

**REGULAR SESSION MEETING  
BERRIEN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JUNE 4, 2024  
6:00 P.M.**

**CALL TO ORDER**

Chairman, Ronnie Gaskins, called the regular session meeting of the Berrien County Board of Commissioners to order on Tuesday, June 4, 2024, at 6:00 p.m. Members of the Board of Commissioners present were Commissioners Robert Griner, John Nugent, Pixie Harrod and Jimmy Parker.

**Invocation:** Commissioner Jimmy Parker

**Pledge:** Commissioner Robert Griner

**APPROVAL OF MINUTES:** Commissioner Robert Griner made a motion to approve the May 7, 2024 Regular Session Minutes, and an Amendment to the March 5, 2024 Regular Session Minutes, seconded by Commissioner Jimmy Parker. The motion carried unanimously.

Chairman Gaskins stated that the Board of Commissioners are not soliciting solar business for Berrien County.

**PUBLIC HEARING:**

Commissioner Jimmy Parker made a motion to enter public hearing for the Solar Ordinance at 6:01 p.m., seconded by Commissioner Robert Griner. Chairman Gaskins asked if anyone would like to speak.

- **David McLaughlin** - who is a solar developer stated that he is in agreement with 95% of the ordinance. He said there are two items that he would like the board to reconsider. Those items are Section 2A 18 & 19 in reference to the 75 acre cap. He said some counties put a cap percentage on the county and not the parcel. The other section is 2 H1 B&C in reference to the 1200 feet setback from schools and churches, 1000 feet from residential properties. Lastly he mentioned Section 2K and referenced HB 300.
- **Scott Jacobson** - Attorney for the Hendleys and Gaskins. He provided formal notice to the county and planning commission and ask that the letter be a formal part of the meeting. He stated he believes in clean and renewal energy. His concerns with the ordinance are:

Sections 2B 19 – limitation on property of 75 acres

Section 3H 1 – setbacks 1000/150 feet - this is far larger than most counties and asked that the board consider the model ordinance that legislature presented.

- **Eddie Tucker** –Stated he seen the site plan and the plans show that he will have all four sides of his house covered with solar panels. The site showed the rivers, the gopher turtles but they forgot to show the houses. There are 12 to 14 houses in the area and solar panels will separate those houses. This will be taking about 12 pivots down.

- **Mark Peele** – South Central Gin has been approached by solar companies. He asked if the ordinance is just for the Hendley solar project or is this for all solar. The board stated that if something is put in place it will be for all solar moving forward. He stated he is here to support Morgan Hendley and feels like no one should tell a property owner what they can do on their property.
- **Scott Dillard** – Stated he is a fire fighter and is Haz Mat Certified. He stated Logan stated the solar panels are safe. He said the reason is we do not have enough electricity. Six percent of the county is solar. There are four plants that provide enough electricity for Georgia. He gave a handout to the board which showed concerns. It shows the chemicals in a panel. If one busts, you have to wear a protective suit. He stated that you only get about 5 to 6 hours of power out of a 12 hour day. It is very toxic to the environment, runoffs, etc. There is an EPD handout with the cost of converting farm land after solar panels back to crop and soil management.

Commissioner Jimmy Parker made a motion to move out of public hearing at 6:28 p.m., seconded by Commissioner Robert Griner. The motion carried unanimously.

Commissioner Jimmy Parker made a motion to move into public hearing for the FY 2024-2025 Budget at 6:29 p.m., seconded by Commissioner Robert Griner. County Administrator Brenda Ferrell went through the budget totals for each fund. The total county budget is \$23,946,321.00. The budget includes a 50 cent increase for employees, the continuation of the retirement plan and an increase for the volunteer firefighters. Chairman Gaskins asked if there were any questions. Skeeter Parker asked about funding for the Library. County Administrator stated the Library budget is \$88,900.00 and there was no increase or decrease in the subsidy given the library. She also stated that it is a county building. Mr. Parker said the library is in need of assistance due to increase insurance and operational costs. No other questions or comments were made. Commissioner Robert Griner made a motion to move out of public hearing and into regular session at 6:41 p.m., seconded by Commissioner Jimmy Parker. The motion carried unanimously.

## **NEW BUSINESS:**

A. **SOLAR ORDINANCE** – Administration received a recommendation from the Planning Commission to approve an Ordinance to Amend the Land Development Ordinance of Berrien County, Georgia, as amended for the Purpose of Setting Standards for Solar Energy Systems, and for Other Purposes. Chairman Gaskins stated that after the Public Hearing was held, there are items that need to be looked at from a legal standpoint and work on some of the minor details. Commissioner Nugent asked about having a work session to see if we can't work on this. Commissioner Griner stated the Code Enforcement and Planning & Zoning have done an outstanding job in putting together the ordinance. Commissioner Robert Griner made a motion to adopt the proposed ordinance, seconded by Commissioner Jimmy Parker. The Chairman asked if there was discussion on this item. Commissioner Nugent stated that he has received a lot of emails and information on this and has not had the time to go through it all and suggests calling a work session meeting and get this right before we vote. Commissioner Robert Griner asked if legal looked at other counties. County Attorney stated they have put together ordinances for other counties. She also stated that the revised version of the ordinance does include the HB in it. She stated that as a reminder there is a Resolution prepared that can extend

the moratorium if the board chooses to do that. Chairman Gaskins stated the setbacks are twice what others have put in place. He also asked if anyone could tell him what Category 2 and Category 4 production fields are. No one could provide that answer. County Attorney stated we have a motion and a second on the floor. Commissioner Parker asked if we can amend the motion and cut the feet back to no less than 650 feet. Commissioner Nugent asked about the 75 minimum acres. Commissioner Parker said he could go along with removing the minimum acreage. Chairman Gaskins said he agrees with putting a cap on what can be solar in our county. Commissioner Harrod stated we all have to live here. Everyone has to work together to see what we can work out. He asked for clarification on the 650 feet to make sure it's from the property line, which is correct. Commissioner Nugent again stated he feels we need a work session. Commissioner Griner stated he would withdraw his motion. Commissioner Jimmy Parker made a motion to approve the moratorium by Resolution and table the item, seconded by Commissioner John Nugent. Commissioners all approve the motion with the exception of Commissioner Griner who opposed. The motion carried.

**B. BOARD APPOINTMENTS – ECONOMIC DEVELOPMENT –**

Administration received a request from the Economic Development Board recommending reappointments for Hayden Hancock and Tony Lanier. Hayden Hancock's term would end March 31, 2028 and Tony Lanier's term would end May 31, 2028. They are requesting appointment of Rudolph Smith to a 4-year term ending May 31, 2028. Commissioner Pixie Harrod made a motion to reappoint Hayden Hancock with a term ending March 30, 2028, appoint Rudolph Smith and appoint Brian Aikens with terms ending May 31, 2028, seconded by commissioner Jimmy Parker. The motion carried unanimously.

**C. EQUIPMENT REPAIR – ROAD –** Administration received a request for blades and bolt kits for maintenance on two of the mowers. The quote is from Bush-Whacker in the amount of \$2,027.75. Commissioner Pixie Harrod made the motion to approve, seconded by Commissioner Robert Griner. The motion carried unanimously.

**D. WORK DETAIL AGREEMENT – GA DEPT OF CORRECTIONS -**

Administration received a renewal Work Detail Agreement between the county and Georgia Department of Corrections. The amount is \$49,318.00. There is no increase in the price. Commissioner Jimmy Parker made the motion to approve, seconded by Commissioner Pixie Harrod. The motion carried unanimously.

**E. DRUG COURT SUPPLIES – DRUG COURT –** Administration received a request from the Drug court Administrator to purchase Drug Court testing supplies. The items are purchased on-line with only one quote provided from Siemens Healthcare Diagnostics Web Shop in the amount of \$5,600.60. Commissioner Pixie Harrod made a motion to approve, seconded by Commissioner John Nugent. The motion carried unanimously.

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

TK Products – Animal Control	\$10,258.75
Nashville Ford – Magistrate	\$1,014.00
Advantage GMC – Sheriff	\$1,288.74
Four-Star – Road	\$8,827.51

Advantage GMC – Sheriff	\$1,288.74
Reynolds-Warren - Road	\$1,409.47
Reynolds-Warren - Road	\$1,124.63

Commissioner John Nugent made a motion to ratify the items as presented, seconded by Commissioner Robert Griner. The motion carried unanimously.

**REPORTS FROM COMMITTEES AND DEPARTMENTS:** None

**COMMISSIONERS' ITEMS:**

Robert Griner – Would like to commend the Road Department on a great job keeping the roads up with all the rain we’ve received.

Pixie Harrod – In agreement with Robert and that the Road Department has done a great job.

**PUBLIC COMMENTS:**

Ray Tyson – Mr. Tyson asked about closing Cottle Road. He is in the process of getting a petition signed. There are other routes out but at least one of those roads would need some work done on it. The board asked Rob Hawkins if he would go out there and see what needs to be done and get back with the board. Jennifer Herzog stated for clarification purposes that if we close a road that the proper steps would need to be taken as far as advertisement and public hearing.


**COUNTY ADMINISTRATOR COMMENTS:**

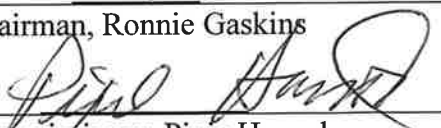
Brenda Ferrell –

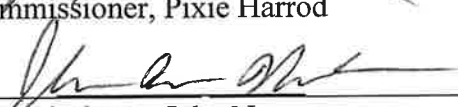
- Budget Adoption is scheduled for June 13<sup>th</sup> at 9:00. Commissioner Nugent asked if we could schedule the work session meeting for right after the budget adoption. The board was in agreement.

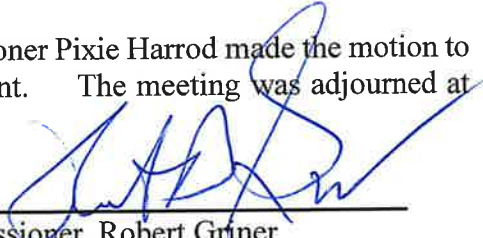
**ADJOURN**

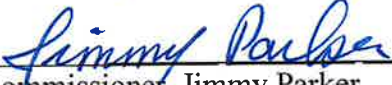
With no other business to come before the Board, Commissioner Pixie Harrod made the motion to adjourn, which was seconded by Commissioner John Nugent. The meeting was adjourned at 7:12 p.m..


  
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 Chairman, Ronnie Gaskins

  
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 Commissioner, Pixie Harrod

  
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 Commissioner, John Nugent

  
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 Commissioner, Robert Griner

  
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 Commissioner, Jimmy Parker

ATTEST:   
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 County Clerk