

REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
September 28, 2009

INVOCATION: Johnny Hall delivered the invocation.

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Harper welcomed all in attendance.

ROLL CALL: Members of the City Council present included Aldermen, Scott Stalnaker, Michael Richbourg, Darrin Davis, Billy Retterbush, Bill Turner and Mayor Harper.

STAFF PRESENT: Johnny Hall, Henry Yawn, John Reynolds, Tommy Davis, Peter Schultz, Chief John Clayton and Mitchell Moore.

OTHERS PRESENT: Randall Milton, Fern Turner, John Leonard, Martie LeFiles and Jarrett Luke.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Alderman Richbourg made a motion seconded by Alderman Retterbush to approve the minutes of the previous meeting. Motion was carried unanimously.

ADOPTION OF FORMAL AGENDA: Mayor Harper asked if there were any additions to be made to the Agenda. Attorney Moore requested a brief executive session. Alderman Richbourg made a motion seconded by Alderman Stalnaker to approve the Formal Agenda with this change. Motion was carried unanimously.

NEW BUSINESS

1. BIG CHECK PRESENTATION – DEEP SOUTH SOLID WASTE AUTHORITY Mayor Harper informed the Council that we have representatives from the Deep South Solid Waste Authority to make a big check presentation for money the City of Nashville will be receiving from the Authority. He told them however we must first enter into a Memorandum of Agreement with the Authority. Alderman Retterbush made a motion seconded by Alderman Turner to enter into the Memorandum of Agreement which states these monies will only be used in the sanitation fund. Motion was carried unanimously. Mayor Harper introduced John Leonard and Martie LeFiles to the group. He then asked Mr. LeFiles to come forth and make the presentation. Mr. LeFiles begin by giving the group background information of the formation of the Authority back in 1996. He explained this authority was formed to help facilitate land use. He told the group that the original six members of the authority were Berrien County, City of Nashville, Lowndes County, City of Valdosta, Lanier County and the City of Lakeland. He also told the group that the Authority had talked about building a landfill on the land purchased. It was then decided by the Authority to sell the land to Veolia at which time they ended up with a good amount of cash. Mr. LeFiles discussed with the group about the fifty year contract the authority has with the landfill and the benefits the members of the authority have. He also discussed with the group about receiving royalties. He explained to the group that as result of the amount of funds the Authority had accumulated they considered not only the economic environment

but avenues to take some of the funds and distribute to those members who had been members awhile. He also explained how the funds were calculated among the members. He told the group that the City of Nashville will be receiving \$30,000.00 and he is pleased to be able to make this presentation. He informed the group that when the new landfill opens in 2010 the Authority will be receiving royalties from Veolia and hopefully other checks will be coming. He then recognized Alderman Billy Retterbush who currently is serving on the board as a representative from the City of Nashville. He thanked him for his service. He listed others who have served which included Johnny Hall, who had served for a number of years. The Big Check Presentation was then made by Martie LeFiles and John Leonard to Mayor Harper and Alderman Retterbush. The Mayor and Council expressed their thanks and appreciation for the Authority's help.

2. RATIFY THE RESCHEDULING OF OCTOBER 12th MEETING – MANDY LUKE In the absence of Ms Luke, Mayor Harper informed the Council they need to ratify the rescheduling of the October 12th meeting. On September 15, 2009, the Mayor and Council were polled by the City Clerk regarding this matter. Since the regularly scheduled meeting falls on a holiday and it was vital to know a date since Ms. Luke needed to run an ad concerning the setting of the 2009 millage rate before the September 28th meeting. This action needs to be ratified in an open meeting. Alderman Stalnaker made a motion seconded by Alderman Richbourg to ratify the action of the Council taken on September 15th regarding the rescheduling of the October 12th meeting to October 13th at 6:00 p.m. Motion was carried unanimously.

3. DISCUSSION OF RESOLUTION FOR OPPORTUNITY ZONE – ATTORNEY MOORE Attorney Moore informed the group that the only thing he had added to the Resolution was the legal description. He discussed with the group about just having the incorporated city limits and the deletions of certain areas such as subdivisions. He told the group that this may be revised from time to time as need arises. He remarked this basically recognizes a need for redevelopment. Mayor Harper asked if subdivisions would not be considered blight. Attorney Moore responded by explaining the guidelines under Urban Development and about newer developments. After some further discussion, Alderman Richbourg recommended that we not adopt the Resolution tonight since two of our Council Members are not present. This would give them an opportunity to review it. Attorney Moore concurred with this recommendation and said we could adopt it at the next meeting because there is no rush.

REPORTS

4. CITY MANAGER/FINANCE DIRECTOR'S REPORT – No Report from the City Manager, however Mayor Harper mentioned to the Council that since it is going to be a lengthy process with the engineering on the Parking Lot Project that the City go ahead and allow Statewide Engineering to do the pre-engineering. City Clerk Johnny Hall informed the group that he has already sent out nine Request for Proposals including one for Statewide. Attorney Moore explained the process involved and that it will probably take two months to go through the entire process.

Mayor Harper told the group that Ms. Luke wanted them to be aware of the situation with SEUS, the City's Workers' Comp Carrier. He stated there are some things going on with the company and he wanted to keep them in the know.

5. CITY ATTORNEY'S REPORT Attorney Moore added to what Mayor Harper had told the Council regarding the City's Workers' Comp Insurance Carrier. He stated he had made some inquiries but doesn't know the full ramifications. He informed the Council that SEUS is under a Consent Order from the DOI. He added this gives DOI oversight of the company. He stated this is not good. He remarked that DOI is watching them closely. He said that all claims are currently being paid but this situation bears watching. He told the Council he wanted to make them aware of what is going on with this. There was some discussion on the 75 days advance notice before a non-renewal can be effective. There was also some discussion on the City's renewal date.

6. DEPARTMENT HEADS' REPORT

There was no Department Heads' Report

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Mr. Randall Milton mentioned to the Mayor and Council concerning the County offering an installment plan of three months to pay the County property taxes since the Governor had did away the Homestead Exemption. This has increased most county taxes by \$200 or more. He said Jason Nugent had offered this as a way to help people out. He said it would be a nice gesture if the City would consider doing the same. Mayor Harper talked about people being upset with the taxes. City Clerk Johnny Hall told the group that Ms. Luke and he had discussed doing this. Following a brief discussion the Mayor and Council agreed to offer the installment plan.

Alderman Retterbush expressed appreciation to Martie LeFiles and John Leonard for coming and making the Big Check Presentation.

EXECUTIVE SESSION

Alderman Richbourg made a motion seconded by Alderman Retterbush to go into executive session at 6:25 p.m. Motion was carried unanimously.

Alderman Richbourg made a motion seconded by Alderman Turner to come out of executive session at 6:36 p.m. Motion was carried unanimously.

REGULAR SESSION RECONVENED

Alderman Davis brought to the Council's attention concerning the boom truck needing repair on the graftler. He explained that the bearing is now gone and it is in front of where the guys stand and this is dangerous. He said that he was able to see it clearly. He told the Council he asked the guys had they wrote this up and they said they had written up for the last two months, but nothing has been done about it. Alderman Davis stated he would get with Tommy Davis regarding this matter. Alderman Retterbush remarked that the City can get this out of the grant money. Alderman Davis added this really needs attention. He also brought to the Council's attention concerning Officer Allan Morgan's patrol car. He stated the top of the car is in bad need of repainting. He said this looks bad out in the public. Mayor Harper told the group that he had discussed this matter with the Chief and told him to get it fixed.

Alderman Stalnaker brought to the Council's attention regarding Officer Lon Swiers' patrol car. He stated that Officer Swiers had backed into a pole at Badcock's and had damaged the backend of the vehicle. He said when he found out about it he asked the Chief if this incident was written up and if a drug test was performed. He stated the normal procedure is when a City vehicle is involved in an accident the State Patrol is called in to make an incident report. It is also normal procedure to have the driver drug tested. He said none of these procedures were followed. He added the Police Committee was not made aware of this and feels like they should have been notified.

ADJOURNMENT: There being no further business to discuss, Alderman Stalnaker made a motion seconded by Alderman Retterbush to adjourn. The motion was carried unanimously. Meeting was officially adjourned at 6:41 p.m.

Mayor Travis Harper

Alderman Michael Richbourg

Alderman Darrin Davis

Alderman Dick Perryman

Alderman Billy Retterbush

Alderman Scott Stalnaker

ATTEST:

Alderman Bill Turner

Johnny Hall, City Clerk