Network, Inc. to conduct a survey of County residents on their access to broadband services. Discussion was held.

Motion was made by Commissioner Scott and supported by Commissioner Curran, to enter an agreement with Merit Network, Inc. to conduct a survey of County residents on their access to broadband services and administrated by Administrator Brian Dissette.

Discussion was held on whether this is time sensitive. Administrator Dissette and John Egelhaaf stated it could wait until next week. Commissioner Scott and Commissioner Curran withdrew their motion and deferred it until next week with a resolution.

Attorney John Axe, Clark Hill, spoke about the County assisting Townships in Berrien County with broadband projects. 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:

Vice Chairperson Ezra Scott requested that Resolution #P2009338 - Accept Veterans Affairs Grant be moved from the Added Resolution(s) to the Consent Calendar.

Commissioner Harrison moved and supported by Commissioner Meeks, to pull Resolution #P2009338 - Accept Veterans Affairs Grant from the Added Resolution(s) to the Consent Calendar and to approve today’s Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
F2009048	Weekly Bills
B2009093	Weekly Requisitions
P2009301	Renew Intergovernmental Agreement for SWMBA
A2009320	Renew Agreement with The Avenue Family Network
P2009327	Approve list of vendors to perform Remonumentation work assignments
P2009328	Approve individuals as peer group members in the Remonumentation program
P2009332	Approve complement change for Animal Control
P2009334	Accept hazard pay funding
P2009338	Accept Veterans Affairs Grant

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

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

Motion carried, no nays.

ADDED RESOLUTION(S)

Resolution #P2009338 - Accept Veterans Affairs Grant was moved to the Consent Calendar.

COMMITTEE REPORT(S):

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

COMMISSIONER REPORT(S):

The Commissioners presented their outside Commissioners' Reports.

ADMINISTRATOR REPORT:

Administrator Brian Dissette gave his Administrator's Report. He updated the Board on the recent Parks Commission meeting. At the Parks Commission meeting, the Commission recommended the County engage Edgewater Resources to design temporary flood and erosion controls for the southern edge of Silver Beach County Park. Edgewater will work to prepare permits to the State of Michigan to allow for the erosion control work, on behalf of the County.

Motion: Commissioner Chickering moved and supported by Commissioner Yarbrough, to authorize the County Administrator to enter into an agreement with Edgewater Resources in the amount of \$18,800 to initiate the permitting process to allow emergency erosion control measures to be implemented in Silver Beach County Park.

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

10 YEAS: Freehling, Harrison, Hinkelman, Majerek, Meeks, Vollrath, Yarbrough, Chickering, Curran and Scott.

Motion carried, no nays.

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:

Eric Lester, St. Joseph Charter Township, thanked the Board for holding the virtual meetings and supporting broadband.

Deanna Briggs, Oronoko Charter Township, thanked the Board regarding moving forward with broadband and supported Merit Network, Inc. as the contractor.

Adolf Pelzer, Hagar Township, spoke about the boulders in the water at the Hagar Township beach.

Tony Benhart, Sodus Township, spoke about the Army Corps of Engineers extending the South Pier to eliminate boulders.

OTHER BUSINESS: None.

ANNOUNCEMENTS/REMINDERS:

Vice Chairperson Scott announced the following:

- 10-1-2020 Finance Committee Meeting – VIRTUAL – 9:00 A.M.
- 10-1-2020 Board of Commissioners Regular Meeting – VIRTUAL – 10:30 A.M.

Commissioner Yarbrough announced the Committee on Committee meeting will be held on Monday, September 28, 2020 at 2:00 P.M.

CLOSED SESSION

1. MCL 15.268 (e) – “To consult with its attorney regarding trial and settlement strategy in connection with pending litigation.” – Rafaelli, LLC v. Oakland County:

Vice Chairperson Scott announced after the Closed Session the Board will reconvene to Open Session and then to adjourn the meeting.

Commissioner Curran moved and supported by Commissioner Harrison, to recess the public meeting and go into Closed Session at 12:27 P.M., to consult with its attorney regarding trial and settlement strategy in connection with pending litigation. – Rafaelli, LLC v. Oakland County.

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

8 YEAS: Harrison, Majerek, Meeks, Yarbrough, Chickering, Curran, Freehling and Scott.
Motion carried, no nays.

The Board reconvened to Open Session at 12:56 P.M.

Vice Chairperson Scott announced our next Board meeting will be held virtually on October 1, 2020 at 10:30 A.M.

ADJOURNMENT:

The meeting was adjourned at 12:57 P.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the next BOC meeting.