

**REGULAR SESSION MEETING
BERRIEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 5, 2017
6:00 P.M.**

CALL TO ORDER

Chairman, John Nugent called the regular session meeting of the Berrien County Board of Commissioners to order on Tuesday, December 5, 2017, at 6:05 p.m. Members of the Board of Commissioners present were, Commissioners Robert Griner, Jimmy Parker, Doc Sumner and Pixie Harrod.

Invocation: Commissioner Jimmy Parker

Pledge: Commissioner Pixie Harrod

APPROVAL OF MINUTES: Commissioner Doc Sumner made the motion to approve the, November 7, 2017 Regular Session Minutes, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

INVITED GUESTS:

Phil Jones – Signs in the Utopia Area – Mr. Jones stated Utopia has been part of Berrien County for 45 years. He has put up some signs that he made and they have been removed by the Road Department and even broken. He is asking permission to put six signs up. Pictures were shown of the signs on the existing poles. Commissioner Robert Griner made a motion to approve Mr. Phil Jones' request to put the six signs up, seconded by Commissioner Doc Sumner. The motion carried unanimously. Mr. Jones then requested to put up some additional signs. Commissioner Pixie Harrod suggested giving Ben Warren the authorization to say where to place the signs. Commissioner Jimmy Parker made a motion to give Ben Warren the authorization as to where to place the signs, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

Walt Steward – Mr. Steward stated his property is adjacent to the E-911 Office. There is a small triangular piece of the property that he would like to purchase so he can straighten his property line. It is .04 of an acre. Brenda Ferrell, County Administrator, spoke with Greg Nimmo, Chief Property Appraiser, who recommends a price of \$357.00. Mr. Steward is in agreement with that amount. Commissioner Pixie Harrod said he does not have a problem with in as long as Mr. Steward agrees to pay the recording and attorney fees. Commissioner Robert Griner made a motion to sale the .04 acres as described to Walt Steward for \$357.00 and Mr. Steward responsible for recording and closing fees, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

NEW BUSINESS:

A. Field Improvement – Recreation – Administration received a request from Jennifer Cole, Recreation Director, to repair field four. The field has some safety issues and needs additional clay. The clay quote is from Molina Georgia Field Clay with an estimated cost of \$700.00 to \$1,000.00 (\$8.50 a ton, 80+ tons). Several sprinkler heads will need to be relocated. We have to quotes one at \$85.00 per hour and the other at \$75.00 per hour. Jennifer Cole's ex-husband is the lower quote of \$75.00 per hour and if the board is in agreement with him doing the work we just want everyone to know so there is no conflict. The Board was in agreement with him doing the work. The total estimated cost should not exceed \$1,500.00. Commissioner Jimmy Parker made the motion to approve the field improvement, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

B. TMB – (Terry Bradford Machine Shop) – Heavy Industrial Zoning – There was no

discussion. Code Enforcement Officer, Amanda Thacker, ask that this be removed from the agenda.

C. Firefighter Cancer Policy – Administration is requesting discussion and approval on the mandated firefighter cancer policy. We received two quotes:

ACCG-IRMA:	\$17,924.00
Houston and Associates:	\$16,660.00 1 year guarantee
	\$18,326.00 3 year guarantee

Hayden Hancock, Houston and Company, explained the differenced in the one and three year guarantee policies. There will be no rate change if firefighters increase or decrease for the 3-year period. County Administrator, Brenda Ferrell, stated that she believes the municipalities are in agreement with sharing the cost of the firefighters who serve both city and county and if the Board is in agreement we can have our County Attorney create an Intergovernmental Agreement. Commissioner Pixie Harrod made a motion to approve the Houston and Associates 3-year guarantee at \$18,326.00 and to have county attorney prepare the Intergovernmental Agreement, seconded by Commissioner Doc Sumner. The motion carried unanimously.

D. General Liability Renewal – Airport – Administration is requesting the board approve the quote for the general liability insurance for the airport. There is only one quote provided as there are very few companies who write an aviation policy.

Starr Aviation	\$1,188.00
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Commissioner Pixie Harrod made a motion to approve the renewal with Starr Aviation in the amount of \$1,188.00, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

E. 2018 LMIG Project – Administration requested discussion on our 2018 LMIG Project. The County will be receiving \$738,106.75 from GDOT and a required 30% local match of \$221,432.03 for the project. After review of the roads, it was determined that the following roads will be submitted for the project.

<u>Road Name</u>	<u>Mileage</u>	<u>Start/Stop Points</u>
West Lenox Rd.	0.80	Alapaha Highway Intersection to where new pavement currently is
Garner Rd.	1.50	From the curve going 1.5 miles
Nashville-Enigma Rd.	0.25	Curve @ Earl Bailey's
Nashville-Enigma Rd.	2.50	(Ben to select worse part of road)
Nashville-Enigma Rd.	0.25	100 ft each side of driveway at the Peanut Co.
Sapps Lake Rd.	<u>0.95</u>	Intersection of Enigma Hwy @ the Peanut Co going down Sapps
	6.25	Lake Rd to where the new pavement is

Commissioner Jimmy Parker made a motion to approve the roads as listed for the 2018 LMIG Project, seconded by Commissioner Robert Griner. The motion carried unanimously.

F. Conflict of Interest/Identity of Interest – CDBG 15rd-y-010-1-5819 - Administration is requesting is requesting the Board acknowledge that there is a potential conflict of interest/identity of interest regarding the Berrien County CDBG Grant 15-rd-y-010-1-5819 due to the fact that Classic Homes by Weaver, the low bidder on the project at \$255,000.00 is owned by Gary Weaver, the brother of Greg Weaver who is the beneficiary of the project known as the Miller Building. Every effort was made to solicit multiple bidders and two other bidders submitted higher bids. Therefore, the Berrien County Commission has submitted a request to the Georgia Department of Community Affairs for an exception that will allow Classic Homes by Weaver to participate in this project as the general contractor. The above written potential conflict was posted and read publicly in the meeting. Commissioner Pixie

Harrod made a motion to approve the Potential Conflict of Interest /Identity of Interest for the project, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

G. 2018 CDBG Project – Administration requested discussion on the 2018 CDBG Project Application. The Board road through the County last week and looked at potential roads to be submitted. Some of the roads considered were the Barber Subdivision and Bird Dog Lane. Bird Dog Lane is not looking favorable for passing based on the criteria the grant requires. Kimberly Hobbs, Southern GA Regional Commission, said if we find a road, she will look at it and given an opinion as to whether she feels it will be the conditions in the grant. Commissioner Pixie Harrod made a motion to move forward with some of the roads in the Barber Subdivision, seconded by Commissioner Doc Sumner. The motion carried unanimously.

H. 2018 Beer, Wine & Liquor License Application – Administration received applications from:

Horse Creek Winery
Singhway LLC d/b/a New River Lounge
Singhway LLC d/b/a New River Package
The Whiskey Barrel
Walker Drive Inn / Walker Packaging

Public Notice was run in the Berrien Press, we have received the letter from the Sheriff stating there are no findings and we have received all the applications fees.

Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner Doc Sumner. The motion carried unanimously.

I. Drug Testing Supplies – Drug Court – Administration received a request to purchase drug testing supplies. They order these online with Siemens Healthcare Diagnostic Web Shop as the only quote in the amount of \$6,125.92. Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner Robert Griner. The motion carried unanimously.

J. Animal Control Issues – Discussion – Administration is requesting discussion on animal control issues. County Attorney Mark Perry advised the Board of some of the issues we are having with Magistrate hearing some of the cases. There was discussion on the state laws and adopting the dangerous/viscous dog portion of the state law into the local ordinance with Probate hearing those cases. There was also discussion on creating a board and those cases going before a board instead of Probate. The Board was in favor of it going to Probate. Jeff Futch spoke and suggested the County Attorney look at the law and case law closely referring to a case held in Berrien County. He stated the law was overturned. County Attorney will review all laws and case laws regarding this situation. The Board asked County Attorney to move forward with preparing a new ordinance using the portion of the state law on dangerous / viscous dogs and that Probate will hear those cases.

K. Ratification Items – Administration is requesting ratification on the following items:

Yancey Brothers	\$ 2,338.20
Custom Works (Ambulance Purchase – USDA Grant)	\$134,000.00
Advance Drainage Systems (Road	\$ 2,369.80
Nashville Tractor (Road)	\$ 1,398.45
Mike’s Hydraulics (Road)	\$ 1,715.00

Commissioner Jimmy Parker made a motion to ratify the purchases as listed, seconded by Commissioner Robert Griner. The motion carried unanimously.

REPORTS FROM COMMITTEES AND DEPARTMENTS: None

COMMISSIONER’S ITEMS: Commissioners Jimmy Parker and Robert Griner told everyone Merry Christmas.

Pixie Harrod – asked where we stand on all the equipment for the new fire stations. Brenda Ferrell, County Administrator, stated the equipment has been ordered. James Watson, Fire Fighter with East Berrien, stated that most of the equipment has come in. Some extension ladders were ordered that was not needed and Bob Mikell was getting a credit on those. James Watson also stated that there are some brackets that are needed for SCBAs and fire extinguishers. Commissioner Harrod stated we need to see about getting the stations certified as soon as we can. Commissioner Jimmy Parker made a motion to approve James Watson ordering the brackets needed, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

PUBLIC COMMENTS: None

COUNTY ADMINISTRATOR COMMENTS:

Brenda Ferrell

- Employee Christmas Luncheon is December 19th at 12:00
- Administration Christmas Dinner is December 12th at 6:00 (paid personally – no county funds)
- CDBG Project – We have an heir to one of the property owners who does not want the road paved and cul-de-sac where the plans originally show it. She would like to see to cul-de-sac put at the end of her property line and then the landowner will be responsible for maintaining that portion of the road. If the Board is in favor of doing this, DCA will have to approve. Commissioner Jimmy Parker made the motion to move the cul-de-sac and end the road at the discussed point, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

ADJOURN

With no other business to come before the Board, Commissioner Jimmy Parker made the motion to adjourn, which was seconded by Commissioner Pixie Harrod. Meeting was adjourned at 7:05 pm.

Chairman, John Nugent

Commissioner, Robert Griner

Commissioner, Jimmy Parker

Commissioner, Pixie Harrod

Commissioner, Doc Sumner

ATTEST _____
County Clerk