

BERRIEN COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
October 17, 2019

CHAIRMAN TO CALL THE MEETING TO ORDER:

Chairperson R. McKinley Elliott called the regular meeting to order at 10:36 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Commissioner Teri Freehling led us in the Pledge of Allegiance to the United States of America.

INVOCATION:

Commissioner Chris Heugel gave the invocation.

ROLL CALL:

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

10 PRESENT: William Chickering, Jim Curran, Teri Freehling, Robert Harrison, Christopher Heugel, Michael Majerek, Don Meeks, Ezra Scott, David Vollrath and R. McKinley Elliott.

2 ABSENT: Jon Hinkelman and Mamie Yarbrough.

APPROVE MINUTES OF THE OCTOBER 10, 2019 BOC MEETING:

Commissioner Scott moved, seconded by Commissioner Meeks, to approve the regular minutes of October 10, 2019. Motion carried, no nays.

2 ABSTAIN: Chickering and Heugel (Due to being absent at the October 10, 2019 meeting.)

COMMUNICATION(S):

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

- A resolution from the Antrim County Board of Commissioners, opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019, received on September 19, 2019.
- A resolution from the Lapeer County Board of Commissioners, supporting the Enbridge's Line 5 Tunnel, received on October 11, 2019.
- An email from Ann Marie Shell, Eau Claire Public Schools Superintendent, notifying the Board that Eau Claire Public Schools held an Emergency Board Meeting to discuss an investigation of alleged threats on October 11, 2019, received on October 14, 2019.

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):

Darrin Schaer, Pipestone Township spoke about Resolution #P1910307 - Grant Agreement for Teen Pregnancy reduction efforts.

CONSENT CALENDAR:

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

<u>Resolutions #</u>	<u>Description</u>
P1910010	Monthly Per Diems
F1910049	Weekly Bills
B1910096	Weekly Requisitions
F1910128	Road Payables

P1910307 Grant Agreement for Teen Pregnancy reduction efforts
P1910308 Grant Agreement for the Tobacco Control Grant Program
F1910309 Drain Rolls
P1910311 Grant Agreement for the ABEST Program
P1910314 Approve Labor Agreement
A1910316 Encroachment Agreement with the Road Department

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

10 YEAS: Chickering, Curran, Freehling, Harrison, Heugel, Majerek, Meeks, Scott, Vollrath and Elliott.

Motion carried, no nays.

ADDED RESOLUTIONS: None.

COMMITTEE REPORTS:

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

COMMISSIONER REPORTS:

Commissioners presented their outside committee reports.

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):

Harbor Country Mission

David Yardley, St. Joseph City (Director of Development of Harbor Country Mission), spoke about Harbor Country Mission (HCM) and introduced Dave Heyn, Bridgman (Executive Director of Harbor Country Mission). David Heyn recognized the Klint family members in the audience, and gave an overview of Harbor Country Mission and discussed assisting with medical debt relief. David Heyn introduced Pastor Dalton Stanage, Lake Street Community Church, who spoke about medical debt relief and that they are dedicating funds in the memory of Bob Klint and his family's legacy. Commissioner Freehling, who assisted HCM in their efforts was invited and Scott Gannon Patton, Director of Development for RIP Medical Debt for a check presentation from the Klint family members to HCM.

Tony Benhart, Sodus Township, spoke about the Whirlpool Corporation developing property on the river waterfront and the Pipestone Road project.

Darrin Schaer, Pipestone Township, spoke about Resolution #P1910307 regarding teens in Benton Harbor and the resolution is not for the entire County.

Sheriff Paul Bailey thanked the Klint family and spoke about the number of car break-ins and cars stolen in Berrien County. Sheriff Bailey would like to encourage people to bring their personal belongings indoors from their cars and lock their car doors.

Dick Bertog, Benton Charter Township, commented that he is still having problems with his property.

OTHER BUSINESS:

Commissioner Vollrath recommends to the Board, to draft a resolution in support of four (4) year terms for County Board of Commissioners.

ANNOUNCEMENTS/REMINDERS:

Chairperson Elliott thanked the Klint family and announced the following:

- October 26, 2019 – Berrien County Animal Control Trunk or Treat Event
- October 31, 2019 – No meetings will be held (5th Thursday).

Administrator William Wolf announced the following:

- Economic Development Corporation meeting today at 1:30 P.M.
- Trust Investment Advisory Committee meeting next week.

Chairperson Elliott stated the Board will be going into Closed Session and the business that may be conducted after reconvening to Open Session, will be the approval of the Closed Session minutes and an approval of a lawsuit.

CLOSED SESSION PER MCL 15.268 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation - Case No's. (19-038-CZ), (18-OP-45887), and (05-3247-CZ).

Commissioner Vollrath moved, seconded by Commissioner Scott, to recess the public meeting and go into Closed Session at 11:16 A.M., to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation - Case No's. (19-038-CZ), (18-OP-45887), and (05-3247-CZ).

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

10 YEAS: Curran, Freehling, Harrison, Heugel, Majerek, Meeks, Scott, Vollrath, Chickering and Elliott.

Motion carried, no nays.

Commissioner Heugel left the meeting at 11:17 A.M.

The Board recessed at 11:17 A.M. to go into Closed Session.

The Board reconvened to Open Session at 11:55 A.M.

Commissioner Harrison moved, seconded by Commissioner Vollrath, to settle Vingness via MMRMA, Case No. 19-038-CZ, in a settlement of \$7,500. Motion carried, no nays.

APPROVAL OF CLOSED SESSION MINUTES OF THE SEPTEMBER 12, 2019 AND OCTOBER 10, 2019 MEETINGS:

Commissioner Vollrath moved, seconded by Commissioner Harrison, to approve the Closed Session minutes of September 12, 2019 and October 10, 2019. Motion carried, no nays.

September 12, 2019 Closed Session Minutes

2 ABSTAIN: Freehling and Scott. (Due to being absent at the September 12, 2019 Closed Session.)

October 10, 2019 Closed Session Minutes

1 ABSTAIN: Chickering. (Due being absent at the October 10, 2019 Closed Session.)

ADJOURNMENT:

The meeting was adjourned at 11:57 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the full board meeting on October 24, 2019.