

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting Minutes**  
**August 3, 2023**

**CALL MEETING TO ORDER:**

Chairperson R. McKinley Elliott called the regular Board of Commissioners' (BOC) meeting to order at 6:00 P.M., at the County Conference Room, 2149 East Napier Avenue, Benton Harbor, Michigan.

**INVOCATION:**

Jail Chaplain Phil Nivens gave the invocation.

**PLEDGE OF ALLEGIANCE:**

County Clerk Sharon Tyler 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 (Arrived at 6:06 P.M.), Jim Curran, Teri Sue Freehling, Robert Harrison, Jon Hinkelman, Michael Majerek, Alex Ott, Chokwe Pitchford (Arrived at 6:06 P.M.), David Vollrath, Julie Wuerfel, Mamie Yarbrough and R. McKinley Elliott.

0 ABSENT.

**APPROVAL OF THE MINUTES OF THE JULY 27, 2023 MEETING:**

Commissioner Freehling moved and supported by Commissioner Vollrath, to approve the BOC regular meeting minutes of July 27, 2023. Motion carried and no nays.

**COMMUNICATION(S):**

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

- Berrien County MSU Extension, an email on the Michigan State University Extension's Upcoming Events in Berrien County, received on July 31, 2023.

**REQUISITION REVIEW - Annette Christie:**

Executive Administrative Assistant Annette Christie presented the requisitions to the Board for their review.

**DONATION TO THE BERRIEN COUNTY SOLDIER AND SAILORS RELIEF FUND –**

- **Chuck Carpenter, SW Michigan Car Collectors - \$1,700 from the 4th of July Car Show in Watervliet.**
- **Treasurer Kathy McLaughlin, Bridgman Women's Legion Auxiliary Post 331 - \$1,500.**

Administrator Brian Dissette introduced Chuck Carpenter of the SW Michigan Car Collectors. Chuck Carpenter spoke about their organization and presented a donation of \$1,700 to the Berrien County Soldier and Sailors Relief Fund.

Administrator Brian Dissette introduced Kathy McLaughlin, the Treasurer of the Bridgman Women's Legion Auxiliary Post 331. Kathy McLaughlin spoke about their organization and presented a donation of \$1,500 to the Berrien County Soldier and Sailors Relief Fund.

**PRESENTATION – Berrien County Veterans Services Officer Maureen Adams:**

Berrien County Veterans Services Officer Maureen Adams gave a presentation on Berrien County Veteran Services and discussed the following:

- How You Apply for VA Benefits
- Organization of the VA is like a Three Wheeled Cart
- Veteran Service Officer
- Meet the Team

- On the Road Again!
- State of Michigan Veterans Benefits
- Veterans in Berrien Engage (VIBE)
- Veteran Parking Signs
- Benefit Check-Up's
- Outreach
- We Want You on our Team!

**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.

**RESOLUTIONS - CONSENT CALENDAR:**

**The following resolutions are considered routine and will be adopted by one motion unless a request for removal, discussion or explanation is received from a County Commissioner.**

Commissioner Freehling asked to pull Resolution #B2308088 - Weekly Requisitions, to be presented separately, to discuss requisitions from the Drain Commissioner.

Commissioner Curran moved and supported by Commissioner Vollrath, to include Resolutions #A2308264 and A2308265 from the Added Resolution(s), to pull Resolution #B2308088, and to approve today’s Consent Calendar:

<u>Resolution(s) #</u>	<u>Description</u>
F2308041	Weekly Bills & Road Payables
A2308264	Accept Parent Representation Grant Family Division
A2308265	Accept Michigan Gas Grant for 911 Department

Discussion was held.

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

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

Motion carried, no nays.

Resolution #B2308088 - Weekly Requisitions

Commissioner Pitchford moved and supported by Commissioner Majerek, to approve Resolution #B2308088.

Discussion was held on the Drain Commissioners’ requisitions.

Commissioner Pitchford moved and supported by Commissioner Majerek, to withdraw their motion on Resolution #B2308088 to be approved.

**Motion**

Commissioner Yarbrough moved and supported by Commissioner Freehling, to approve Resolution #B2308088 and to exclude the following requisitions that were read in to record by Commissioner Yarbrough: #22001942, 20003581, 23000636, 23002449, 23002445 and 23002446.

Discussion was held regarding further information from the Drain Commissioner on these requisitions.

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

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

Motion carried, no nays.

**RESOLUTION(S) - ADDED:**

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

<u>Resolution(s) #</u>	<u>Description</u>
A2308264	Accept Parent Representation Grant Family Division
A2308265	Accept Michigan Gas Grant for 911 Department

**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):**

The following individuals spoke about the court employees low wages:

- Becky Payne, Lakeside
- Sharon Hacker, St. Joseph Charter Township
- Peggy Harrington, St. Joseph
- Caitlin Yoder, Baroda Township
- Lisa Hernandez, Three Oaks
- Sharon Tyler, Niles City, Berrien County Clerk
- Marsha Gorbitz, Niles Charter Township
- Frank Sampsell, Coloma
- Paul Bailey, Berrien Township, Sheriff
- Connie Wade, Lincoln Charter Township
- Laura Haley, Keeler Township
- Kathy Rose, St. Joseph Charter Township
- Mary Sue Enders, St. Joseph Charter Township

Adolf Pelzer, Hagar Township, spoke about Lake Michigan College's ballot proposal.

Commissioner Ott, Baroda, will assist the County employees in regard to the wages.

Chairperson Elliott spoke about inflation and asked the Personnel Committee, Administrator and Human Resources Director to study the issue. The BOC indicated their support.

**OTHER BUSINESS:** None at this time.

**ANNOUNCEMENTS/REMINDERS:**

Chairperson Elliott announced the following:

- Regular Meeting Schedule next week, Thursday, August 10, 2023 at the Berrien County Administration Center, 701 Main St., St. Joseph, Michigan:
  - 8:35 A.M. - Committee of the Whole Meeting
  - 9:15 A.M. - Administration/Finance/Personnel Committee Meetings
  - 10:30 A.M. - Board of Commissioners Meeting

**CLOSED SESSION - CLOSED SESSION – Memorandum from Corporate Counsel Thaddeus Hackworth - MCL 15.268(h) – “To consider material exempt from discussion or disclosure by state or federal statute.”**

Chairperson Elliott stated that the BOC would be going into Closed Session, to consider the material exempt from discussion or disclosure by state or federal statute. There may be action needed after the Closed Session.

Commissioner Wuerfel moved and supported by Commissioner Vollrath, to recess the public meeting and go into Closed Session at 7:08 P.M., to consider material exempt from discussion or disclosure by state or federal statute.

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

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

Motion carried, no nays.

The Board recessed at 7:08 P.M. to go into Closed Session.

Chairperson Elliott reconvened to Open Session at 7:36 P.M.

Commissioner Hinkleman moved and seconded by Commissioner Harrison, to approve the Closed Session minutes of July 27, 2023. Motion carried, no nays.

Motion

Commissioner Wuerfel moved and supported by Commissioner Curran, to authorize the County Administrator to execute the necessary documents to settle the three pending arbitrations with FOPLC and Shirley Polk-Williams following legal review and approval by Corporate Counsel, including the terms discussed during closed session.

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

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

Motion carried, no nays.

**OTHER BUSINESS:**

Further discussion was held on the Drain Commissioner's requisitions.

Commissioner Vollrath left the meeting at 7:47 P.M.

**ADJOURNMENT:**

The meeting was adjourned at 7:49 P.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.***