

**REGULAR SESSION MEETING  
BERRIEN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 10, 2016  
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, May 10, 2016, at 6:00 p.m. Members of the Board of Commissioners present were, Commissioner Robert Griner, Commissioner Jimmy Parker, Commissioner Doc Sumner and Commissioner Steve Sumner.

Invocation: Commissioner Jimmy Parker

Pledge: Commissioner Robert Griner

**INVITED GUESTS:** Greg Rentz who resides on Walton Way addressed the board about a loud cannon noise. He said that a farmer was using it. He tried to talk to the landowner but that did not go well. He was told that he received a permit for it. Mr. Rentz was inquiring as to what type of permit and what can be done about the noise. Commissioner Steve Sumner stated that he checked with Code Enforcement and there is no type of permit that the county issues. Commissioner Steve Sumner also explained that the nuisance ordinance does not cover agriculture. Commissioner Parker explained that it is blueberry season and farmers use this to scare the birds. There should be maybe only one more week of this.

**Approval of Minutes:** Commissioner Doc Sumner made the motion to approve the April 12, 2016 Regular Session Minutes, the April 22, 2016 Retreat Minutes and the May 3, 2016 Work Session Minutes, seconded by Commissioner Steve Sumner. The motion carried unanimously.

**Additions to Agenda:** Commissioner Jimmy Parker made the motion to add Items K, L and M to the agenda, seconded by Commissioner Robert Griner. The motion carried unanimously.

**NEW BUSINESS:**

A. General Liability Insurance Renewal – Administration is requesting the board review the insurance quote from Atwater Houston for the General Liability Insurance which is underwritten by OneBeacon Insurance Group. OneBeacon guarantees a rate no higher than \$212,020.64 which is less than a 4% increase. County Administrator requested this item be tabled until next month. Commissioner Robert Griner made the motion to table this item, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

B. Rezoning & Special Exception Request – Charles Carroll/Wesley Griner – Administration received a request from the Planning Commissioner to approve a rezoning and special exception request from Mr. Charles Carroll and Mr. Westley Griner. Mr. Carroll and Mr. Griner submitted an application to rezone their property from RR (Rural Residential) to AU (Agricultural Use) so that they may file for SE (Special Exception) to allow a home based auto repair. The Planning Commission is recommending the rezoning and special exception. The special exception is recommended with the following stipulations:

- No more than 15 cars associated with the operation of the business allowed at one time.
- Autos must be removed from the property within 45 days.
- All autos associated with the operation of the business must be located in the rear of the property by November 2016.

- Security/privacy fencing placed on south side of property by April 2017.

Rezoning – Harold Moore, Jr. – Mr. Moore submitted an application to rezone his property from AU (Agricultural Use) to GB (General Business) to allow construction of building to house a retail auto/ATV Accessory Shop. The Planning Commission is recommending the rezoning with the following stipulations:

- Business open within a year.
- Entrance/access from Barbershop Rd.

Public hearings have been held by the Planning Commission with no complaints or phone calls.

Commissioner Robert Griner made the motion to approve the rezoning request for Charles Carroll and Wesley Griner rezoning from RR to AU with said stipulations, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Commissioner Robert Griner made the motion to approve the rezoning request for Mr. Moore rezoning his property from AU to GB with said stipulations, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Commissioner Robert Griner made the motion to approve the special exception for Mr. Carroll and Mr. Griner to allow a home based auto repair with said stipulations, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

C. Moody Overlay Zoning Historical Noise Contour – Planning Commission – Administration received a request from the Planning Commission to create a policy to utilize the Historical Noise Contour Map when permitting in the Moody Overlay Zoning area. The County approved the Joint Land Use Study last year. This is something that will be in place if Moody AFB was ever to receive larger aircraft. This does not mean homes cannot be built but it just requires stronger building codes for noise in that area. Commissioner Steve Sumner made the motion to approve the Historical Noise Contour Map when permitting in Moody Overlay Zoning area, seconded by Commissioner Robert Griner. The motion carried unanimously.

D. Veterans Memorial Parkway – Signage – Administration received a quote from Georgia Department of Transportation for signs for the Veterans Memorial Parkway. The cost is \$495.91. The board was in agreement of paying for the signs. There will be a ceremony on May 18<sup>th</sup> at 11:00 and invited the board to attend. Commissioner Robert Griner made the motion to approve the purchase of signs for the Veterans Memorial Highway in the amount of \$495.91 from GDOT, seconded by Commissioner Doc Sumner. The motion carried unanimously.

E. DATE Fund Transfer to Drug Court – Administration received a request from Judge Perkins for all DATE Fund money to be transferred to Drug Court. He and the Sheriff agreed that \$2,000.00 will stay in the DATE Fund for drug education for the schools and all other funds will be turned over to Drug Court. This will be a transfer of \$48,896.95. Commissioner Steve Sumner made the motion to approve all DATE Fund monies, only leaving a balance of \$2,000.00, to be transferred to the Drug Court Cash Account which will be \$48,896.95, seconded by Commissioner Robert Griner. The motion carried unanimously.

F. Board Appointment – Aging Advisory Council – Administration received a request from Southern GA Area Agency on Aging to appoint a representative to the Aging Advisory Council. This is a

three year term. Ms. Elizabeth Moore's term expires June 30, 2016. Commissioner Steve Sumner made the motion to table this item, seconded by Commissioner Doc Sumner. The motion carried unanimously.

G. Board Appointment – Behavioral Health – Administration received a request from the South GA Community Service Board to appoint a representative to the South Georgia Community Service Board. Ms. Sherrie Williams is our current Berrien County Representative. Her term expires in June and does not wish to serve another term. Commissioner Steve Sumner made the motion to table this item, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

H. Emergency Housing Agreement – Quality Health of Fernandina Beach – Administration received a request from Quality Health of Fernandina Beach asking if the Board will extend the current agreement again this year. They are requesting a new agreement be executed, just no changes. Commissioner Steve Sumner made the motion to approve the Emergency Housing Agreement with Quality Health of Fernandina Beach, Seconded by Commissioner Jimmy Parker. County Attorney Jennifer Herzog made the recommendation to renew at one year intervals with a 30 day notice. Commissioner Steve Sumner amended his motion to have County Attorney give County Administrator property language to change one year agreement with renewing for one year with a 30 day notice, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

I. Dental & Vision Renewal Rates – Administration received the renewal rates on dental and vision through Ameritas. There were no rate increases. Commissioner Steve Sumner made the motion to approve the dental and vision renewal rates with Ameritas (attached), seconded by Commissioner Jimmy Parker. The motion carried unanimously.

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

- Indemnity Agreement – Development Authority
- Airport Construction – 25% match \$38,414.15
- Dixie Sales & Graphics – BB/SB Uniforms \$ 8,712.00
- Vehicle Acquisition – Sheriff \$98,577.50
- Cherokee Culvert Company, Inc. \$ 5,635.50
- Southeastern Tire \$ 2,398.20

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

K. Vehicle Acquisition – Wbfd – Administration received a request from Terry Danforth, Wbfd Chief, to purchase a 2003 International 4-door firetruck for \$55,000.00. It has a 1,500 gallon tank with 60,000 miles on it. He stated everything works. They have the last three pump tests available. This is a surplus truck from Early County. Commissioner Steve Sumner made the motion to approve the purchase of the surplus fire truck from Early County for \$55,000.00, seconded by Commissioner Doc Sumner. The motion carried unanimously.

L. GEMA Statewide Mutual Aid & Assistance Agreement – Administration received from EMA Director, Angie Rutland, the Statewide Mutual Aid and Assistance Agreement. This is an agreement GEMA requests to be signed every four years. This gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance. Commissioner Robert Griner made the motion to approve the GEMA Statewide Mutual Aid & Assistance Agreement, seconded

by Commissioner Steve Sumner. The motion carried unanimously.

M. Lawn Maintenance Contract – Administration was given the directive to notify Justin Payne that we were terminating the lawn maintenance contract and exercising the 60 day notification but if the Administration Building did not receive straw in one week that it would terminate immediately. This decision was made due to the fact that the lawns are not being maintained. Commissioner Doc Sumner said he finds it tough to fire someone. Maybe we need to ask him to improve. Commissioner Steve Sumner stated that he was asked about a month ago to put straw down here at the Administration Building. We had the National Day of Prayer here and it looked worse than it ever has. Commissioner Robert Griner stated he understands he has some problems going on. Commission Jimmy Parker stated the Health Department and some other buildings are not being maintained. Commissioner Steve Sumner made the motion to ratify the termination of the lawn maintenance contract with Justin Payne, Payne's Lawn Service, seconded by Commissioner Robert Griner. The motion carried 4 to 1. Commissioner Doc Sumner voted against it.

**REPORTS FROM COMMITTEES AND DEPARTMENTS:** None

**COMMISSIONER'S ITEMS:**

Doc Sumner –

- Thanked the Board for support in getting West Berrien Fire Department a new truck.

Steve Sumner –

- Clinton Ray approached the Board about purchasing a piece of property at the old landfill. Commissioner Steve Sumner asked Public Works Director, Ben Warren, how much they use the pit. He said they probably only dug out of the pit maybe three times last year. The year before was about 10 times. Commissioner Steve Sumner stated the issue we are having is we have to permit it as a borrow pit which will cost about \$10,000.00. We are trying to figure out if it is beneficial to permit it or sale it. Ben Warren said he would recommend selling it.
- Commissioner Steve Sumner stated he checked with Seven Rivers on their striping machine which Representative Houston mentioned. They sold it because no one ever used it. Ben Warren stated he would rather see the Board purchase the machine that fills in the cracks in the pavement then a striping machine.

**PUBLIC COMMENTS:**

Nick Lacey – Asked if we had an update on the clock at the old courthouse. Maintenance is still working on it.

**COUNTY ADMINISTRATOR COMMENTS:**

Brenda Ferrell –

- Received a call about two trees that are on county property lean towards a resident who lives on County Farm Road. She is requesting the trees be removed before they fall. Ben Warren said they need to come down. Commissioner Griner suggested having Charles Paulk get us a quote on removing those trees.
- We start department, line by line budget reviews tomorrow. Going into these meetings we are about \$475,000.00 short from what the department requests are.

**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 7:00 p.m.

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Chairman, John Nugent

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Vice Chairman, Steve Sumner

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Commissioner, Jimmy Parker

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Commissioner, Robert Griner

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Commissioner, Doc Sumner

ATTEST \_\_\_\_\_  
County Clerk