

BERRIEN COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
March 12, 2020

CALL TO ORDER:

Chairperson Elliott called the regular meeting to order at 10:34 A.M. in the Board of Commissioners' (BOC) Room at the Berrien County Administration Center in St. Joseph, Michigan.

MOMENT OF SILENCE:

In Memory of Chief Public Defender Chris Renna.

INVOCATION:

Commissioner David Vollrath gave the invocation.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Drain Commissioner Christopher Quattrin 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.

0: ABSENT

APPROVAL OF MINUTES:

Commissioner Scott moved, seconded by Commissioner Freehling, to approve the regular meeting minutes of March 5, 2020. Motion carried, no nays.

COMMUNICATIONS:

Chief Deputy Clerk Mensinger received and distributed the following communications:

- Grand Traverse Board of Commissioners via email received on March 5, 2020 – Resolution #24-2020 – Support of the House Bill 5330 and Senate Bill 730 – Proposed Legislation Requiring Local Unit of Government Approval of Certain Amendments to Approved Development Plans or Tax Increment Financial Plans.
- Mecosta Board of Commissioners via email received on March 6, 2020 – Resolution #2020-03 – Affirming the Board's support of Constitutional Rights.
- Southwest Michigan Planning Commission via email received on March 10, 2020 – Information on Special Request for Proposals for 2020 Coastal Community Resilience Matching Grants.

WATER LEVEL DISCUSSION: Drain Commissioner Christopher Quattrin

Drain Commissioner Quattrin presented a PowerPoint presentation on Inland Flooding Model:

- 24-Hour Precipitation Totals for 10-100 Year Recurrence per the NOAA Atlas 14
 - 10 Year: 3.72 in.
 - 25 Year: 4.58 in.
 - 50 Year: 5.34 in.

100 Year: 6.18 in.

The 25 Year rain event is more of the standard now.

- Abnormally Wet Soils Persist
As of February 7, 2020 Berrien County appears to be at between 95-99% soil saturation.
- Lakes Michigan-Huron Water Levels – March 2020
In 1986, the highest monthly average for March was at +60” above average. March 6, 2020 showed the level at +3” above the 1986 highest monthly average (+63”). USACE projections showing a +6” (+66”) in April, a +8” (68”) in May, a +10” (70”) in June and a +12” (72”) in July.

In December, 1986 the highest level to date was recorded. The numbers below reflect

Recorded in December, 2018 - +2’ 8” higher than 1986.

Recorded in December, 2019 - +4’ 2” higher than 1986.

Recorded in February, 2020 - +4’ 2” higher than 1986,

Recorded on March 6, 2020 - 3” than February, 2020

Projected for by August, 2020 - +5’ 2” higher than 1986.

Source:

1. <https://www.lre.usace.army.mil/Missions/Great-Lakes-Information/Great-Lakes-Water-Levels/Water-Level-Forecast/Monthly-Bulletin-of-Great-Lakes-Water-Levels/>

PUBLIC COMMENT 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 and city, township, or village (Article III, 3.9B-C):

Darrin Schaer, Pipestone Township – commented on Resolution # A2003205.

CONSENT CALENDAR:

<u>Resolution #</u>	<u>Descriptions</u>
F2003022	Weekly Bills
B2003069	Weekly Requisitions
F2003198	Pledge Full Faith and Credit for Several Drainage Districts

Commissioner Curran moved, seconded by Commissioner Scott, to add Resolution #B2003206 - Honorary Resolution to the Consent Calendar and to include the Added Resolutions: #F2003202 - Approve Amendment for Berrien Springs Village #29 Refunding; #F2003203 - Approve Amendments for Coloma #30 Refunding and #A2003205 - Authorize the Berrien County Trial Court to Apply for Grant Funds for the Mental Health Court, to today’s Consent Calendar.

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

Commissioner Heugel moved, seconded by Commissioner Yarbrough, to approve today’s Consent Calendar as presented including Resolution #B2003206 – Chris Renna Honorary Resolution and Added Resolutions #F2003202 - Approve Amendment for Berrien Springs Village #29 Refunding, #F2003203 - Approve Amendments for Coloma #30 Refunding and #A2003205.

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.

ADDED RESOLUTIONS:

Moved to Consent Calendar.

<u>RESOLUTION #</u>	<u>DESCRIPTION</u>
F2003202	Approve Amendment for Berrien Springs Village #29 Refunding
F2003203	Approve Amendments for Coloma #30 Refunding
A2003205	Authorize the Berrien County Trial Court to Apply for Grant Funds for the Mental Health Court

PARENT COMMITTEE REPORTS:

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

COMMISSIONER REPORTS:

Commissioners gave their outside reports.

ADMINISTRATOR REPORT: None

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):

- Jonathan Fisk, St. Joseph Charter Township - distributed and read a resolution from the Berrien County Democratic Party entitled Support for Remediation of Great Lakes Erosion dated 2/20/2020.
- Adolf Pelzer, Hagar Township - commented on beach erosion and is against the Resolution the Berrien County Democratic Party presented today.
- Darrin Schaer, Pipestone Township – commented on 1) flooding in the Paw Paw Lake area and 2) asked about a court case the County is involved in.
- Commissioner Meeks thanked the other Commissioners on the way that the Board handled the Second Amendment issue.
- Dick Bertog, Benton Charter Township – commented on 1) the Herald Palladium article last week about the Drain Commissioner and flooding in Berrien County and 2) wished Corporate Counsel McGovern well in his next job.

OTHER BUSINESS:

Commissioner Heugel moved, seconded by Commissioner Meeks, to retain John Dewane as Interim Corporate Counsel and his law firm Kotz Sangster Wysocki P.C. Motion carried, no nays.

Commissioner Yarbrough moved, seconded by Commissioner Scott, to appoint John Dewane and his law firm Kotz Sangster Wysocki P.C. as the FOIA Coordinator. Motion carried, no nays.

Commissioner Scott stated there is a law enforcement problem in the south county area. People are posing as Building Inspectors or utility workers to gain access to homes and then robbing the people. Many of the victims are elderly. He learned about this problem on Facebook,

however; many elderly people do not use Facebook or have computers. He wondered why law enforcement is not using the newspapers and/or television stations to make people aware of what is happening.

Commissioner Jon Hinkelman thanked James McGovern for all he has done for the Board of Commissioners and the County and for his years serving with integrity.

ANNOUNCEMENTS/REMINDERS:

- Tony Benhart, Sodus Township stated that his mother was one of the victims of people posing as utility workers and was robbed.

ADJOURNMENT:

The meeting was adjourned at 11:51 A.M.

R. McKinley Elliott, Chairperson

Diane Mensinger, Chief Deputy Clerk

Minutes are to be approved at the full board meeting on March 19, 2020.