

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting Minutes**  
**October 19, 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:**

Commissioner Michael Majerek gave the invocation.

**PLEDGE OF ALLEGIANCE:**

Commissioner Robert Harrison 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:

11 PRESENT: Rayonte Bell, Jim Curran, Teri Sue Freehling, Robert Harrison, Michael Majerek, Alex Ott, Chokwe Pitchford, David Vollrath, Julie Wuerfel, Mamie Yarbrough and R. McKinley Elliott.

1 ABSENT: Jon Hinkelman.

**APPROVAL OF THE MINUTES OF THE OCTOBER 12, 2023 MEETING:**

Commissioner Majerek moved and supported by Commissioner Bell, to approve the BOC regular meeting minutes of October 12, 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 Livingston County Board of Commissioners, establishing the Livingston County Health Advisory Committee – Board of Commissioners, received on October 12, 2023.
- A resolution from Cheboygan County Board of Commissioners, opposing any legislation preempting local control for solar and wind developments, received on October 12, 2023.
- A resolution from Ottawa County Board of Commissioners, respects the individual freedoms and parental rights of the people of Ottawa County to make choices regarding childhood vaccines, received on October 12, 2023.
- A resolution from Lenawee County Board of Commissioners, supporting local control of land used, received on October 13, 2023.

**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 Majerek moved and supported by Commissioner Bell, to approve today's Consent Calendar:

<u>Resolution(s) #</u>	<u>Description</u>
P2310010	Monthly Per Diems
F2310051	Weekly Bills Approval & Road Payables
B2310098	Weekly Requisitions
P2310296	Revised Fee Schedule for Health Department
A2310306	Revised Fee Schedule for Animal Control

P2310309	Complement Change Health Department
F2310311	Approve Annual Apportionment Report
A2310318	Submit Road Length Correction of Act 51 Map
A2310319	Approve Speed Study for Miami Road in St. Joseph Charter Township
A2310320	Red Arrow Linear Trail Grant Application
P2310321	Community Violence Intervention Grant Application
A2310322	FY23 Emergency Management Grant Acceptance
A2310323	FY21 Emergency Management Grant Amendment – More Funds
A2310324	Amend School Resource Officer Contract Brandywine Schools

Discussion was held.

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

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

Motion carried, no nays.

**ADDED RESOLUTION(S):** None.

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

The Finance, PHS and Administration Committees presented their Committee Reports. Parent Committee minutes are available at [www.berriencounty.org](http://www.berriencounty.org). Discussion was held.

**COMMISSIONER REPORT(S):**

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

**ADMINISTRATOR REPORT:**

Administrator Brian Dissette presented the Administrator’s report.

**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):**

Mike Schnable, Shoreham Village, spoke about his concerns on the increased violence in the community and thanked the BOC for approving Resolution #P2310321 - Community Violence Intervention Grant Application.

Adolf Pelzer, Hagar Township, spoke in favor of the headphones he used today for better audio in the BOC conference room. Also, he spoke about the funding distribution to Senior Centers.

**OTHER BUSINESS:**

Chairperson Elliott announced Commissioner Curran’s birthday was last week. The BOC and individuals in the audience sang “Happy Birthday” to Commissioner Curran.

**ANNOUNCEMENTS/REMINDERS:**

Chairperson Elliott announced that the BOC would be going into Closed Session, to consider the pending litigation update – Essig v. County of Berrien, et al., 21-cv-00782. There may be action needed after the Closed Session.

**CLOSED SESSION:**

- **Pending Litigation Update – Essig v. County of Berrien, et al., 21-cv-00782**  
**Corporate Counsel Thaddeus Hackworth**

Commissioner Ott moved and supported by Commissioner Vollrath, to recess the public meeting and go into Closed Session at 11:07 A.M., to consider the pending litigation update – Essig v. County of Berrien, et al., 21-cv-00782.

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

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

Motion carried, no nays.

The Board recessed at 11:07 A.M. to go into Closed Session.

Chairperson Elliott reconvened to Open Session at 11:23 A.M.

Motion

Commissioner Pitchford moved and seconded by Commissioner Vollrath, to approve the Closed Session minutes of August 3, 2023.

Motion carried, no nays.

Motion

Commissioner Curran moved and supported by Commissioner Vollrath, to authorize the County Administrator to settle Essig v. Berrien County, proceeding as discussed during Closed Session.

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

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

Motion carried, no nays.

**ADJOURNMENT:**

The meeting was adjourned at 11:25 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.***