

BERRIEN COUNTY BOARD OF COMMISSIONERS
Virtual Board Meeting Minutes
February 11, 2021

Staff Present: County Administrator Brian Dissette
Clerk Sharon Tyler
Treasurer Shelly Weich
Executive Assistant to the Administrator Annette Christie
Community Development Director Dan Fette (Arrived at 11:19 A.M.)

BOC Present: Chairperson R. McKinley Elliott
(In-person) Commissioner David Vollrath

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 Michael Majerek gave the invocation.

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.

ROLL CALL:

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

12 PRESENT: Rayonte Bell (via Zoom in St. Joseph City, MI), Jim Curran (via Zoom in Niles Charter Township, MI), Teri Freehling (via Zoom in Baroda Township, MI), Robert Harrison (via Zoom in Lincoln Charter Township, MI), Jon Hinkelman (via Zoom in Watervliet, MI), Michael Majerek (via Zoom in Niles, MI), Don Meeks (via Zoom in Benton Charter Township, MI), Ezra Scott (via Zoom in New Buffalo Township, MI), David Vollrath, Julie Wuerfel (via Zoom in Royalton Township, MI), Mamie Yarbrough (via Zoom in Benton Harbor City, MI) and R. McKinley Elliott.

0 ABSENT.

APPROVE MINUTES OF THE FEBRUARY 4, 2021 MEETING:

Commissioner Vollrath moved and supported by Commissioner Meeks, to approve the BOC virtual regular meeting minutes of February 4, 2021.

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

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

Motion carried, no nays.

COMMUNICATION(S):

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

- Hagar Township Supervisor Izzy DiMaggio, an email in a show of appreciation to Health Department Officer Nicki Britten and her staff, and County Board of Commissioners in overseeing the COVID-19 pandemic and COVID vaccinations, received on February 1, 2021.
- Jacqui Winship, St. Joseph, an email supportive of Jason Latham, received on February 9, 2021.

- Menominee County Board of Commissioners, a resolution supporting a collective effort by Michigan Counties in opposing current and future order unilaterally issued by Governor Whitmer and State agencies in response to COVID-19, received on February 10, 2021.
- Kari Bennet, Coloma, and the non-union staff members at the Road Department, an emailed letter showing support for Road Department Director Jason Latham, received on February 10, 2021.
- Missaukee County Board of Commissioners, a pandemic resolution, received on February 10, 2021.
- Mecosta County Board of Commissioners, a resolution of support for local businesses, received on February 10, 2021.

COMMITTEE REPORT(S) – Personnel and Finance Committees:

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

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. The public should refer to the resolution # that they are commenting on as a part of their comments:

Annette Christie read the public comment emails in supportive of Road Department Director Jason Latham from the following individuals:

- Izzy DiMaggio, Hagar Township.
- Dick Stauffer, Lincoln Charter Township.
- Debbie Boothby, Benton Charter Township.
- Kari Bennet, Coloma, and the non-union staff members of the Road Department.
- Adri Boone, Baroda Township.
- Kelsey, Schoenwitz, Stevensville
- Emily Boehn, Lincoln Charter Township.

Tony Benhart, Sodus Township, supportive of Administrator Dissette's actions in regards to Jason Latham.

CONSENT CALENDAR:

Commissioner Vollrath moved and supported by Commissioner Majerek, to approve today's Consent Calendar.

Discussion was held regarding Resolution #B2102165, requisition #49709 on Wolfs Divers Supply, for removal for further information by the Sheriff's Office.

Commissioner Vollrath amended his motion and supported by Commissioner Majerek, to approve today's Consent Calendar with the removal of requisition #49709 contained in Resolution #B2102165 as presented:

<u>Resolutions #</u>	<u>Description</u>
F2102018	Weekly Bills
B2102165	Weekly Requisitions
P2102169	Interim Department Head Appointment
B2102167	Honorary Resolution
B2102168	Honorary Resolution

Chairperson Elliott will make the revisions on Resolutions #B2102165 and initial the revision.

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

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

Motion carried, no nays.

ADDED RESOLUTION(S): None.

COMMISSIONER REPORT(S):

The Commissioners presented their outside Commissioners' Reports.

ADMINISTRATOR REPORT:

Administrator Brian Dissette gave his Administrator's 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:
None.

OTHER BUSINESS:

Commissioner Freehling discussed the Berrien County Broadband Internet Task Force's efforts to launch the community Broadband survey on February 15th. Commissioner Freehling explained the survey and the survey will take approximately three minutes to complete.

Chairperson Elliott read the following statement:

Before today and during the meeting, the Board of Commissioners received public comments on the status of the Berrien County Road Department. The Board of Commissioners acknowledges that Jason Latham was placed on administrative leave Thursday, February 4, 2021. The County Administrator is currently reviewing the situation. Out of respect for Mr. Latham's privacy and our policies and procedures, neither the Board nor the Administrator can comment at this time.

Further, the Board of Commissioners has just taken action to approve Resolution P2102169. This resolution formally authorizes the hiring of Mr. Neil Coulston as Interim Road Department Director. Mr. Coulston has extensive experience in Public Works along with decades of service to the public. As Board Chairman, I am confident that Mr. Coulston is well qualified to serve as Interim Road Director until the review of the current situation is completed.

Finally, to our partners working at the local levels of government, you have our commitment that staff at the Road Department will continue to provide excellent service and support as we work through this process.

ANNOUNCEMENTS/REMINDERS:

Chairperson Elliott announced the following:

- Finance Committee meeting to be held virtually next Thursday, February 18, 2021 at 9:00 A.M.
- BOC Meeting will be held virtually next Thursday, February 18, 2021 at 10:30 A.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 – Attorney John Axe:

Commissioner Vollrath moved and supported by Commissioner Meeks, to recess the public meeting and go into Closed Session at 11:19 A.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 with the following results:

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

Motion carried, no nays.

Chairperson Elliott announced after the Closed Session the Board will reconvene the Open Session to make announcements and to adjourn the meeting.

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

Chairperson Elliott announced our next Board meeting will be held virtually on Thursday, February 18, 2021 at 10:30 A.M.

ADJOURNMENT:

The meeting was adjourned at 11:56 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the next BOC meeting.