

BERRIEN COUNTY BOARD OF COMMISSIONERS
Board Meeting Minutes
April 28, 2022

CHAIRMAN TO CALL THE MEETING TO ORDER:

Chairperson R. McKinley Elliott called the regular Board of Commissioners' (BOC) meeting to order at 10:34 A.M. in the BOC's room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

INVOCATION:

Chairperson R. McKinley Elliott gave the invocation.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Assistant Community Development Director Katie Montoya 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, Jim Curran, Teri Sue Freehling, Robert Harrison, Jon Hinkelman, Michael Majerek, Don Meeks, Ezra Scott, David Vollrath, Julie Wuerfel, Mamie Yarbrough and R. McKinley Elliott.

0 ABSENT.

APPROVE MINUTES OF THE APRIL 21, 2022 MEETING:

Commissioner Freehling moved and supported by Commissioner Scott, to approve the BOC regular meeting minutes of April 21, 2022. Motion carried and no nays.

COMMUNICATION(S): None.

PUBLIC HEARING – CDBG Grant Close Out – Katie Montoya, Assistant Community Development Director:

Motion:

Commissioner Freehling moved and seconded by Commissioner Bell, to recess the regular meeting at 10:36 A.M. and open the public hearing for the Community Block Grant CARES Funding – Grant Closeout.

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.

Assistant Community Development Director Katie Montoya gave a PowerPoint presentation on the Community Development Block Grant (CDBG) CARES (Coronavirus Aid, Relief, and Economic Security Act) Funding – Grant Closeout and discussed the following:

- What is CDBG CARES Funding?
- Eligible CDBG CARES Costs
- How was the Program Funding Spent?
- Partnerships

Public Comments:

- Adolph Peltzer, Hagar Township, asked where the monies comes from. Katie Montoya responded that the CARES monies are federal dollars.

- Jerry Edwards, Benton Harbor, asked if the local municipalities received any of these CARES funding. Katie Montoya stated the local municipalities could have applied for these funds.

Motion:

Commissioner Scott moved and seconded by Commissioner Wuerfel, to conclude the public hearing at 10:40 A.M. and return to regular session.

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.

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

Tony Benhart, Sodus Township, spoke about the Interim Animal Shelter Manager position.

CONSENT CALENDAR:

Commissioner Freehling moved and supported by Commissioner Vollrath, to approve today’s Consent Calendar with Added Resolutions #F2204264, #C2204268, #A2204271 and #A2204270 as presented:

<u>Resolutions #</u>	<u>Description</u>
F2204028	Weekly Bills
B2204075	Weekly Requisitions
A2204246	Approve CCAB funding grant
P2204250	Approve contract with Pine Rest Christian Mental Health Services
P2204251	Approve Option to Purchase Agreement
A2204252	Approve agreement with Buchanan Township
P2204253	Approve Policy ADM-2190
A2204254	Complement Changes Animal Control
F2204255	Approve agreement with DCS Technology Design LLC
F2204256	Approve grant application from Bainbridge Township
F2204257	Approve grant application from Oronoko Township
A2204258	Accept private road into public road system.
A2204259	Approve grant application for McCoy’s Creek Trail
F2204264	Approve Brownfield Plan
C2204268	Approve Separation Agreement
A2204271	Approve Purchase Agreement
C2204270	Authorize Placement of Interim Manager

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):

The following resolutions were moved to the Consent Calendar:

<u>Resolution #</u>	<u>Description</u>
F2204264	Approve Brownfield Plan

C2204268 Approve Separation Agreement
A2204271 Approve Purchase Agreement
C2204270 Authorize Placement of Interim Manager

COMMITTEE REPORT(S) – Personnel & Human Services, Finance and Administration Committees:

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

Personnel & Human Services Committee:

Commissioner Harrison read the following Honorary Resolution #B12141990 from the Personnel & Human Services Committee:

***WHEREAS**, it is important to recognize those in our community who provide for the good of others; and*

***WHEREAS**, Robert J. Warren is one of those community members; and*

***WHEREAS**, Mr. Warren came to Southwest Michigan when he became employed by Clark Equipment Company and in 1962, he married Elizabeth Schultz; and*

***WHEREAS**, Bob began his career at LECO Corporation (which was in the Schultz family) in 1968 and ultimately became its president, a position he held until 2016 when he retired; and*

***WHEREAS**, under Mr. Warren’s integrity, vision, and leadership, LECO Corporation grew nearly three times the size it was when he became president, expanded internationally, and is one of the top employers in Southwest Michigan; and*

***WHEREAS**, outside of LECO, Bob was a farmer, landowner, boater, golfer, fisherman, and along with his wife Elizabeth, filled with generosity; and*

***WHEREAS**, they were lifelong supporters of the original Venetian Festival, Silver Beach Carousel, and multiple other organizations and causes and it was due to their generosity that Silver Beach would come to be Silver Beach County Park; and*

***WHEREAS**, while the beach was for sale in the 1980’s, the Warren’s decided to take it off the market and maintain ownership until Berrien County was able to secure funding from the Department of Natural Resources Trust Fund to purchase Silver Beach; and*

***WHEREAS**, in addition, they contributed their own funds to provide the match for the Trust Fund Grant and on December 14, 1990, Berrien County was able to purchase the beach from LECO; and*

***WHEREAS**, in 1998, the Shadowland Pavilion, located at Silver Beach County Park, was dedicated to Robert and Elizabeth Warren stating, “Let it be remembered that Berrien County’s acquisition of Silver Beach from LECO Corp. on December 14, 1990, and many of the park improvements which followed, were made possible through the generosity of Robert and Elizabeth Warren”; and*

***WHEREAS**, on April 23, 2022, Mr. Warren passed away, but his legacy will live on in his family, his businesses, and in all the things he touched in his 88 years.*

***NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Berrien County Board of Commissioners remembers and honors Robert J. Warren for being a true asset to the citizens of Berrien County and sends their condolences to his family during their time of grief.*

Motion:

Commissioner Harrison moved and seconded by Commissioner Bell, to amend the Agenda to approve Resolution #B12141990 as read.

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.

BOARD APPOINTMENTS – Administration Committee Recommendation:

Motion:

Commissioner Curran moved and seconded by Commissioner Harrison, to approve the following Board Appointments:

Recommendation by Administration Committee

Appointments to the Community Corrections Advisory Board to fill vacancies:

3 year term – term expires December 31, 2024:

- Debra Panozzo – Citizen
- Ann Hart – Business Community

Appointment to the 911 Advisory Board to fill a vacancy with the term expiring on December 31, 2022:

- Dennis Sexton

Recommendation by Personnel & Human Services Committee

Re-Appointments to the Mental Health Authority:

3 year term – term expires March 31, 2025:

- Marion Maier
- Edward Meny
- E. Arthur Robertson

Motion carried, no nays.

Chairperson Elliott re-appointed Commissioner Majerek to the Mental Health Authority Board for a three year term expiring on March 31, 2025.

COMMISSIONER REPORT(S):

The Commissioners presented their outside committee reports.

ADMINISTRATOR REPORT: None.

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):

Adolf Pelzer, Hagar Township, spoke about the BOC's room layout, the Honorary Resolution and the water fountain in the hallway.

Tony Benhart, Sodus Township, spoke about the engineer position at the Road Department and the Napier Avenue Bridge.

Dick Bertog, Benton Charter Township, spoke about Riverside Road and his property being torn up.

OTHER BUSINESS:

Commissioner Scott likes the BOC's room layout.

Commissioner Meeks read the following letter:

Please accept this letter as my resignation from my position as a Berrien County Commissioner, effective April 28, 2022. I've been part of this organization for nearly six years. It gives me pleasure to have worked and served with a team of dedicated and committed people.

I will always be involved with Berrien County in some kind of capacity.

Commissioner Meeks acknowledged his family and friends in the audience today. He spoke about his time as a Commissioner. Discussion was held.

Motion:

Commissioner Scott moved and seconded by Commissioner Majerek, to accept the resignation of District 3 Commissioner Meeks.

Motion carried, 1 Nay – Commissioner Yarbrough.

The BOC members thanked Commissioner Meeks for his service.

Chairperson Elliott and Corporate Counsel Thaddeus Hackworth spoke about and reviewed the procedures and timeline for filling the vacancy by the BOC. The vacancy must be filled in 30 days after the vacancy (on/or before May 27, 2022), or it will require a special election. Applications must be received at the Administration Center on Tuesday, May 10, 2022 by 5:00 P.M. It is anticipated that on either May 19, 2022 or May 26, 2022, a resolution of appointment will be approved by the BOC. A press release will be sent out.

ANNOUNCEMENTS/REMINDERS:

Chairperson Elliott stated the following announcement is on today's Agenda:

- Night Meeting on Thursday, May 5, 2022 at 6:00 p.m. at MSU Extension Office.

ADJOURNMENT:

The meeting was adjourned at 11:42 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the next BOC meeting.