

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting Minutes**  
**March 23, 2023**

**CALL MEETING TO ORDER:**

Chairperson R. McKinley Elliott called the Board of Commissioners' (BOC) regular meeting to order at 10:33 A.M. in the BOC's boardroom at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

**INVOCATION:**

Jail Chaplain Volunteer Mike Austin, Midway Baptist Church, gave the invocation.

**PLEDGE OF ALLEGIANCE:**

Chief Deputy Robert Boyce 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:

9 PRESENT: Jim Curran, Robert Harrison, Jon Hinkelman, Michael Majerek, Alex Ott, Chokwe Pitchford, David Vollrath, Mamie Yarbrough and R. McKinley Elliott.

3 ABSENT: Rayonte Bell, Teri Sue Freehling and Julie Wuerfel.

**AGENDA AMENDMENT:**

Commissioner Curran moved and seconded by Commissioner Vollrath, to remove Resolution #P2303143 - Approve revised Travel Request and Expense Policy ADM-6050 from the Consent Calendar.

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

9 YEAS: Curran, Harrison, Hinkelman, Majerek, Ott, Pitchford, Vollrath, Yarbrough and Elliott.

Motion carried, no nays.

**APPROVAL OF THE MINUTES OF THE MARCH 16, 2023 MEETING:**

Commissioner Pitchford moved and supported by Commissioner Ott, to approve the BOC regular meeting minutes of March 16, 2023. Motion carried and no nays.

**COMMUNICATION(S):**

County Clerk Sharon Tyler received and distributed to the Board of Commissioners (BOC) the following communications:

- A resolution from Iron County Board of Commissioners, support of all constitutional rights, including, but not limited to, the right of the people to bear arms and to adequately funding mental health services, received on March 16, 2023.
- A resolution from Kankaska County Board of Commissioners, opposing all firearms control legislation, received on March 18, 2023.
- A resolution from Tuscola County Board of Commissioners, opposing the Camp Grayling expansion, received on March 20, 2023.
- A letter of intent from Rick Briand, Niles, filing his candidacy for the office of Berrien County Sheriff and plans to apply for interim Sheriff, dated March 20, 2023.

**PRESENTATION – Life Saving Awards – Sheriff Paul Bailey / Chief Deputy Robert Boyce:**

Chief Deputy Robert Boyce stated the following: On March 10, 2023, Deputy Elizabeth Turner along with Deputy Perry Godush and a Niles City Police Department Officer discovered a 54 year old male unresponsive in the City Niles City holding cell. The deputies were able to determine that this individual was starting to turn blue in color and had agonal breathing. Deputy Turner and Deputy Godush along with the Niles City Officer immediately began CPR on the individual and summoned assistance from paramedics and firefighters. Deputy Turner and Deputy Godush utilized an AED and AMBU bag during

their CPR efforts until the individual regained a pulse and regained consciousness, at which time he was transported to Corwell Health Lakeland - Niles for further medical treatment. As a result of the actions of Deputy Turner, Deputy Godush, the Niles City Officer, Niles City Fire and personnel from SMCAS, this individual survived.

Sheriff L. Paul Bailey and Chief Deputy Robert Boyce presented the Berrien County Sheriff's Office Lifesaving Awards to Deputy Elizabeth Turner and Deputy Perry Godush with honor and gratitude for their actions in saving the life of this individual.

The City of Niles will also be honoring their personnel with awards during a separate recognition ceremony at a Niles City Commission meeting at a later date.

Deputies who were present introduced themselves to the BOC.

**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 (including last name) and city, township, or village. (Article III, 3.9 B-C). The public should refer to the resolution # that they are commenting on as a part of their comments:** None.

**CONSENT CALENDAR:**

Chairperson Elliott stated the motion should include Added Resolution #B2303172 - Approve participation agreement in the opioid lawsuit settlement, and does not include Resolution #P2303143 - Approve revised Travel Request and Expense Policy ADM-6050 due to the Agenda Amendment.

Commissioner Vollrath moved and supported by Commissioner Pitchford, to include Resolution #B2303172 from the Added Resolution(s) to the Consent Calendar, and approve today's consent calendar:

<u>Resolution(s) #</u>	<u>Description</u>
F2303024	Weekly Bills & Road Payables
B2303071	Weekly Requisitions
A2303159	Renew autopsy services agreement with WMed
A2303163	Apply for Natural Resources Trust Fund Grant Lakeview Trail
P2303164	Apply for Recreation Passport Grant Madeline Bertrand County Park river shelter
P2303165	Double Up Food Bucks program
F2303166	Berrien Bus agreement with Avenue Family Network
A2303168	Apply for State Grant for Self Help Legal Resource Center
P2303170	Set job related meal reimbursement rates for County employees
F2303171	Acknowledge Drain Commissioner Procurement Policy
B2303172	Approve participation agreement in the opioid lawsuit settlement

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

9 YEAS: Harrison, Hinkelman, Majerek, Ott, Pitchford, Vollrath, Yarbrough, Curran and Elliott.

Motion carried, no nays.

**ADDED RESOLUTION(S):**

The following resolution(s) was moved to the Consent Calendar:

<u>Resolution(s) #</u>	<u>Description</u>
B2303172	Approve participation agreement in the opioid lawsuit settlement

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

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

Director of Financial Services Director Doug James, Community Development Director Dan Fette and Administrator Brian Dissette explained that the 2023 Budget needs to be amended regarding ARP funds, adoption on broadband and Capital Projects Funds. There will be an email sent to the BOC summarizing the budget amendments and will be presented to the BOC at the April 6, 2023 meeting.

Discussion was held.

**COMMISSIONER REPORT(S):**

The Commissioners presented their outside committee reports. Discussion was held.

**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 (including last name) and city, township, or village. (Article III, 3.9 B-C):**

Adolf Pelzer, Hagar Township, spoke about the water foundation, Consent Calendar and the Announcement/Reminders.

Rick Briand, Niles Charter Township, spoke about rooms available in the South County Courthouse where council can talk to their clients, disc golf and thanked Commissioner Hinkelman, who is doing a great job as his commissioner.

**OTHER BUSINESS:**

Commissioner Yarbrough was going to request an Honorary Resolution to dedicate her church. The church will be having an event on Sunday, April 2, 2023. The church has done major remodeling and is 146 years old. Chairperson Elliott discussed due to a lack of time for an honorary resolution, the BOC could authorize a letter of congratulations for reaching this milestone. Corporate Counsel Thaddeus Hackworth stated the BOC can authorize a congratulatory letter.

Motion

Commissioner Yarbrough moved and supported by Commissioner Vollrath, to approve sending a congratulations letter to the Second Baptist Church of Benton Harbor. Motion carried and no nays.

**ANNOUNCEMENTS/REMINDERS:**

Chairperson Elliott announced the following:

- Today at 12:00 P.M., Trust Investment Advisory Committee in BOC room.
- Today at 1:00 P.M., Land Bank Authority in BOC room.
- No BOC meetings will be held on Thursday, March 30, 2023 (5th Thursday).
- County facilities will be closed on Friday, April 7, 2023, to recognize the Spring Holiday.

**ADJOURNMENT:**

The meeting was adjourned at 11:22 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.***