

BERRIEN COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
July 20, 2023

CALL MEETING TO ORDER:

Chairperson R. McKinley Elliott called the Board of Commissioners' (BOC) regular meeting to order at 10:36 A.M. in the BOC's boardroom at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

MOMENT OF SILENCE:

- **The one year anniversary of the tragic death of William "Mack" Isom, a Road Department employee killed on the job.**
- **In memory of former Commissioner Kenneth Wendzel who passed away July 14, 2023, whose funeral is today.**

Chairperson Elliott held a moment of silence for William "Mack" Isom who passed away one year ago and former Commissioner Kenneth Wendzel who passed away on July 14, 2023.

INVOCATION:

Commissioner Michael Majerek gave the invocation.

PLEDGE OF ALLEGIANCE:

Commissioner Mamie Yarbrough 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:

10 PRESENT: Rayonte Bell, Jim Curran, Teri Sue Freehling, Robert Harrison, Michael Majerek, Alex Ott, Chokwe Pitchford, Julie Wuerfel, Mamie Yarbrough and R. McKinley Elliott (Left at 11:17 A.M.).

2 ABSENT: Jon Hinkelman and David Vollrath.

APPROVAL OF THE MINUTES OF THE JULY 13, 2023 MEETING:

Commissioner Pitchford moved and supported by Commissioner Ott, to approve the BOC regular meeting minutes of July 13, 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 Ontonagon County Board of Commissioners, in opposition to SB 299, SB 300, HB 4479 and HB 4480, which would impose statewide regulations for the implementation of and maintenance of septic systems, received on July 19, 2023.
- An email from Cornerstone Community Engagement Director Ashley Butler inviting the BOC to the Cornerstone Alliance and Special Lite, as they hold a facility tour and press conference regarding their move to and growth within Benton Charter Township. It will be held on Tuesday, July 25, 2023 from 1:00 P.M. – 2:00 P.M.

PRESENTATION: MEC Broadband Update

Midwest Energy & Communications Chief Operating Officer Terry Rubenthaler gave a PowerPoint presentation on Midwest Energy & Communications and discussed the following:

- Who they are?
 - Vision
 - Mission
- First-In-Class Innovations & Solutions
- ROBIN (Realizing Opportunity with Broadband Infrastructure Networks)
 - Proposed Berrien County Project:
 - 5,256 Unserved Customers

- 4,825 Served Customers
 - 433 miles of mainline fiber
 - Estimated cost 23 million
- ROBIN Proposed Service Area
- What did we get from Berrien County?
 - Letters of Support
 - Matching Funds
- Timeline
- Awards Announcement

Discussion was held.

AGENDA AMENDMENT:

Commissioner Curran moved and seconded by Commissioner Wuerfel, to amend the Agenda to add Resolution #A2307263.

Commissioner Curran and the Chair of the Administration Committee spoke about adding Resolution #A2307263 for Phase III to the Agenda today. It would work in tandem with Resolution #A2307252 on the Consent Calendar to move the project forward and to take it out for bids. The resolution at this time is being drafted. Discussion was held.

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

10 YEAS: Curran, Freehling, Harrison, Majerek, Ott, Pitchford, Wuerfel, Yarbrough, Bell 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 (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:

Commissioner Pitchford moved and supported by Commissioner Harrison, to approve today’s Consent Calendar:

<u>Resolution(s) #</u>	<u>Description</u>
P2307007	Approve Monthly Per Diems
F2307039	Approve Road Payables & Weekly Bills
*B2307086	Approve Weekly Requisitions
A2307252	Approve Change order Tower Project
F2307253	Approve sub-recipient agreement Cornerstone RAP Grant
F2307254	Approve sub-recipient grant agreement Niles DDA/City of Niles RAP Grant
A2307255	Apply for Parent Representation Grant – Family Division
P2307256	Approve Tele Health Contract Amendment – MDHHS deadline extension
A2307257	Approve Title VI Program Compliance Plan
A2307259	Approve speed study for Gast Road in Lake Charter Township

Commissioner Curran and the Chair of the Administration Committee spoke about Resolution #A2307252 - Approve Change order Tower Project, it was adjusted in the Administration Committee only on the fifth “Whereas” for clarity purposes on background information. Corporate Counsel Thaddeus Hackworth said this should be fine.

**Note: Commissioner Freehling noted in the COW meeting that she will be abstaining from Resolution #B2307086 on Requisition #65670 to REV Excavating in the amount of \$129,416.30 out of an abundance of caution.*

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

10 YEAS: Curran, *Freehling, Harrison, Majerek, Ott, Pitchford, Wuerfel, Yarbrough, Bell and Elliott.

Motion carried, no nays.

ADDED RESOLUTION(S): None.

Chairperson Elliott left the meeting at 11:17 A.M. Vice Chairperson Teri Sue Freehling continued the BOC meeting.

COMMITTEE REPORT(S)

- **Finance Committee**
- **Personnel & Human Services Committee**
- **Administration Committee**

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

Financial Services Director Doug James spoke at the request of the Finance Chair Commissioner Yarbrough, to present the General Fund Update – YTD June 2023.

Undersheriff Chuck Heit spoke at the request of the Administration Chair Commissioner Curran, to give an update on the jail regarding a standard renewal on the phone contract by adding tablets and new technology in the jail. The resolution will be on the Agenda next week.

COMMISSIONER REPORT(S):

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

ADMINISTRATOR REPORT:

Administrator Brian Dissette announced that Resolution #A2307263 will not be on the Agenda today due to more time needed for preparation. Brian Dissette gave his Administrator's Report. Discussion was held.

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):

Register of Deeds Lora Freehling reminded everyone that her office will be closed to the public on July 26, 2023 at 8:30 A.M. and will be opened at 10:00 A.M.

Adolf Pelzer, Hagar Township, spoke about resolutions, presentations and the Berrien County's funding for the Senior Centers being unfair.

Dustin Iams, Benton Charter Township, congratulated Berrien County on doing a great job on training for alcohol sales.

OTHER BUSINESS:

Vice Chairperson Freehling announced that next week Resolution #A2307263 will be on the Agenda.

ANNOUNCEMENTS/REMINDERS: None.

ADJOURNMENT:

The meeting was adjourned at 11:46 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the next BOC meeting.