

**WORK SESSION MEETING
BERRIEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 5, 2016
6:00 P.M.**

CALL TO ORDER

Chairman, Jimmy Parker called the work session meeting of the Berrien County Board of Commissioners to order on Tuesday, January 5, 2016, at 6:00 p.m. Members of the Board of Commissioners present were, Commissioner Robert Griner, Commissioner Steve Sumner, Commissioner Doc Sumner and Commissioner John Nugent.

Commissioner Robert Griner made a motion to amend the agenda and move Items C and D up to after the Public Hearing, seconded by Commissioner Steve Sumner. The motion carried unanimously.

PUBLIC HEARING: Fines & Fees – Commissioner Robert Griner made a motion to move into the Public Hearing for Fines & Fees at 6:00 p.m., seconded by Commissioner Steve Sumner. Chairman Parker stated the public hearing is to discuss fines and fees that are in place in the county and clean-up some of the language. Commissioner Steve Sumner said there is a misconception that the Board is adding fines and fees. We have repeated requests from the public to address items and we just don't have something in place in many cases. Some of the requests we receive are from Code Enforcement. In some places, we don't have anything in place therefore it is hard for them to enforce anything. The Board felt we should advertise and get public input. Commissioner Steve Sumner stated the County only has two licenses in place which are Solid Waste License and Beer, Wine and Liquor License. There are several areas that we want to have specific discussion on which are: Solid Waste, Beer Wine Liquor License, Building Permits, Trash & Litter and Animal Control. There is state law for a Rabies Tag but if we find someone without the tag then we can tell them to get it but if they don't have a rabies tag we have nothing in place to fine them. We do not have a leash law and we do not want a leash law. That was decided in August, 2014. We know as a board there are cases that we need to deal with this. That is where Commissioner Steve Sumner is recommending a nuisance law where animal control can do something about the situation. Commissioner Steve Sumner stated he does not recommend anyone shoot dogs. This is not about the county trying to increase revenue.

Dennis Adams – Code Enforcement – Dennis Adams stated he had one animal issue which he took to court and the judges backed him on it. That was more of a zoning issue. He stated his main concern is trash found on the road and being able to fine a person for it. There are very little problems with permits. Damage to a road is another issue and he would recommend something like the cost of repair plus 25%.

Chairman Jimmy Parker asked if there was anyone who would like to speak from the public.

Jeff Kourson – Mr. Kourson stated he wanted to speak about Rights to Property. He questioned Commissioner Steve Sumner as to why he would not recommend shooting a dog. He asked him why is he afraid to say it. Mr. Kourson stated he disagrees with Commissioner Sumner and if there was a true threat he will shoot a dog. Commissioner Steve Sumner stated he is not afraid to say anything. This commission board is not here to recommend shooting anything. Mr. Kourson asked about property rights. What are we here today dealing with other than trash. Commissioner Steve Sumner stated he just went through each category that we are reviewing. Mr. Kourson addressed parts of the constitutional rights. Commissioner Robert Griner asked where is he going with all this in reference to the Public Hearing.

William Fender – Mr. Fender commented on the county not having a leash law and needing one. He said

he has dogs that come to his property, hurting his animals and tearing up personal property. He has spent \$1,200.00 on replacing duct work. He stated he does not understand why the Board states it will cost additional personnel to have a leash law. The City of Nashville has a leash law, the county should too. Mr. Fender stated he knows deputies who want a leash law and will be glad to enforce it. The Board explained that the Sheriff Department has been asked about animal control and does not want a part of enforcing it. Mr. Fender asked how come the Board cannot make the Sheriff Department enforce it when the City does. Commissioner Griner stated the City Police is appointed. He can be told what to do. The Sheriff is elected and we cannot make him or his departments do anything. Commissioner Steve Sumner stated the Board understands the importance of trying to do something that is why we are suggesting incorporating a nuisance fine. August 2014 was the last time we discussed a leash law and the majority of citizens in the county do not want one. We had public hearings and had good attendance. Mr. Fender also stated that the animal control should be a full time position. Commissioner Steve Sumner explained that the Board chose to make it a part-time position several years ago due to economic issues. Mr. Fender went on to ask why we cannot get businesses to come to our county. What are we doing wrong? Commissioner Steve Sumner stated this is another issue and something that should be addressed other than in public hearing. But since the question was asked, Commissioner Steve Sumner briefly explained what the county and the Economic Development Team is doing trying to bring new businesses to the county.

Commissioner John Nugent asked if we will vote on this next week. The Board will vote next week but most likely will opt to table it as it will be a work in progress. Commissioner Nugent also confirmed that the categories will be voted on individually. Commissioner John Nugent thanked Mr. Kourson for coming and his comments but also stated that the State of Georgia gives the county as a governing body to make ordinances.

Bid Opening – TAN

South Georgia Banking Company – no fees - \$2,000,000.00	2.6%
Bank of Alapaha - \$1,000,000.00	4.25%
Farmers Merchant Bank - \$2,000,000.00	3.5%
Guardian Bank - \$3,000,000.00	2.75%

Bid Opening – 4 Fire Substations

Newbern Construction	\$ 94,428.00
Buddy’s Top Notch Construction	\$147,290.00
Roger Brown Construction	\$168,000.00
Atlas Manufacturing	\$115,343.60

INVITED GUESTS: Terri Jenkins – American Red Cross – Ms. Jenkins requested from the Board a \$5,000.00 donation which they have received in the past. She stated that the Red Cross helped 50 people last year and a direct financial assistance in over \$5,000.00. Commissioner Steve Sumner said he felt we, as a Board, owe it to Ms. Jenkins to discuss the donations. When asked the question what other counties contribute and basically we are the only county who does contribute. We recognize the good work you do. Our attorney has however raised the fact that we as a Board should not be contributing to a charity. Ms. Jenkins asked if the Board is aware of the open shelters in Berrien County and how they are involved in the EMA Plans. Mr. Jeff Kourson stated he agrees that tax payers’ money should not go to charity. Commissioner Steve Sumner stated we will have more discussion on this item but will also have to consider legal advice.

NEW BUSINESS:

A. Nomination of 2016 Chairman/Vice Chairman for Board of Commissioners – Chairman Parker
 Work Session Minutes

stated that at Regular Session we will be accepting nominations and voting for a new Chairman and Vice Chairman for 2016.

B. American Red Cross Budget Request – This item was discussed under Public Hearing.

C. 2016 TAN Award/Resolution – Item C was addressed under the bid openings at the beginning of the meeting.

D. Fire Substations Bid Opening/Award – Item D was addressed under the bid openings at the beginning of the meeting.

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. The Board asked the questions is their rent funds in Coastal Plains Budget? County Administrator, Brenda Ferrell, requested a list of rents that other counties charge Coastal Plans. Lanier County charges \$1,250.00 and Irwin County charges \$500.00. Commissioner John Nugent suggested charging \$500.00. Commissioner Steve Sumner suggested the \$1,250.00. The Board agreed to go with \$1,000.00 with Coastal Plains responsible for all maintenance.

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.

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

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

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.

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

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.

REPORTS FROM COMMITTEES AND DEPARTMENTS:

Ben Warren -

- Advised the Board that the ditching it behind. Stated they have tried to operate with one less ditcher and it hasn't been working out. He just wanted the Board to know in case it is mentioned.

COMMISSIONER'S ITEMS:

Jimmy Parker –

- Commissioner Parker stated that he received a call about the striping on Teeterville Highway and Marie McGill Road. We do not receive the funds from DOT for striping and signage like we did in the past but this is something we are going to have to start looking at. Commissioner Steve Sumner said we need to get with Ben Warren, Public Works Director, along with the Board and start a list of roads that we need to consider for striping.

Doc Sumner –

- Commissioner Doc Sumner stated he spoke with the VFW and the American Legion and they are working on a suggestion for signage on the Veterans' Memorial Highway.

PUBLIC COMMENTS:

Brian Shaw –

- Mr. Shaw requested 8 fluorescent bulbs be replaced in the old courthouse.
- North door needs to be checked. It is really hard to open.

Nick Lacey –

- Addressed and encouraged the board about getting the clock at the old courthouse repaired and maintaining it. Several ideas were discussed and county maintenance will proceed with checking into the clock situation.

COUNTY ADMINISTRATOR COMMENTS:

Brenda Ferrell –

- 2016 District Day at the Capital is February 17th, February 24th and March 2nd. There is a \$50.00 per person charge.

- Watkins & Associates gave a gift to the Marine Corp's Toys for Tots in Berrien County's name.
- Chamber Banquet is January 26th at 6:00 p.m. I need to know who will be attending.
- Development Authority has brought the invoices for the clean-up of the Industrial Park to me and said they do not have the funds in their budget to cover these costs. The Board feels that the Development Authority needs to pay the bill.

EXECUTIVE SESSION: Commissioner Robert Griner made the motion to move into Executive Session for personnel at 7:40 p.m., seconded by Commissioner Steve Sumner. Commissioner Steve Sumner made a motion to move out of Executive Session at 8:13 p.m., seconded by Commissioner Robert Griner.

ADJOURN

With no other business to come before the Board, Commissioner John Nugent made the motion to adjourn, which was seconded by Commissioner Steve Sumner. Meeting was adjourned at 8:14 p.m. Commissioner Steve Sumner asked for clarification that we do have an organizational chart and that it is the Board, the County Administrator/Clerk and then breaks out all departments underneath that. Department Heads report to the County Administrator. The Board was in agreement.

Chairman, Jimmy Parker

Vice Chairman, John Nugent

Commissioner, Steve Sumner

Commissioner, Robert Griner

Commissioner, Doc Sumner

ATTEST _____
County Clerk