

**BERRIEN COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting Minutes**  
**December 5, 2019**

**CALL TO ORDER:**

Chairperson Elliott called the regular meeting to order at 10:33 A.M. in the Board of Commissioners' Room at the Berrien County Administration Center in St. Joseph, Michigan.

**PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:**

Lora Freehling, Register of Deeds, led us in the Pledge of Allegiance to the United States of America.

**INVOCATION:**

Pastor Scott Reeve, Oakridge Community Church of St. Joseph, gave the invocation.

**ROLL CALL:**

Chairperson Elliott instructed the Clerk to take roll call with the following results:

11 PRESENT: William Chickering, Jim Curran, Teri Freehling, Bob Harrison, Chris Heugel, Jon Hinkelman, Michael Majerek, Don Meeks, David Vollrath, Mamie Yarbrough and R. McKinley Elliott.

1 ABSENT: Ezra Scott.

**APPROVAL OF MINUTES:**

Commissioner Harrison moved, seconded by Commissioner Heugel, to approve the regular meeting minutes of November 21, 2019. Motion carried, no nays.

**COMMUNICATIONS:**

Chief Deputy Clerk Mensinger received and distributed the following communications:

- Michigan Department of Environment, Great Lakes, and Energy – letter received November 19, 2019 included a monthly report of pending Air Quality applications on which Southeast Berrien County Landfill Authority was listed.
- Crawford County Board of Commissioners – email of letter dated November 21, 2019 to Governor Whitmer regarding selectively issuing line item vetoes of the 2020 state budget.
- Eaton County Board of Commissioners – email dated November 27, 2019 of Resolution No. 19-11-122 to Encourage Changes to the Application of a Fee-For-Service Modem for Local Substance Abuse Service Delivery.
- Captain Emmitt McGowan, Deputy State Director, Michigan State Police Support and Outreach Unit of the Emergency Management and Homeland Security – email dated November 27, 2019 in response to Board Resolution B1911343 State of Emergency – Beach Erosion.

**PUBLIC COMMENT REGARDING RESOLUTIONS:**

Darrin Schaer, Pipestone Township – spoke about Resolution #P1912341- Pension Change for Elected Officials.

**CONSENT CALENDAR:**

Commissioner Yarbrough moved, seconded by Commissioner Freehling, to approve today's Consent Calendar as presented.

<u>RESOLUTION #</u>	<u>DESCRIPTION</u>
F1912054	Weekly Bills
B1912101	Weekly Requisitions
F1912131	Road Payables
P1912341	Pension Change for Elected Officials
P1912342	Household Hazardous Waste Collection Agreement
A1912347	2019-2020 Snowmobile Grant Agreement

Chairperson Elliott instructed the Clerk to take roll call with the following results:

11 YEAS: Chickering, Curran, Freehling, Harrison, Heugel, Hinkelman, Majerek, Meeks, Vollrath, Yarbrough and Elliott. Motion carried, no nays.

**ADDED RESOLUTIONS:** None

**COMMITTEE REPORTS:**

The Administration, Finance and Personnel and Human Services Committees presented their committee reports. Committee minutes are available at [www.berriencounty.org](http://www.berriencounty.org).

Finance Committee: Commissioner Yarbrough read into the record a letter to the Finance Committee from Drain Commissioner Christopher Quattrin.

*Dear Finance Committee of the Berrien County Board of Commissioners:*

*I have been working with Doug James in drafting an internal Procurement and Purchasing Policy as was requested after the most recent county audit. Several drafts have been exchanged, and I have acquired the services of legal counsel in connection with reviewing and responding to revisions proposed by Mr. James and his staff, particularly as it relates to statutory considerations under the Michigan Drain Code.*

*In the meantime, as you are aware, my office became involved in litigation dealing with procurement and purchasing of services in which serious (and unfounded) allegations have been made regarding same. That case is currently on appeal to the Michigan Court of Appeals. Should it move forward, I am informed that certain county staff and Commissioners may be material witnesses in the litigation. In addition, following the county prosecutor's decision not to bring charges against Commissioner Freehling, the Board of Commissioners retained former Judge Dewane to conduct a wide-ranging investigation related to the allegations of the complaint, make appropriate findings and suggest proposals related to county policy.*

*In light of the above, and because the outcomes may bear upon the decisions of both the Board of Commissioners and my office in relation to the proposed policy currently under review, I have decided to suspend further consideration*

*of a Drain Commissioner Procurement and Purchasing Policy until those matters have been resolved. Once they are resolved, development of a written policy can be explored without uncertainty of pending cases and investigations.*

*In the meantime, I will continue, as my predecessors in office have, to adhere to the requirement of the Michigan Drain Code and sound public policy as it relates to procurements and purchases made in my capacity as the County Drain Commissioner. I look forward to completing this project, and I thank you for your understanding and patience regarding this matter.*

*Christopher J. Quattrin  
Berrien County Drain Commissioner*

Discussion was held.

**COMMISSIONER REPORTS:**

Commissioner gave their outside committee reports.

**GENERAL PUBLIC COMMENTS:**

**Those speaking during public comments may do so no longer than two minutes and shall identify themselves by name and city, township, or village. (Article III, 3.9B-C):**

Jerry Sirk, Benton Charter Township - The Mason Sock Drive will end December 19th. There are 11 collection containers around the county and he will also accept donations at Board of Commissioners meeting during the next two weeks.

Adolf Pelzer, Hagar Township – Apologized to the Board for comments he made at a previous meeting regarding the census.

Darrin Schaer, Pipestone Township – Stated that the general public is interested in county finances and the adding of more staff positions.

**OTHER BUSINESS:**

Commissioner Vollrath commented that there are seven (7) night meetings scheduled for 2020 and suggested it be reduced to four (4) or five (5).

**ANNOUNCEMENTS/REMINDERS:**

- December 24 & 25, 2019 – County Facilities will be closed.
- December 26, 2019 – No Board of Commissioners meetings will be held.
- January 1, 2020 - County Facilities will be closed.

**ADJOURNMENT:**

The meeting was adjourned at 11:29 A.M.

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R. McKinley Elliott, Chairperson

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Diane Mensinger, Chief Deputy Clerk

*Minutes are to be approved at the full board meeting on December 12, 2019.*