

BERRIEN COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
January 10, 2019

CALL TO ORDER:

Chairperson Elliott called the regular meeting to order at 10:35 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:

District 5 Commissioner Bill Chickering led us in the Pledge of Allegiance to the United States of America.

ROLL CALL:

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

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

APPROVAL OF MINUTES:

Commissioner Majerek moved, seconded by Commissioner Vollrath, to approve the Organizational meeting minutes of January 3, 2019. Motion carried, no nays.

Commissioner Scott moved, seconded by Commissioner Freehling, to approve the Regular Board meeting minutes of December 20, 2018. Motion carried, no nays.

COMMUNICATIONS:

Chief Deputy Clerk Mensinger reported that the following communications were received and distributed by email to the Commissioners:

- Hungerford Nichols, CPAs and Advisors, letter received January 8, 2019 regarding the audit of the financial statements of the governmental activities of Berrien County Public Transportation for the year ended September 30, 2018.

PUBLIC COMMENT REGARDING RESOLUTIONS: None.

CONSENT CALENDAR:

Commissioner Chickering moved, seconded by Commissioner Freehling, to move the Added Resolution P1901140 - Authorize Transition of AFSCME positons to Non-Union to the consent calendar and to approve today's Consent Calendar.

<u>RESOLUTION #</u>	<u>DESCRIPTION</u>
F1901013	Approve Weekly Bills
B1901060	Approve Requisitions
F1901107	Approve Road Payables
P1901140	Authorize Transition of AFSCME positons to Non-Union

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

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

ADDED RESOLUTIONS:

<u>RESOLUTION #</u>	<u>DESCRIPTION</u>
P1901140	Authorize Transition of AFSCME positions to Non-Union

Moved to Consent Calendar – See above motion.

COMMITTEE REPORTS:

The Personnel and Human Services, Finance, and Administration Committees presented their committee reports. Committee minutes are available at www.berriencounty.org.

Discussion was held regarding the Brant and Dix Drain #060 – Illicit Discharge Inspection.

Commissioner Harrison moved, seconded by Commissioner Scott, to direct Administrator Wolf to conduct an investigation of the Brant and Dix Drain #060 – Illicit Discharge Inspection and to make a recommendation on how to proceed.

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

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

COMMISSIONER REPORTS:

Chairperson Elliott stated that he would forego Commissioner’s outside reports until next week.

OTHER BUSINESS:

- Board of Commissioners Board and Committee Appointments
Chairperson Elliott reviewed the list and made the following appointments:

Board	Term Expires
Commissioner Chickering	
Health Board	Liaison
Twin Cities Area Transportation Study	
Parks & Recreation	01/01/21
Commissioner Curran	
Southwest Michigan Planning Commission	12/31/2020
Disaster Planning Committee	
Local Emergency Planning Committee (EOC)	
County Public Safety Communications Center Operations Committee / 911 Technical Committee	04/13/2020
911 Quality Assurance Committee	
911 Advisory Committee	12/31/2020

Commissioner Elliott	
Pokagon New Buffalo Area LSRB (Alternate)	07/31/2020
CEO Meeting (As Chair)	
Cornerstone Alliance Board (As Chair)	
Economic Development (As Chair)	
Commissioner Freehling	
Southwest Michigan Planning Commission	12/31/2020
Brownfield Development Authority	5/25/2021
Planning Commission	12/31/2021
Michigan State University Extension Advisory Board	12/31/2020
Housing Resource Network	
Commissioner Harrison	
Economic Development Corporation	12/31/19
Local Emergency Planning Commission (EOC)	
Disaster Planning Committee	
Brownfield Development Authority	5/25/20
Workforce Development	12/31/19
Pension Board (Finance Committee)	
Commissioner Heugel	
Berrien County Human Services Council	
Community Corrections Advisory Board	
County Public Safety Communications Center Operations Committee / 911 Technical	04/13/2020
Commissioner Hinkelman	
Pension Board (Finance Committee)	
Land Preservation Board	6/30/2020
Commissioner Majerek	
Mental Health Authority	03/31/2019
Substance Abuse Oversight Policy Board	
Niles Area Transportation	
Brownfield Authority	05/25/2020
Commissioner Meeks	
Southwest Michigan Community Action Agency	12/31/2020
Public Works	12/31/2020
Southwest Michigan Planning Commission	12/31/2020
Substance Abuse Oversight Policy Board	
Land Bank	05/22/2020
Mental Health Authority	
Commissioner Scott	
Health Dept. Well & Septic Review Board	
Sewage Appeals Board	

Pokagon New Buffalo Area LRSB	07/31/2020
Southwest Michigan Solid Waste Consortium	02/28/2020
Solid Waste Planning	10/31/2019
Land Bank Authority	5/22/2020
Pension Board (Finance Committee)	
Commissioner Vollrath	
Area Agency on Aging	12/31/2020
County Public Safety Communication Center Operations Committee	04/13/2020
Local Emergency Planning Commission (EOC)	
SMART	12/31/2020
Disaster Planning Committee	
911 Advisory Board	12/31/2019
911 Quality Assurance Committee	
Commissioner Yarbrough	
Workforce Development Board	12/31/2019
Land Bank Authority	05/22/2019
Pension Board (Finance Committee)	
Michigan Works Improvement Committee	
Economic Development	12/31/23
Parks and Recreation	01/01/2020

- Board Conflict of Interest Disclosure
Corporate Counsel McGovern reviewed the Statutes and By-laws definition and requirements of Conflict of Interest Disclosure. Commissioners have submitted written disclosures, but must also announce them publically and they shall be so recorded in the official minutes.

Commissioner Vollrath – None.

Commissioner Hinkelman – None.

Commissioner Harrison –

Stated that his brother-in-law is applying for a position with the Sheriff’s Department. Corporate Counsel McGovern stated that if the brother-in-law does receive the job, Commissioner Harrison should then disclose it at the time, but that no legal conflict would exist.

Commissioner Heugel – None.

Commissioner Curran – None.

Commissioner Majerek

Commissioner Majerek's company that he has 25% member shares has a payment agreement with the County Treasurer on two properties for back taxes. Corporate Council James McGovern stated this conflict was disclosed in 2017.

Commissioner Meeks stated:

1. Meeks Contracting Services, LLC is Commissioner Meek's son's business.
2. His sister works for a company that may seek contracts for county services.

Commissioner Scott – None.

Commissioner Yarbrough

Her husband, Charles Yarbrough, is a retiree of Berrien County Juvenile Court.

Commissioner Freehling

Stated that her husband owns an LLC that she has an indirect interest in that sometimes contracts with the county Drain Commissioner. She stated that she would abstain from vote on granting work or payment to any company that contracts with the Drain Commissioner if her husband's LLC is part of that project.

Commissioner Chickering – None.

Commissioner Elliott

Stated that his daughter works for the Prosecutor's Office.

All Commissioners were reminded to update their written disclosure forms if any conflicts, whether direct or indirect, arise at any time in the next year. They were further reminded to then verbally update the board if such conflict develops.

- Agendas/Resolutions

Commissioner Scott stated that he was contacted by a constituent requesting that the resolutions be posted with the agenda on the website (like the agendas provided the morning of the meeting). The person also stated that the resolutions are currently difficult to find on the website.

GENERAL PUBLIC COMMENTS:

Pastor Jeffrey Whittaker, Senior Pastor of Michiana Christian Embassy of Niles - Distributed invitations to the Board of Commissioners to attend a luncheon on February 18, 2019 at the Niles Campus of Southwestern Michigan College conference room on the topic of conflict between Islamic Sharia and American Constitutional Democracy.

Adolf Pelzer, Hagar Township – Commented that the Commissioners need to speak louder and to use the microphones during the meeting.

ANNOUNCEMENTS/REMINDERS:

- County facilities will be closed on Monday, January 21, 2019 in observance of Martin Luther King, Jr. Day.

- There will be no Board of Commissioner meeting on Thursday, January 31, 2019 (5th Thursday).
- Commissioner Chickering announced that the St. Joe City Parks Department will be holding two public meetings on January 16, 2019 to receive public input on the plant.

ADJOURNMENT:

The meeting was adjourned at 11:58 A.M.

R. McKinley Elliott, Chairperson

Diane Mensinger, Chief Deputy Clerk

Minutes are to be approved at the full board meeting on January 17, 2019.