

**REGULAR SESSION MEETING
BERRIEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 12, 2016
6:00 P.M.**

CALL TO ORDER

Chairman, Jimmy Parker called the Regular session meeting of the Berrien County Board of Commissioners to order on Tuesday, January 12, 2016, at 6:05 p.m. Members of the Board of Commissioners present were, Commissioner Robert Griner, Commissioner Steve Sumner, Commissioner Doc Sumner and Commissioner John Nugent.

Invocation: Commissioner Robert Griner

Pledge: Commissioner Steve Sumner

Approval of Minutes: Commissioner Robert Griner made the motion to approve the December 8, 2015 Regular Session Minutes, the December 8, 2015 Executive Session Minutes, the January 5, 2016 Work Session Minutes and the January 5, 2016 Executive Session Minutes, seconded by Commissioner Doc Sumner. The motion carried unanimously.

Additions to Agenda: Commissioner Robert Griner made the motion to add items L and M to the agenda, seconded by Commissioner Steve Sumner. The motion carried unanimously.

NEW BUSINESS:

A. Nomination of 2016 Chairman/Vice Chairman for Board of Commissioners – Chairman Parker opened the floor for nominations. Commissioner Doc Sumner made the nominated John Nugent as Chairman. Commissioner Robert Griner nominated Steve Sumner as Vice Chairman. Commissioner Steve Sumner made a motion that the nominations be closed. Chairman Jimmy Parker stated we have a motion for John Nugent as Chairman, all in favor. John Nugent is now Chairman. We have a motion for Steve Sumner as Vice Chairman, all in favor. Steve Sumner is now Vice Chairman.

B. American Red Cross Budget Request – Administration received a request from Terri Jenkins, Executive Director, American Red Cross, requesting the budgeted amount of \$5,000.00. County Attorney, Jennifer Herzog stated that the American Red Cross is a wonderful organization but after legal analysis it is a violation of the gratuity clause. Commissioner Steve Sumner made a motion to deny the request, seconded by Commissioner Doc Sumner. The motion carried unanimously.

C. 2016 TAN Award/Resolution – Administration accepted bids for a Tax Anticipation Note in the amount of \$2,000,000.00. We received bids from the following:

South GA Banking Company	2.6% - no loan fee
Guardian Bank	2.75% - no origination fee or draw fee - \$3,000,000.00
Farmers Merchant Bank	3.5%
Bank of Alapaha	4.25% - \$1,000,000.00 –

County Administrator did state that Bank of Alapaha called back and said they could offer the \$2,000,000.00.

Commissioner Doc Sumner made the motion to go with the low bid from South Georgia Banking Company with the 2.6% interest, seconded by Commissioner Robert Griner. The motion carried unanimously.

D. Fire Substations Bid Opening/Award – Administration accepted bids for construction of four fire substations. Bids were received from:

Newbern Construction Co.	\$23,607.00 ea	\$94,428.00
Atlas Manufacturing	\$28,836.65 ea	\$115,346.60
Buddy’s Top Notch Construction, LLC	\$36,822.50 ea	\$147,790.00
Brown Construction	\$42,000.00 ea	\$168,000.00

During Work Session the Board asked County Administrator to ask for an itemized bid from Newbern Construction. He provided an itemized bid but there was an increase. \$25,757 each and a total of \$103,028.00. Commissioner Robert Griner asked if the bid price can go up? If he bids it wrong can he provide another bid? County Attorney stated that you are to accept the lowest responsive bid and responsible bidder. So the bid has to be responsive. If you require a certain amount of insurance and they don’t have it or cannot provide it then you can reject that. Commissioner Steve Sumner stated we didn’t show a gauge of metal but we did use a code. A big part of this increase is bringing it up to the code spec on the metal and concrete and he originally did not bid the insulation. He provided the certificate of insurance but the worker’s comp shows limits of \$500,000.00 so he would have to increase those limits and he will have to provide the E-Verify Affidavit. Chairman John Nugent feels that we should go to the next bid. Newbern Construction did not meet the bid specs or provide the proper insurance. Commissioner Doc Sumner made the motion to Approve Atlas Manufacturing in the amount of \$115,346.60, seconded by Commissioner Robert Griner. The motion carried unanimously. Commissioner Steve Sumner asked where we are on the surveys. Chairman John Nugent will follow up with Wade Hand to get a status on the surveys.

E. Coastal Plains Lease – Discussion – Administration received a request from Randy Lane, Coastal Plain Area Economic Opportunity Authority, Inc. requesting the Board enter into an agreement with them. In the past, the agreement was with the City of Nashville. Currently they operate the Headstart Program in the building located at 204 Hazel Avenue, Nashville, GA. During work session the Board suggested a rent of \$1,250.00 and for County Administrator to contact Randy Lane. County Administrator sent an email and followed up with a phone call. Randy Lane stated that he cannot do the \$1,250.00 rent and that we would be receiving a letter. County Administrator asked that this item be tabled. Commissioner Robert Griner made a motion to table this item, seconded by Commissioner John Nugent. The motion carried unanimously.

F. Purchase of Service Agreement – Mids Transportation, Inc. – Administration received a request from Danny Saturday, Director of Operations of Mids, Inc. to enter into a Purchase of Service Agreement with Mids Transportation, Inc. Currently Mids, Inc. provides services for our Meals on Wheels Program. Mids, Inc. is undergoing a corporate restructuring and is transferring all assets and employees to Mids Transportation, Inc.; therefore a new agreement needs to be executed. Commissioner Robert Griner made the motion to approve the Purchase of Service Agreement with Mids Transportation, Inc., seconded by Commissioner Jimmy Parker. The motion carried unanimously.

G. Inmate Uniform Purchase – Jail – Administration received a request from the Jail to purchase new uniforms for inmates. They have provided two quotes as follows:

Bob Barker	Black & White Stripes	85 sets	\$1,002.70
Charm-Tek	Black & White Stripes	85 sets	\$1,336.50

Bob Barker	Orange & White Stripes	48 sets	\$ 724.80
Charm-Tek	Orange & White Stripes	40 sets	\$ 596.00

Commissioner Steve Sumner made the motion to approve the purchase from Bob Barker in the amounts of \$724.80 and \$1,002.70, seconded by Commissioner Robert Griner. The motion carried unanimously.

H. Ratification Items – Administration is requesting ratification of the following items:

Starr Aviation – Airport GL Renewal	\$1,174.00
Nashville Tractor – Field Rake	\$1,500.00
Through the Reels	\$1,199.25

Commissioner Steve Sumner made the motion to approve the ratification items as listed, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

I. Light Repair – Jail – Administration received a request for repair of lights at the jail. These are the “tamper proof” light fixtures. There is one vendor who supplies this type of fixture. They provided a quote for eight lights for a total of \$2,935.84 from C.E.S. out of Valdosta. This is \$366.98 each. Commissioner Jimmy Parker made the motion to approve the purchase from C.E.S. for a total of \$2,935.84, seconded by Commissioner Robert Griner. The motion carried unanimously.

J. Set Qualifying Fees/Resolution – 2016 is an election year for Board of Education and County Offices. The Board of Commissioners is required by O.C.G.A. Section 21-2-131(2)1 to fix and publish qualification fees for each county office to be filled in the upcoming general primary or general election by February 1st of election year. The qualifications fees for each office shall be 3% of the total gross salary of the office paid in the preceding calendar year including all supplements authorized by law if a salaried office, unless otherwise provided for in OCGA 21-2-131(1B). If not a salaried office, a reasonable fee shall be set by the Board of County Commissioners not to exceed 3% of the income derived from such office by the person holding the office for the preceding year. Qualifying fees are as follows:

Board of Education	\$ 20.00
County Commissioner	\$ 180.00
Clerk of Court	\$1,392.25
Sheriff	\$1,616.40
Tax Commissioner	\$1,392.26
Probate Court	\$1,392.25
Coroner	\$ 72.00

Commissioner Robert Griner made the motion to approve the Resolution setting the qualifying fees as listed, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

K. Court Reporter Position – Discussion – Administration received a request from Judge Dane Perkins to consider hiring a court reporter as a county position with benefits. He is having trouble getting a court reporter that will travel to Berrien County. County Administrator, Brenda Ferrell, stated that we have budgeted \$25,000.00 for court reporters. July 1, 2015 through January 5, 2016 we have spent \$11,142.94. Last fiscal year we spent \$20,693.60. County Administrator has attempted to get more information from Judge Perkins on this item but due to court schedules we have not been able to discuss this item any further. She asked that this item be tabled. Commissioner Jimmy Parker made the motion to table this item, seconded by Commissioner Steve Sumner. The motion carried unanimously.

L. Work Authorization for Professional Services – Airport – Administration received a request from Crissy Staley for approval of Work Authorization #14 covering professional services to construct the Fuel Facility at the Airport. County Administrator, Brenda Ferrell, stated the county’s contribution is \$2,351.55. Commissioner Robert Griner made a motion to approve the Work Authorization, seconded by Commissioner Steve Sumner. The motion carried unanimously.

M. SPLOST - Discussion – Administration requested discussion on the upcoming SPLOST renewal. The County SPLOST expires in 2017. It is time to start the process with the municipalities to renew the SPLOST. County Attorney, Jennifer Herzog, stated that there is a strict timeline to follow. The Board would like to be able to get it on the ballot in May with the primary election. Commissioner Jimmy Parker stated we have to let the Election Board know by April 1, 2016 if we plan to have it on the ballot in May. The Board agreed we need to send notice to the cities and advertise it as a called meeting. Commissioner Steve Sumner made the motion to start the process and to be prepared to put SPLOST on the ballot in May 2016, seconded by Commissioner Robert Griner. The motion carried unanimously.

N. Fines & Fees – The Board had discussed about looking and some fines and fees. We are not wanting to add fines or fees on what we have. We have some items that come up and we have nothing in place to enforce. The areas we discussed that need to be addressed were trash, example trash just being dumped out there, trash piles on private property, animal nuisance – board in agreement of no leash law however we need something to protect neighbor to neighbor when a dog comes over and damages their property, kills their animals, etc., failure to secure a license, roads and bridges – how do we go about getting those repaired. Commissioner Steve Sumner recommends making a motion on each one of these. Then after we agree with what we want to do with these we will ask the County Attorney to help us with the language on these and then take it to Magistrate Court and get the Judge to back us on this before we adopt it. Now if everyone does not agree with this, we do not want to spend money on developing an ordinance if it is going to be voted down.

Commissioner Steve Sumner made the motion on *Illegal Dumping of Trash* that we set a fine of \$100.00 minimum up to \$500.00, plus cost of clean-up, to be determined by Code Enforcement Officer, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Commissioner Steve Sumner made the motion for *Excessive Trash on Private Property* – the first offense is a warning with 10 days to clean it up. After 10 days a \$100.00 fine plus \$25.00 per day thereafter until it is cleaned up, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Commissioner Steve Sumner made a motion on *Animal Nuisance* – the first offence is a warning by the Animal Control Officer. The second offense is a \$50.00 fine per animal involved, seconded by Commissioner Robert Griner. The motion carried unanimously.

Commissioner Steve Sumner made a motion on *Failure to Secure Solid Waste License* – if it is not secured in the proper timeframe it is a 25% penalty for the first 30 days, after 30 days 50% penalty and the third offense would be if they don’t pay, we need to find a method to have law enforcement secure the truck until fee is paid. We will have to look into the legality and come up with the proper method, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Commissioner Steve Sumner asked Ben Warren, Public Works Director, what we currently do if someone damages a road. Ben Warren stated if they have insurance then Brenda Ferrell submits a claim. We have problems time to time with someone pulling dirt off the road to use in driveway. Then we get calls stating the road is holding water. If they would not have pulled dirt off the road then it would not hold the water. Commissioner Steve Sumner stated we have two difference types of issues here. One being

damages for example from a Logging truck or farmer which is most cases insurance covers. The other issue would be those that intentionally are damaging the road for example removing dirt. Dennis Adams brought this item up during work session as an item that needs to be addressed. Commissioner Parker asked how many issues we have where dirt is pulled off the road. Ben Warren stated it happens from time to time. Commissioner Steve Sumner asked Ben Warren if he currently handles these situations or does Dennis Adams, Code Enforcement handle it. Code Enforcement has been handling it. Commissioner Steve Sumner feels we need to keep it with Dennis Adams but with Ben Warren giving guidance on cost.

Commissioner Steve Sumner made a motion on **Roads & Bridges** – cost of repair plus a 25% fine when intentional, seconded by Commissioner Robert Griner. The motion carried unanimously.

The Board gave direction to Brenda Ferrell, County Administrator and County Attorney, Jennifer Herzog to start working on verbiage to be presented back to the board.

REPORTS FROM COMMITTEES AND DEPARTMENTS: None

COMMISSIONER'S ITEMS:

Jimmy Parker –

- Commissioner Jimmy Parker and Commissioner Robert Griner met with two Board of Education Member who are here tonight, Kylan Fort and Henry Ford. We have worked out the special elections which the BOE will reimburse the county for. The 1.5% Fuel Admin Fee charged to the BOE they would like the Board to consider not charging that and they will pay for one-half the cost of normal maintenance on the fuel system. Henry Ford requested an estimated cost of what the yearly maintenance cost is. Neither the County nor the BOE have a copy of an agreement that was approved when the fuel farm was installed. We can prepare an Intergovernmental Agreement and get this in place. Commissioner Jimmy Parker made a motion to enter into an Intergovernmental Agreement with the Board of Education on the funding of the fuel farm 50/50 for general repairs/maintenance and upgrades and we notify BOE of upgrades, seconded by Commissioner Doc Sumner. The motion carried unanimously.
- Commissioner Parker attended a Health Department meeting today. He was presented with a request list for items to be repaired and updated. There are a number of things listed. The Board asked County Administrator, Brenda Ferrell, to meet with Maintenance on these issues.

Robert Griner –

- Roger Brown is finishing up the work at the Recreation Department. He stated that King Bridges mentioned needing more benches. King Bridges stated that we need two beaches for each field. Roger Brown is estimating a cost of \$800.00 to \$900.00. Commissioner Robert Griner made a motion to proceed with Roger Brown constructing the benches, seconded by Commissioner Steve Sumner. The motion carried unanimously.
- When do we need to get the rocks out to Doug Alley's chicken houses? Ben Warren stated we were just waiting for dry weather. It has been too wet. It was around 450 tons to go from the Highway to the first driveway. Commissioner Robert Griner asked about Old Tygart School Road. Commissioner Steve Sumner said Old Tygart School road is in good shape now. Commissioner Steve Sumner and Ben Warren explained what had been done on that road. The road was plowed deep to mix the sand and clay together. By doing that, the road improved dramatically. Maybe one more time of the same process may make it even better. Commissioner Robert Griner asked if there are any other areas on that road that needs rock. Ben Warren said further down the road we had placed three big pipes and we had put rock there before we started using the fabric. That area could use a little more rock. Commissioner Steve Sumner said we need to really look at our funds before any rock is purchased. We do not have any more funds to purchase rock in this budget. Commissioner Griner asked if we are going to

put rock at the end of Old Tygart School Road for the McGee chicken houses. Ben Warren stated we have millings at the end of Old Tygart School Road and they were requesting rock for about another 150 feet. Commissioner Steve Sumner stated we do not need to purchase more rock. If we have rock that is not committed that is one thing. Before we buy more rock Ben Warren needs to go out and see where we need rock, what roads need the rock, and list the reason why we need the rock, then it needs to come to the Board for approval. We currently do not have all the funds for our commitment to the LMIG Project. Commissioner Doc Sumner said we can buy rock right here in Nashville for \$18.00 a ton. Commissioner Steve Sumner said we can purchase it in Valdosta for \$21.00 a ton and they will deliver to the job site. We cannot haul for \$3.00 per ton difference. Commissioner Doc Sumner told Ben Warren that Earlie Gaskins Rd up to the church needs rock. Commissioner Doc Sumner stated he was looking at a savings and being able to buy in the county. Commissioner Steve Sumner stated if we don't have the money to purchase the rock then we cannot save. Commissioner Jimmy Parker stated based on what Brenda Ferrell, County Administrator, told him last week, all funds have been obligated and SPLOST is running really low. We really don't need to approve anything additional that was not already budgeted.

Steve Sumner –

- Received a call about Studstill Road and where it runs into Old Lois Rd. He stated he drove down the road twice in the past week. With all the rain we have had, it is overall in pretty good shape. The road is about a mile long. There is one section that was pretty muddy. If we go down to where it tees into Old Lois Rd. that appears to be the worse section. Is there anything we can do there? Ben Warren, Public Works Director, stated we can build it up some. Rock was discussed but does not feel the road needs rock. Commissioner Robert Griner said maybe if we do just the worse section. Asked Ben Warren to see if there is anything we can do something.

PUBLIC COMMENTS: None.

COUNTY ADMINISTRATOR COMMENTS:

Brenda Ferrell –

- Chamber Banquet is January 26th at 6:00 p.m.
- We had a complaint of someone using the dumpster at the Sr. Center/Headstart Building. I spoke with Ken Morrison and asked him to make sure none of the Vendors using the Tin Roof uses that dumpster.
- Rodney Stone, Maintenance, brought me a quote for a water heater at the jail. This is more like a boiler unit. It is a 300 gallon unit. He received two quotes: Plumbing Service Company \$34,215 plus \$1,950.00 to remove the old one; West Heating & Plumbing \$33,000.00. Plumbing Service Company said we could go with two smaller units at a cost of \$25,725. Rodney Stone did not recommend the smaller units based on having to replumb and we do not have the room to put them where they need to go. Robert Griner recommended having David Powell go out there and get his opinion. Based on his opinion, Brenda Ferrell will call the Board and make a decision.

ADJOURN

With no other business to come before the Board, Commissioner Jimmy Parker made the motion to adjourn, which was seconded by Commissioner Robert Griner Meeting was adjourned at 7:25 p.m.

Chairman, Jimmy Parker

Vice Chairman, John Nugent

Commissioner, Steve Sumner

Commissioner, Robert Griner

Commissioner, Doc Sumner

ATTEST _____
County Clerk