

BERRIEN COUNTY BOARD OF COMMISSIONERS
Virtual Board Meeting Minutes
March 25, 2021

Staff Present: County Administrator Brian Dissette (via Zoom at the Administration Center)
Clerk Sharon Tyler
Sheriff Paul Bailey
Captain Rockey Adams
Executive Assistant to the Administrator Annette Christie

BOC Present: Chairperson R. McKinley Elliott
(In-person) David Vollrath

CHAIRMAN TO CALL THE MEETING TO ORDER:

Chairperson R. McKinley Elliott called the virtual regular meeting to order at 10:35 A.M. in the Board of Commissioners' (BOC) room at the Berrien County Administration Center, 701 Main Street, St. Joseph, Michigan.

INVOCATION:

Commissioner Mamie Yarbrough gave the invocation.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Commissioner Don Meeks 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 (via Zoom in St. Joseph City, MI), Jim Curran (via Zoom in Niles Charter Township, MI), Teri Sue Freehling (via Zoom in Baroda Township, MI), Robert Harrison (via Zoom in Lincoln Charter Township, MI), Jon Hinkelman (via Zoom in Watervliet, MI and left at 11:26 A.M.), Michael Majerek (via Zoom in Niles, MI), Don Meeks (via Zoom in Benton Charter Township, MI), Ezra Scott (via Zoom in New Buffalo Township, MI), David Vollrath, Julie Wuerfel (via Zoom in Royalton Township, MI), Mamie Yarbrough (via Zoom in Benton Harbor City, MI) and R. McKinley Elliott.

0 ABSENT.

APPROVE MINUTES OF THE MARCH 18, 2021 MEETING:

Commissioner Vollrath moved and supported by Commissioner Bell, to approve the BOC virtual regular meeting minutes of March 18, 2021.

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.

COMMUNICATION(S):

County Clerk Sharon Tyler received and distributed to the Board the following communication(s):

- Ruth Crum, Niles City, an email, regarding the financial and health concerns of Berrien County, received on March 19, 2021.
- Peter Dickow, West Michigan Region Director for U.S. Senator Gary Peters, a Press Release "Peters Warns OMB that Proposed Change to Metropolitan Population Standards Could Cost Michigan Communities Valuable Resources," received on March 22, 2021.

- Antrim County Board of Commissioners, two separate resolutions: 1) A resolution supporting a collective effort By Michigan Counties in opposing current and future orders unilaterally issued by Governor Whitmer and state agencies in response to COVID-19 and 2) A resolution supporting Senate Bill 1 2021, received on March 24, 2021.

Commissioner Scott noted that he did not receive the Weekly Requisitions. The Weekly Requisitions will be resent by email to the BOC.

PRESENTATION(S) - Community Development Director Dan Fette – Recovery Plan:

Community Development Director Dan Fette gave a PowerPoint presentation on the “American Rescue Plan Act: Local Fiscal Recovery Fund and Small Business Assistance.”

- Coronavirus State and Local Fiscal Recovery Fund.
- Allowable Uses for Recovery Funds.
- Ineligible Uses and Penalties.
- Fund Administration and Reporting Requirements.
- Support for Small Businesses and Economic Development.
- Direct Support for Restaurants.
- Berrien County - Possible Uses of Recovery Funds.
- Final Thoughts.

Discussion was held.

COMMITTEE REPORT(S):

- **Administration Committee**
- **Finance Committee**

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

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 through the You Tube chat during public comments shall identify themselves by name (including last name) and city, township, or village. The public should refer to the resolution # that they are commenting on as a part of their comments: None.

Commissioner Hinkelman left the meeting at 11:26 A.M.

CONSENT CALENDAR:

Commissioner Yarbrough requested to pull Resolution #B2103192 - State of Emergency for Berrien County from the Consent Calendar and to be read separately.

Commissioner Scott moved and supported by Commissioner Curran, to pull Resolution #B2103192 - State of Emergency for Berrien County from the Consent Calendar and to approve today’s Consent Calendar as presented:

<u>Resolutions #</u>	<u>Description</u>
F2103024	Weekly Bills
B2103071	Weekly Requisitions
F2103186	Authorize Memo of Understanding
A2103195	Authorize grant application

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

11 YEAS: Freehling, Harrison, Majerek, Meeks, Scott, Vollrath, Wuerfel, Yarbrough, Bell, Curran, and Elliott.

Motion carried, no nays.

Resolution #B2103192 - State of Emergency for Berrien County

Commissioner Curran moved and supported by Commissioner Scott, to approve Resolution #B2103192 - State of Emergency.

Captain Rockey Adams explained Resolution #B2103192 and gave an overview of the State of Emergency for Berrien County. Discussion was held.

Chairperson Elliott read the following Resolution #B2103192 - State of Emergency for Berrien County:

***WHEREAS**, Michigan Public Act 390 of 1976 authorizes and vests the power in the Chairman of the Board of Commissioners “[t]o declare a...state of emergency if circumstances within the county...indicate that the occurrence or threat of widespread or severe damage, injury, or loss of life or property from a natural or human-made cause exists.”; and*

***WHEREAS**, on March 24, 2021 the Chairman of the Board of Commissioners of Berrien County declared a state of emergency to prevent losses or damages which could result from the interruption of governmental operations due to the expiration of the authorization for virtual governmental board, council or commission meetings, and did so under Berrien Co. Emergency Order B.C. E.O. 2021-1 (COVID-19); and*

***WHEREAS**, Michigan Public Act 390 of 1976, Section 10, explains the term of a local state of emergency declared by the chief executive officer of the county [s]hall not be continued or renewed for a period in excess of 7 days except with the consent of the governing body of the county; and*

***WHEREAS**, the conditions described in the written declaration of emergency still exist in Berrien County and it is expected that Berrien County will need to extend the State of Emergency until at least Wednesday, June 30, 2021:*

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners:

- 1. Confirms, authorizes, and ratifies the action taken by the Chief Executive Officer to declare a state of emergency for Berrien County, all local municipal subdivisions and all public bodies in the County;*
- 2. Permits the extension of the state of emergency declaration issued on March 25, 2021 through June 30, 2021.*
- 3. Will enable the continuation of virtual public meetings in a manner consistent with the current Open Meetings Act modifications on the dates publically posted.*
- 4. Directs the Chief Executive and Emergency Management Coordinator to execute all of the responsibilities delegated to them under Michigan Public Act 390 of 1976 and the Berrien County Emergency Operations Plan; to include, but not limited to expending funds.*
- 5. This emergency declaration shall have immediate effect after the adoption of this resolution, and may be terminated prior to June 30 if circumstances warrant.*

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

11 YEAS: Harrison, Majerek, Meeks, Scott, Vollrath, Wuerfel, Yarbrough, Bell, Curran, Freehling and Elliott.

Motion carried, no nays.

Chairperson Elliott stated in Resolution #B2103192, the word “of” needs to be included in the paragraph “NOW, THEREFORE, BE IT HEREBY RESOLVED”, #2. Permits the extension (**insert of**) of the state of emergency declaration issued on March 25, 2021 through June 30, 2021. Consensus of the Board to add the word “of” to be grammatically correct.

ADDED RESOLUTION(S): None.

COMMISSIONER REPORT(S):

The Commissioners presented their outside Commissioners’ Reports. Discussion was held.

ADMINISTRATOR REPORT:

Administrator Dissette gave his Administrator’s Report and announced the Administration Center will reopen on April 5th.

Sheriff Paul Bailey thanked everyone for their condolence due to the death of his mother. He announced to the BOC the Berrien County’s Sheriff’s Office’s 2020 Annual Report will be mailed to them and the report will be available on the website. Sheriff Bailey gave a brief report.

GENERAL PUBLIC COMMENTS – Those speaking through the You Tube chat during public comments shall identify themselves by name (including last name) and city, township, or village:

Eric Lester, St. Joseph Charter Township, thanked the BOC for adopting Resolution #B2103192.

Adolf Peltzer, Hagar Township, asked the BOC, if the general public will be allowed to give feedback on how the monies will be spent on the Recovery Funds. Mr. Pelzer would like a copy of the Sheriff’s Office’s 2020 Annual Report. Sheriff Paul Bailey responded that the report should be available online tomorrow.

OTHER BUSINESS:

Commissioner Wuerfel spoke about her experience volunteering at the COVID vaccination clinic at the Mendel Center in partnership with the Berrien County Health Department, Spectrum Health Lakeland, Michigan National Guard and other volunteers providing COVID-19 vaccinations. Commissioner Wuerfel thanked everyone for their assistance at the clinic.

Chairperson Elliott stated he was advised by Judge Wiley that he and his family were impressed at the COVID vaccination clinic at the Mendel Center in partnership with the Berrien County Health Department, Spectrum Health Lakeland, Michigan National Guard and other volunteers providing COVID-19 vaccinations. Judge Wiley thanked everyone who assisted at the clinic.

ANNOUNCEMENTS/REMINDERS:

Commissioner Freehling announced they are wrapping up the broadband survey and you can still take the survey until tomorrow. Commissioner Freehling stated you can find the survey on the County’s website.

Chairperson Elliott announced the following:

- Administration Committee virtual meeting next Wednesday, March 31, 2021 at noon.
- Personnel and Human Services Committee virtual meeting next Thursday, April 1, 2021 at 8:00 A.M.
- Finance Committee virtual meeting next Thursday, April 1, 2021 at 9:00 A.M.
- Board of Commissioners’ virtual meeting next Thursday, April 1, 2021 at 10:30 A.M.

ADJOURNMENT:

The meeting was adjourned at 11:54 A.M.

R. McKinley Elliott, Chairperson

Sharon J. Tyler, County Clerk

Minutes are to be approved at the next BOC meeting.