

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Virtual Board Meeting Minutes**  
**April 22, 2021**

**Staff Present:** County Administrator Brian Dissette  
Sheriff Paul Bailey  
Executive Assistant to the Administrator Annette Christie  
Community Development Director Dan Fette (via Zoom)  
Register of Deeds Lora Freehling (Arrived at 11:02 A.M. and left at 11:34 P.M.)  
Treasurer Shelly Weich (Arrived at 11:34 P.M. and left at 11:45 P.M.)

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

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

Chairperson R. McKinley Elliott called the virtual regular meeting to order at 10:34 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 Sue 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 Detroit, MI), Jim Curran (via Zoom in Gordonsville, VA), Teri Sue Freehling (via Zoom in Baroda Township, MI), Robert Harrison (via Zoom in Lincoln Charter Township, MI and left at 11:37 A.M.), Jon Hinkelman (via Zoom in Watervliet, MI), Michael Majerek (via Zoom in Niles, MI), Don Meeks, 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: None.

**APPROVE MINUTES OF THE APRIL 15, 2021 MEETING:**

Commissioner Meeks moved and supported by Commissioner Harrison, to approve the BOC virtual regular meeting minutes of April 15, 2021.

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

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

1 ABSTAIN: Elliott (Due to being absent from the April 15<sup>th</sup> BOC meeting.)

Motion carried, no nays.

**COMMUNICATION(S):**

County Clerk Sharon Tyler received and distributed to the Board the following communication(s):

- Rachel Plawecki, Director of Constituent Services – Executive Office of Governor Gretchen Whitmer, a letter confirming they have received the resolution regarding COVID-19 funds and have shared it with the appropriate members of their administration for consideration, received on April 12, 2021.

- David Buick, State Tax Commission Executive Director, an order that the real property component has been revoked on Industrial Facility Exemption Certificate #2017-186 requested by Whirlpool Corporation, dated April 15, 2021.
- Iron County Board of Commissioners, two resolutions: 1) to support the release of federal COVID funds, and 2) to support Delta County's resolution of the management of wolves in Michigan, received on April 20, 2021.

**PUBLIC HEARING – Brownfield Plan/Harbor Woods – Community Development Director Dan Fette**  
**Public comments at this portion of the meeting must be related to the information presented – the Harbor Woods Brownfield Plan. The public may participate by speaking through the YouTube chat and shall identify themselves by name (including last name) and city, township, or village. There are 2 other opportunities for public comments during the meeting:**

Commissioner Scott moved and seconded by Commissioner Vollrath, to recess the regular meeting at 10:39 A.M. and open the public hearing for the Harbor Woods - Brownfield Plan.

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

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

Motion carried, no nays.

County Administrator Brian Dissette spoke about the Harbor Woods – Brownfield Plan. Community Development Director Dan Fette stated this is a housing development project for residential apartments and the developer is M63 Investments. The property consists of 32.45 acres and is in a residential area in Benton Charter Township. The total new site development and building construction costs are expected to be approximately \$5,000,000. The development will include new residential building construction, a new road, new sanitary and storm sewer mains, new water mains, and other improvements. This Brownfield Plan is intended to support the redevelopment of the property by helping to defray the costs of environmental. He stated that M63 Investment is seeking brownfield tax increment reimbursement for certain eligible environmental costs and the cost of constructing a new public infrastructure that is needed at the property to support the development. The eligible activities consist of remediation of soil contamination, and documentation of compliance with Section 20107 a due care, activities already conducted which are eligible for reimbursement including the Phase I Environmental Site Assessment, site investigative activities, preparation of the Baseline Environmental Assessment, and preparation of this Brownfield Plan. The project is located in a "Core Community." Additional eligible activities are the construction of a new roadway along with curb, gutter and sidewalks, and the installation of municipal water, sewer and storm sewer services. The total eligible costs to be reimbursed with tax increment revenues (including allowable interest) are estimated to be \$1,112,300. All eligible activities are expected to be completed within three years.

Dan Fette gave a PowerPoint presentation and discussed the following:

- Project Summary
- Description of the Site
- Location of the Site
- Site Plan
- Architectural Renderings
- Basis of Eligibility
- Section 13(1) Requirements

Discussion was held by the Board members.

Public Comment(s):

- Tony Benhart, Sodus Township, commented on the Harbor Woods site being used for residential apartments. He feels the project is too far-fetched to be used as a Brownfield Plan.

Commissioner Scott moved and seconded by Commissioner Majerek, to conclude the public hearing at 10:59 A.M. and return to regular session.

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

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

Motion carried, no nays.

**PRESENTATION(S):**

- **Matthew Sams – Chief of Staff – Mercury Broadband**

Mercury Broadband Chief of Staff Matthew Sams (via Zoom) stated that Mercury Wireless/Broadband plans to provide wireless broadband services to the east side of the County. He discussed their project and targeting areas. They began in 2007 in Kansas and are currently rebranding themselves.

Discussion was held. The Broadband survey may be ready for presentation at the first BOC meeting in May.

- **Register of Deeds Lora Freehling**

Register of Deeds Lora Freehling introduced herself to the BOC and announced the Register of Deeds' office will be closed on Tuesday, April 27, 2021 from 3:30 P.M. to 5:00 P.M. to upgrade their computer software. This should not delay their daily operations.

**COMMITTEE REPORT(S) - Personnel & Human Services and Finance Committees:**

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

Commissioner Harrison left the meeting at 11:37 A.M.

**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 YouTube 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:

Tony Benhart, Sodus Township, commented on Resolution #B2104075 - Weekly Requisitions. Administrator Brian Dissette explained the requisitions.

**CONSENT CALENDAR:**

Chairperson Elliott requested Added Resolutions # P2104210, #A2104214 and #B2104213 to be included on the Consent Calendar.

Commissioner Majerek moved and supported by Commissioner Bell, to include Added Resolutions #P2104210, #A2104214 and # B2104213 to the Consent Calendar, and to approve today's Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
F2104028	Weekly Bills
B2104075	Weekly Requisitions
F2104208	Brownfield Plan – Harbor Woods
F2104209	Annual Treasurer Borrowing Resolution
P2104210	Comprehensive Agreement Amendment with Health Dept.
A2104214	Application for CCAB Funding
B2104213	Revenue Sharing Request to State of Michigan

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

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

Motion carried, no nays.

**ADDED RESOLUTION(S):**

The following resolutions were moved to the Consent Calendar:

<u>Resolutions #</u>	<u>Description</u>
P2104210	Comprehensive Agreement Amendment with Health Dept.
A2104214	Application for CCAB Funding
B2104213	Revenue Sharing Request to State of Michigan

**COMMISSIONER REPORT(S):**

The Commissioners presented their outside Commissioners' Reports.

**ADMINISTRATOR REPORT:**

Administrator Dissette gave his Administrator's Report.

**GENERAL PUBLIC COMMENTS – Those speaking through the YouTube chat during public comments shall identify themselves by name (including last name) and city, township, or village:**

Tony Benhart, Sodus Township, asked about the Public Act 51 Report. Administrator Dissette explained the County requested an extension on the Public Act 51 Report.

**OTHER BUSINESS:**

**Board Appointments – Recommendations by Personnel & Human Services:**

Commissioner Meeks moved and seconded by Commissioner Majerek, to approve the following Board Appointments recommended by Personnel & Human Services:

- **Board of Health**
  - Re-appoint Duane McBride to a 5 year term – term expires April 19, 2026.
- **Mental Health Authority**
  - Re-appoint Randy Hyrns to a 3 year term – term expires March 31, 2024.
  - Appoint Nancy Johnson to a 3 year term – term expires March 31, 2024.

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

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

Motion carried, no nays.

**Board Appointments – Recommendations by Commissioners Curran, Freehling and Meeks:**

Commissioner Meeks moved and seconded by Commissioner Scott, to approve the following Board Appointments recommended by Commissioners Curran, Freehling and Meeks:

- **Southwest Michigan Planning Commission**
  - Extend the term for Yemi Akinwale to December 31, 2023.
  - Extend the term for Gloria Payne to December 31, 2022.

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

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

Motion carried, no nays.

**ANNOUNCEMENTS/REMINDERS – All meetings being held virtually:**

Chairperson Elliott announced the following:

- Land Bank Authority – 1:00 P.M. today.
- No Board meetings on April 29, 2021 – 5th Thursday.

**ADJOURNMENT:**

The meeting was adjourned at 11:59 A.M.

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R. McKinley Elliott, Chairperson

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Sharon J. Tyler, County Clerk

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