

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Virtual Board Meeting Minutes**  
**February 18, 2021**

**Staff Present:** County Administrator Brian Dissette  
Clerk Sharon Tyler  
Prosecutor Steve Pierangeli (via Zoom in St. Joseph, MI)  
Sheriff Paul Bailey (Arrived at 10:48 A.M.)  
MSU Extension District Julie Pioch (via Zoom in Paw Paw, MI)  
Executive Assistant to the Administrator Annette Christie

**BOC Present:** Chairperson R. McKinley Elliott  
(In-person)

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

Chairperson R. McKinley Elliott called the virtual regular meeting to order at 10:32 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

**INVOCATION:**

Commissioner Don Meeks gave the invocation.

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

Commissioner Robert Harrison 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 Winter Haven, FL), Teri Sue 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 (via Zoom in Coloma Charter Township, MI), 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 11, 2021 MEETING:**

Commissioner Majerek moved and supported by Commissioner Freehling, to approve the BOC virtual regular meeting minutes of February 11, 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 communication:

- Iron County Board of Commissioners, a resolution in support of waiving fees for licenses / permits for small businesses servicing the public, received on February 16, 2021.

**PRESENTATIONS:**

- **PROSECUTOR OFFICE UPDATE - Prosecutor Steve Pierangeli:**  
Prosecutor Steve Pierangeli introduced himself and gave an office update. He discussed programs the Prosecutor’s Office is working on within the community.
  
- **MSU ANNUAL UPDATE – Julie Pioch:**  
District Director Julie Pioch presented the Michigan State University (MSU) Extension 2020 Annual Report. She discussed the following topics:
  - Highlights of MSU Extension
  - 4-H & Youth Development
  - Nutrition & Physical Activity
  - Stress Less with Mindfulness
  - Food Safety & Preservation.
  - Series Provides Support to Beekeepers
  - Agriculture Highlights
  - Fruit Team Continues Support to Growers On-Line
  - 2020 by the Numbers
  - MSU Product Center Data

**COMMITTEE REPORT(S):**

The Administration and Finance Committees presented their Committee Reports. Discussion was held. Parent Committee minutes are available at [www.berriencounty.org](http://www.berriencounty.org).

**Motion:** Commissioner Vollrath moved and supported by Commissioner Curran, to approve the following appointments:

- Re-appoint Marvin Pschigoda to the 911 Advisory Board for a 3 year term – Term expires 12/31/2023.
- Appoint First Lt. Ryan Schoonveld to the 911 Advisory Board in the Michigan State Police position for a 3 year term – Term expires 12/31/2024.
- Appoint Lt. Jeremy Carlisle to the 911 Advisory Board as the Michigan State Police alternate for a 3 year term – Term expires 12/31/2024.

12 YEAS: Freehling, Harrison, Hinkelman, Majerek, Meeks, Scott, Vollrath, Wuerfel, Yarbrough, Bell, Curran and Elliott. Motion carried, no nays.

**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:

An unknown individual was unable to locate today’s Agenda packet on the County’s website.

**CONSENT CALENDAR:**

Commissioner Bell moved and supported by Commissioner Harrison, to approve today’s Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
P2102102	Monthly Per Diems
F2102019	Weekly Bills
B2102166	Weekly Requisitions
F2102111	Road Payables
P2102152	Fair Food Network
P2102153	Comprehensive Agreement Amendment #2

P2102154 LARA Michigan Medical Marihuana Funds  
A2102164 Complement Change Sheriff's Office  
A2102165 Grant application for Hazmat Team  
P2102166 Comprehensive Agreement Amendment #2

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.

**ADDED RESOLUTION(S):** None.

**COMMISSIONER REPORT(S):**

Chairperson Elliott discussed the announcement issued by MDHS to extend the 25% occupancy for restaurants until March 29, 2021. Administrator Brian Dissette announced that Arthur Havlicek, President and CEO of Southwest Michigan Regional Chamber will be speaking to the Board next week, to support a resolution in regards to restaurant week. The Board spoke about drafting a letter or resolution or both to the Governor on a regional approach to opening up restaurants. The County will work with our Berrien County Health Department. They spoke about what other counties have done on this issue regarding the pandemic. Discussion was held.

The Commissioners presented their outside Commissioners' Reports.

**ADMINISTRATOR REPORT:** None.

**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, commented about the pandemic in regards to restaurants.

Tony Benhart, Sodus Township, commented he was appreciative of the new commander at the Road Department.

The following individuals were supportive of Road Department Director Jason Latham:

- Debra Hildebrandt, Baroda.
- Brian Berndt, St. Joseph Township
- Adam Whittaker, Bainbridge Township

**OTHER BUSINESS:**

Commissioner Scott requested an investigation on membership cost on joining NACO. Commissioner Curran responded that the Administration Committee has reviewed County memberships and has not compiled the report at this time, but all the research has been completed.

**ANNOUNCEMENTS/REMINDERS:**

Chairperson Elliott announced the following:

- Finance Committee meeting to be held virtually next Thursday, February 25, 2021 at 9:00 A.M.
- BOC Meeting will be held virtually next Thursday, February 25, 2021 at 10:30 A.M.

Commissioner Freehling announced the following:

- Berrien County Conservation District Annual Meeting will be tonight 6:00 P.M.

**CLOSED SESSION – MCL 15.268 ( e ) – “To consult with its attorney regarding trial and settlement strategy in connection with pending litigation.” - Litigation update with Attorney Jim Straub / Interim Corporate Counsel John Dewane:**

Commissioner Scott moved and supported by Commissioner Wuerfel, to recess the public meeting and go into Closed Session at 12:05 P.M., to consult with its attorney regarding trial and settlement strategy in connection with pending litigation for the following cases:

- Lori Ann Drews v. Berrien County
- Charles Eugene Walker v. Berrien County
- Jason R. Eidam v. Berrien County
- Kim Fowler v. Berrien County
- Olivia Nichols v. Berrien County
- Est. of Jack Lunneen v Berrien County
- Wendy Cockrun v. Berrien County
- Barbara Meeks v. Berrien County

Discussion was held. Chairperson Elliott stated the last case that will be addressed will be Barbara Meeks v. Berrien County and Commissioner Meeks will be asked to leave the meeting at that time. Commissioner Meeks requested the County Clerk be removed at that time too. Chairperson Elliott explained why the County Clerk would not be removed from the room.

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

12 YEAS: Hinkelman, Majerek, Meeks, Scott, Vollrath, Wuerfel, Yarbrough, Bell, Curran, Freehling, Harrison 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. Chairperson Elliott stated he will be leaving the meeting at 12:10 P.M. and Vice Chairperson Scott will chair the rest of the meeting.

Commissioner Vollrath left the meeting at 12:30 P.M.

The Board reconvened to Open Session at 12:50 P.M.

Vice Chairperson Scott announced the following:

- Finance Committee meeting to be held virtually next Thursday, February 25, 2021 at 9:00 A.M.
- BOC Meeting will be held virtually next Thursday, February 25, 2021 at 10:30 A.M.

**ADJOURNMENT:**

The meeting was adjourned at 12:51 P.M.

---

R. McKinley Elliott, Chairperson

---

Sharon J. Tyler, County Clerk

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