

**REGULAR SESSION MEETING
BERRIEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 2, 2023
6:00 P.M.**

CALL TO ORDER

Chairman, Robert Griner, called the regular session meeting of the Berrien County Board of Commissioners to order on Tuesday, May 2, 2023, at 6:00 p.m. Members of the Board of Commissioners present were Commissioners Pixie Harrod, Ronnie Gaskin, John Nugent and Jimmy Parker.

Invocation: Commissioner Jimmy Parker

Pledge: Commissioner Ronnie Gaskins

APPROVAL OF MINUTES: Commissioner Pixie Harrod made a motion to approve the April 4, 2023 Regular Session Minutes, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Chairman Griner stated there is a mistake on the agenda and Item B should be A. D. Probation and asked if he could entertain a motion to correct this. Commissioner John Nugent made a motion to change the agenda to Item B as A. D. Probation, seconded by Commissioner Ronnie Gaskins. The motion carried unanimously.

PUBLIC HEARING: **John Michael Moore Rezoning AU to RC office/shop** – Commissioner Jimmy Parker made a motion to enter into public hearing for a rezoning request at 6:02 p.m., seconded by Commissioner Pixie Harrod. Chairman Griner stated that John Michael Moore is requesting to rezone his property from AU to RC to place an office/shop on it. There are no close neighbors. He asked if anyone would like to speak for or against it. No one had comments. Commissioner Ronnie Gaskins made a motion to move out of public hearing and back into regular session at 6:03 p.m., seconded by Commissioner Pixie Harrod. The motion carried unanimously.

NEW BUSINESS:

A. **REZONING REQUEST – AU TO RC OFFICE/SHOP – JOHN MICHAEL MOORE** - Administration received a request from the Planning Commission to approve a Rezoning Request from John Michael Moore rezoning from AU to RC. The property is located at 151 Cross Creek Rd. Nashville. This rezoning is to include an office/shop. The Planning Commission is recommending approval. Commissioner Ronnie Gaskins made a motion to approve, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

B. **A. D. PROBATION SERVICES AGREEMENT** – This is an agreement with A. D. Probation Services, Incorporated that will provide misdemeanor probation supervision of all defendants placed on probation through the court. The contract shall follow all rules and regulations of the Misdemeanor Oversight Unit of the Department of Community Supervision. The contractor shall follow all state laws governing misdemeanor probation. Judge Tomlinson already signed this agreement. Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

C. **HVAC COIL CLEANING – BUILDING MAINTENANCE** - Administration is requesting the board approve coil cleaning for the Administration Building. We received one quote from Green Air Environmental. Buddy has been trying to get additional quotes. Commissioner Pixie Harrod made a motion to approve the cleaning of the air handler units with Green Air Environmental in the amount of \$17,400.00, seconded by Commissioner John Nugent. The motion carried unanimously.

D. **EQUIPMENT ACQUISITION – AIRPORT** - Administration received a request from the Airport Authority to purchase a new hose reel and underwing nozzle. There is only one vendor available with this item which is L&T, Inc. The cost is \$11,961.79. Commissioner John Nugent made a motion to approve the purchase, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

E. **SOLAR FARM DISCUSSION – PLANNING COMMISSION** - Administration received a request from the Planning Commission requesting the Commissioners place a moratorium on the issuance of any new permits for solar farms that are not currently in the process of obtaining a permit until an ordinance or amendment can be adopted regulating solar farms in Berrien County. The Planning Commission will be working diligently to create fair and beneficial language for an amendment to the current land use ordinance and or a separate ordinance to recommend to the County Commissioners for adoption. Commissioner Gaskins stated he is not for a moratorium. He has no problem with the Planning Commission working on language to bring back to us but does not approve a moratorium. Commissioner Parker said the only thing he has heard about solar is that the land owner needs to have a bond from the solar company to protect them. Chairman Griner stated it is a good revenue source for the county. County Attorney, Jennifer Herzog, stated that one thing she has heard from other counties is that when given a tax abatement, they solar companies are coming back once the abatement runs out and either leaving the county or asking for a huge tax reduction due to depreciation. Nick Lacey who is on the Planning Commission stated that he is not sure why this is on the agenda but the Planning Commission discussed putting language together to present to the board but at this time the Planning Commission was in the developing process. No action was taken.

F. **EQUIPMENT REPAIR – RAY CITY FIRE DEPT.** - Administration received a request from Chief Tony Galardo to make a repair on Squad 63. One quote was received from First in Services, LLC in the amount of \$2,913.68. There were many questions on this item which could not be answered. The Board would like for the county shop to look at this vehicle before any decision is made. Commissioner Pixie Harrod made a motion to table this item, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

G. **EQUIPMENT PURCHASE (PUMP) – RAY CITY FIRE DEPT.** - Administration received a request from Chief Tony Galardo to purchase a pump. This is a fire knocker unit. Two quotes were received. One from First in Services, LLC for \$8,948.76 and the other from Fire Penny for \$9,559.00. Commissioner Gaskins stated we need this truck before ISO Testing is done. The pump and motor is 35 years old. Pixie Harrod asked if we can't just build a shaft for it. Commissioner Ronnie Gaskins made a motion to purchase the pump from First in Services, LLC in the amount of \$8,948.76, seconded by Commissioner John Nugent. The motion carried unanimously.

H. **SECURITY IMPROVEMENT PROPOSAL** - Administration is asking the board to review the proposed Security Improvements proposal from Virtual Guru. Some of these services are already paid services. The services proposed are:

Email and Email Security	Monthly Cost	\$607.22
Update and Patching		\$384.00
Sentinel 1 EDR with Monitoring 24/7		\$647.68
Training		\$189.15
Managed Services		<u>\$438.00</u>
TOTAL		\$2,266.05

After discussion, Darrell Powell offered to do the training for three months at no cost and then the board could evaluate if they want to continue the training. Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner Ronnie Gaskins. The motion carried unanimously.

I. **NOTICE OF AWARD & CONTRACT AGREEMENT - HVAC REMOVAL & REPLACEMENT PROJECT - ARPA FUNDS** - Administration received a recommendation from Watkins & Associates on the HVAC Removal & Replacement Project. They are recommending the project award go to RL Refrigeration who had the low bid of \$488,570.00. Requesting approval for Brenda Ferrell, County Administrator to execute the Notice of Award and Contract. Commissioner Ronnie Gaskins made a motion to approve the Notice of Award and Contract Agreement with RL Refrigeration in the amount of \$488,570.00 and approve Brenda Ferrell, County Administrator, executing the documents, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

J. **RATIFICATION ITEMS** – Administration is requesting ratification on the following items:

Carters Catering – Fire Depts.	\$3,432.66
Dixie Sales & Graphics – Recreation	\$2,782.00
Four Star Freightliner – Road	\$2,927.18
Tire Store – Road	\$2,102.00

Commissioner Jimmy Parker made a motion to ratify the items as presented, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

REPORTS FROM COMMITTEES AND DEPARTMENTS: None

COMMISSIONERS' ITEMS:

Ronnie Gaskins –

- Asked the board to consider purchasing 2 sets of solar powered lights. They can be purchased through LED Lighting Solutions for \$1,699.99 each. Commissioner Ronnie Gaskins made a motion to purchase, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

Pixie Harrod –

- The solar light on Garner Road is not working. Has never worked since they put it up. Ben Warren, Public Works Director, will check on it.

Robert Griner –

- There is a company who is in Berrien County now grinding asphalt/concrete. The company is David Taylor Construction. He will grind the asphalt/concrete for \$9.50 a ton. Commissioner Jimmy Parker made a motion to approve grinding the asphalt and concrete up to \$30,000.00, seconded by Commissioner Pixie Harrod. There was additional discussion and Commissioner Parker withdrew his motion. Commissioner Pixie Harrod made a motion to grind all the asphalt/concrete we have, seconded by Commissioner John Nugent. The motion carried unanimously.
- Chairman Griner was asked about putting up some stop ahead signs/reflectors on Sandy Bluff approaching Chaserville. The board was in agreement
- Chairman Griner and County Administrator Brenda Ferrell attended the ground breaking ceremony for SGMC Berrien Campus this morning. This is a 16 million dollar expansion of a new emergency room. The expansion is 26,000 square feet. This is a good thing for Berrien County.

PUBLIC COMMENTS:

Sally Franks/Lodonna Morales – Firetower Rd – Stated that the one property owner that did not sign the paving petition is now in favor of it. They said they appreciate what was done on the road but that work still needs to be done on the road. The board will see what else can be done.

COUNTY ADMINISTRATOR COMMENTS:

Brenda Ferrell –

- Asked the board about the funds received from the opioid litigation. Currently we have received \$35,019.32. If we use the funds for drug education, no reporting has to be submitted. There is a list of items that qualify for no reporting. Any other uses will require reporting. County Administrator asked the board if they would like to set up a separate account and allow the Sheriff to use towards the CHAMPS Program or drug education. The board was in favor of that. Commissioner Pixie Harrod made a motion to approve setting up a separate account and using the funds for CHAMPS, seconded by Commissioner Jimmy Parker. The motion carried unanimously.
- Received a pipe order request this afternoon from the Road Department. There were three quotes with the lowest quote from WinSupply in the amount of \$7,283.56. Commissioner Ronnie Gaskins made a motion to approve, seconded by Commissioner Jimmy Parker. The motion carried unanimously.
- New Lois Fire Chief, Chase Joiner applied for the Fireworks Tax Grant. The grant was approved for \$22,500 with the county match of \$2,500.00. He will be purchasing SCBAs and would like approval to move forward with that. Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

EXECUTIVE SESSION: Personnel

Commissioner Jimmy Parker made a motion to go into executive session for personnel at 7:05 p.m., seconded by Commissioner Pixie Harrod. Commissioner Jimmy Parker made a motion to move out of executive session and into regular session at 7:30 p.m., seconded by Commissioner Pixie Harrod. The motion carried unanimously.

ADJOURN

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

Chairman, Robert Griner

Commissioner, Ronnie Gaskins

Commissioner, Pixie Harrod

Commissioner, Jimmy Parker

Commissioner, John Nugent

ATTEST: _____
County Clerk

