

Barry County Board of Commissioners
October 12, 2021; 9:00 a.m.; Commission Chambers
MINUTES

1. Chair Ben Geiger called the regular session of the Barry County Board of Commissioners to Order at 9:00 a.m.
2. Invocation led by Commissioner Conner.
3. Those present stood and said the Pledge of Allegiance to the Flag of the United States of America.
4. Roll Call was taken. The following members were present: Bruce Campbell, Vivian Conner, Ben Geiger, Catherine Getty, Howard Gibson, David Jackson, and Jon Smelker. Also present: County Administrator Michael Brown, and Clerk Pam Palmer.
5. Approval of Written Agenda (including consent items & items for discussion) Commissioner Conner asked to have the September 21, 2021 Board of Commissioner meeting minutes and October 5, 2021 Committee of the Whole meeting minutes moved to Items for Consideration. Moved by Gibson, seconded by Conner that the agenda be approved as amended. All ayes. Nays: None. Motion carried.
6. REPORTS FROM STATE AND COUNTY OFFICERS: None.
7. LIMITED PUBLIC COMMENT: (3 minutes per person)
 - Joel Ibbotson expressed his disappointment in not seeing a resolution on the Board agenda. He read a proposed resolution into the record which was drafted by himself and Aaron Gross.
 - Elden Shellenbarger spoke about his disappointment in the reluctance of the Board of Commissioners not taking action with regard to the Health Officer and split of the Barry-Eaton District Health Department.
 - Lynette Dooley is a retired nurse and spoke in support of the Barry-Eaton District Health Department. She is opposed to the threat of withholding funding to vital community service.
 - Gary White spoke in favor of splitting the Barry-Eaton District Health Departments. He reviewed the Health Department strategic plan and found that TOST is to be put back into the plan in 5 – 10 years. He talked about poor communication between the administration and its staff. He also talked about protecting the voters of Barry County. He also referenced Jack Miner's reference to the minority, when in fact he feels he is speaking for the majority that wants action.
 - Charles Hertzler stated he that he is tired of hearing people say trust the science. Science is killing us. Man created science and we need to believe in God, not science and data.
 - Larry Bass stated that everyone has a right to speak. He is disappointed that a resolution is not being presented today, and wants to see action by the board. He is also disappointed to learn that we still have reinstatement of TOST in the Health Department Strategic Plan. He also mentioned that going into closed session at today's meeting means the board does not have to tell the public what is going on. Closed session requires a written legal opinion.

- Pat Hilton stated he is disappointed in no resolution today. The report on the Barry-Eaton website says it contains data for K-12 at Thornapple Kellogg Schools, however, the Superintendent reported 53 cases at the school board meeting at Thornapple Kellogg since the beginning of the year. But if you go to the Barry-Eaton website, it reports 57 cases which also counts 0 – 2 year olds. It is misleading information.
- Darcy Kelly feels her voice has been silenced in response to Commissioner Getty's comments last week. She recently heard a podcast that listed seven items that have been propagandized. She urged the Board to do their due diligence and do their own research.
- Bethany Mathews represents the silent majority. She comes to the Board of Commissioners as her local government to express her concerns. She is disappointed that the resolution did not proceed today, and how Adam Heikkila was handled because everyone should have the right to speak about passionate issues. She asked what is the purpose of the Board of Commissioners, and if the Board of Commissioners cannot help, who can help them initiate a split from the Eaton County Health Department.

8. VARIOUS CORRESPONDENCE: None.

9. CONSENT ITEMS: (voted upon at one time by roll call vote):

- a. Approval of September 21, 2021 Board of Commissioners meeting minutes. (*Moved to Item for Consideration*).
- b. Approval of September 21, 2021, Committee of the Whole meeting minutes.
- c. Approval of October 5, 2021, Committee of the Whole meeting minutes. (*Moved to Items for Consideration*) (**roll call vote**).

Moved by Getty, seconded by Gibson, for approval of the September 21, 2021 Committee of the Whole meeting minutes. Roll Call vote. Ayes: Campbell, Conner, Geiger, Getty, Gibson, Jackson, and Smelker. Nays: None. Motion carried.

10. PRESENTATIONS - Chairperson Geiger - Barry County Employee Service Awards

Chairman Geiger presented service awards to the following employees:

Patricia Musser – Barry Transit – 5 years of service

Timothy Brown – Barry Transit Mechanic – 5 years of service

Amber McQueen – Court Service Specialist District Court – 5 years of service

Patricia Farnum – Custodian for Building & Grounds – 5 years of service

Cheryl Hartwell – Sheriff's Department – 10 years of service

Kelly Smith – absent – (Corrections Sergeant – 10 years of service)

Beth Dean – Financial Specialist for District Court – 30 years of service

David Shinavier – IT – 30 years of service.

Recess at 9:31 a.m. Resume meeting at 9:35 a.m. with all commissioners present.

11. PUBLIC HEARINGS – None

12. ITEMS FOR CONSIDERATION (roll call vote indicated)

Approval of transfers and disbursements:

- a. Approval of pre-paid invoices in the amount of \$7,603,178.16
- b. Approval of claims in the amount of \$58,596.47
- c. Approval of claims from 9/28/21 (approved by County Administrator) in the amount of \$135,375.02
- d. Approval of Commissioner Reimbursements (mileage) in the amount of \$1,039.86 (**roll call vote**)

Moved by Jackson, seconded by Smelker for approval of pre-paid invoices in the amount of \$7,603,178.16, claims in the amount of \$58,596.47, claims from 9/28/21 (approved by (County Administrator) in the amount of \$135,375.02, and Commissioner Reimbursements (mileage) in the amount of \$1,039.86. Roll Call vote. Ayes: Campbell, Conner, Geiger, Getty, Gibson, Jackson, and Smelker. Nays: None. Motion carried.

e. Approval of September 21, 2021 Board of Commissioner meeting minutes.

Moved by Jackson, seconded by Conner for approval of the September 21, 2021 Board of Commissioner for approval of the September 21, 2021 Board of Commissioner minutes, as amended. Discussion. Roll call vote. Ayes: Campbell, Conner, Geiger, Getty, Gibson, Jackson, and Smelker. Motion carried.

f. Approval of October 5, 2021 Committee of the Whole meeting minutes.

Moved by Jackson, seconded by Conner for approval of October 5, 2021 Committee of the Whole meeting minutes. Discussion. It was agreed to table this motion to the next Board of Commissioner meeting.

13. UNFINISHED BUSINESS: None.
14. NEW BUSINESS: None.
15. COUNTY ADMINISTRATOR'S REPORT: Michael Brown stated he attended the MERS Annual meeting last week, but would hold his comments to the next Board of Commissioner meeting.
16. CHAIRPERSON'S REPORT: None.
17. VICE CHAIRPERSON'S REPORT: Commissioner Conner attended the Prairievile Township meeting where they started making a priority list for use of their ARPA funds. They initiated a wage increase at the first of the year, but put it on hold due to covid and the uncertainty of their revenues from renting the hall, but they implemented a 2% wage increase across the board for all Orangeville Township workers.
18. COMMISSIONER REPORTS (FOR ITEMS NOT ON THE AGENDA): Each commissioner reported on their various committees, boards, events and meetings.
19. LIMITED PUBLIC COMMENT (3 MINUTES PER PERSON):
 - Joel Ibbotson spoke with regard to Public Act 306 – may abolish the office of coroner and transfer the duties of the corner to the health officer appointed under Act 306, and refusal or neglect to take the Oath of Office and deposit the same in manner and time prescribed by law.
 - Gary White stated that the Board of Commissioners can send the three board members to the Health Board with a directive from the Board of Commissioners. He has heard nothing about the Maple Valley resolution has not been recognized, except that the health officer did not give it to you until after the meeting of the Health Board. He also commented about a vaccinated student can be allowed in although they can be a carrier, but I have gotten no answer. There was also no acknowledgement by commissioners of all of the public comment.

- Elden Shellenbarger commented on the controls put upon the American people, while the immigrants are not required to wear a mask or be vaccinated. He asked that the Barry-Eaton Health Officer be censured and removed from office.
- Larry Bass commented that he never hears reports on what occurs from the Health Board meetings. He also warned about the closed session meeting and stated he does not trust closed session meetings.
- Bob Vanderboegh commented on hypocrisy. Abortion rights people say it's my body and another group object to having something injected into their body. One side is killing people, while others are trying to save people. Colette is an "at will" employee and can be fired for no reason by the Health Board. Rather than a resolution, he encouraged the Board of Commissioners to act with regard to the Health Officer, because inaction will not get a solution.
- Pat Hilton stated just because we don't agree does not mean we are divided. Loss of trust and transparency creates division. Disagreement does not divide, undermining divides.
- Adam Heikkila quoted the case New York Times vs. Sullivan that discusses the debate on public issues. He encouraged the commissioners to watch the movie "Mr. Smith Goes to Washington". He encouraged the commissioners to grow in their actions.
- Sharon Olson stated she has been riled up since March 9, 2020 when the overreaching government actions took place. She decided she had basic human rights and was a veteran who was willing to die for her country. Everyone is giving their consent to this Board of Commissioners to make a manifesto and get something done.

20. OTHER BUSINESS:

- a. I move to go into closed session in accordance with Public Act 267 of 1976, 15.268, Section 8(h), to consider material exempt from discussion or disclosure by state or federal statute. **(roll call vote)**

Moved by Getty, seconded by Gibson to go into closed session in accordance with Public Act 267 of 1986, 15.268, Section 8(h), to consider material exempt from discussion or disclosure by state or federal statute. Discussion. Roll call vote. Ayes: Campbell, Conner, Geiger, Getty, Gibson, Jackson, and Smelker. Nays: None. Motion carried.

- b. I move to approve the minutes of the closed session on 10/12/21. **(roll call vote)**

Moved by Jackson, seconded by Getty to approve the minutes of the closed session on 10/12/21. Roll Call vote. Ayes: Campbell, Conner, Geiger, Getty, Gibson, Jackson, and Smelker. Nays: None. Motion carried.

21. ADJOURNMENT: at 12:27 p.m.

Ben Geiger, Chair
Barry County Board of Commissioners

Pamela A. Palmer, County Clerk

Approved: 10/26/2021 PPalmer
Date & Initials