

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
JULY 6, 2004**

PRESENT AND ACTING:

**WILLIAM E. SEWELL, CHAIRMAN
TRUMAN GRANT, VICE-CHAIRMAN
EARL HUNT, ABSENT
JIM PICKRON
S. DONNELL WHITFIELD**

**DEPUTY PHINNEY
MATT FUQUA, ATTORNEY
RUTH W. ATTAWAY, CLERK
JANICE HOLLEY, DEPUTY CLERK**

Chairman Sewell called the meeting to order and led in prayer and pledge of allegiance to the flag.

ADOPTION OF ORDINANCE 2004-02

Attorney Fuqua read Ordinance 2004-02 An Ordinance of County Commissioners of Calhoun County, Florida, amending and updating to Calhoun County 5-Year Schedule of Capital Improvements of the 2002-2010 Calhoun Comprehensive Plan, pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, Florida Statutes); Providing for Purpose and Intent, Providing the addition of Specific Infrastructure Capital Improvements; Providing for Applicability and Effect, and Severability, and a copy on file, and providing for an effective date. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to adopt Ordinance 2004-02.

BILL ADKINS, ROAD DEPARTMENT UPDATE

Mr. Adkins stated that the Road Department is cutting grass in all areas of the County.

Commissioner Whitfield asked Mr. Adkins to return to the B. H. Stone Road and re-cut the grass and do cleanup on the road.

Commissioner Pickron asked Mr. O'Bryan and Mr. Adkins for an update on County Road 10. Mr. O'Bryan stated that three (3) miles of the road needs a foot of fill dirt, approximately 17,600 cubic yards or approximately 880 loads. Mr. Adkins stated that they could possibly get the dirt from the Kinard Pit. Mr. O'Bryan stated the road needed to be capped with 4 inches of Lime Rock which could cost the County as much as

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\$60,000. Commissioner Whitfield stated that this should be a budget item in the 2004-2005 budget. Commissioner Pickron stated that he wanted the Board to be aware of the problems on County Road 10.

DON A. O'BRYAN, EMERGENCY MANAGEMENT/GRANTS COORDINATOR

Mr. O'Bryan presented to the Board for approval and execution a \$53,240.00 Federally Funded Sub grant Agreement for State Homeland Security Grant Programs between the Florida Department of Community Affairs (DCA) and the Board of County Commissioners. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Grant and carried to approve and execute said Agreement.

Mr. O'Bryan stated that the Florida Recreation Development Assistance Program (FRDAP) grant application for Ocheessee Recreational Park – Phase III was not approved for funding. Mr. O'Bryan stated that he would resubmit the application for FY 2004-2005 funding beginning September 13, through October 13, 2004.

Mr. O'Bryan stated that the Florida Recreation Development Assistance Program (FRDAP) grant application for Cooper Recreational Park was not approved for funding. Mr. O'Bryan stated he would resubmit the application for FY 2204-2005 funding beginning September 13 through October 13, 2004.

Mr. O'Bryan presented to the Board a quote from Florida Public Utilities for bulbs and light fixtures at Neal Boat Landing. Mr. O'Bryan stated the bulbs have been shot out numerous times. Furthermore, Florida Public Utilities removed the light fixtures at Neal Landing because they are not going to be responsible for bulbs and light fixtures in the future. After discussion, the Board asked Mr. O'Bryan to contact Sheriff Tatum and request his department patrol the area.

Mr. O'Bryan presented to the Board a letter from the Department of Environmental Protection (DEP) demanding a deductible payment and selection of Petroleum Contamination Cleanup Contractor for the Calhoun County Road Department. The cleanup is eligible for State Funding assistance under the Petroleum Liability Restoration Insurance Program (PLRIP). After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to authorize Mr. O'Bryan to negotiate with the contractor and for Clerk Attaway to set a line item in the 2004-2005 Budget for the \$10,000.00 deductible payment.

Mr. O'Bryan discussed with the Board the drastic increase in the gas prices. Mr. O'Bryan asked the Board to continue the \$500.00 per month vehicle allowance and reimburse actual gas cost.. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to approve said request.

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CLERK ATTAWAY AND ROBYN HATCHER, COURT ADMINISTRATOR ASSISTANT

Clerk Attaway and Robyn Hatcher discussed with the Board An Ordinance Of the Board of County Commissioners Of Calhoun County, Florida, Providing For The Assessment Of Additional Court Costs In Criminal Cases; Providing For Conflicts; Providing for Severability; And Providing an Effective Date. This Ordinance allows each county to adopt a County Ordinance assessing additional court costs, not exceed \$65.00. The funding must be used for Funding Innovations In The Court System, Legal Aid Programs, Local Law Libraries, and Alternative Juvenile Programs including Teen Court at 25% each. After a lengthy discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Grant and carried not to adopt said ordinance.

JERRY PITTS, CALHOUN COUNTY FIRE FIGHTERS ASSOCIATION

Mr. Pitts discussed with the Board the maintenance on the Cascade System for the Fire Departments. Mr. Pitts asked the Board to pay a quarterly maintenance agreement on the Cascade System of \$95.00 or \$380.00 annually. After discussion, a motion was made by Commissioner Pickron, seconded by Commissioner Whitfield and carried for the Board to pay the annual fee of \$380.00.

MARTIN SEWELL, APPROVAL OF RESOLUTION OPPOSING THE FISH AND WILDLIFE COMMISSION'S PROPOSED REVISION OF REGULATION NUMBER 68A-12.007.

Mr. Sewell asked the Board to approve and execute a resolution opposing the Fish And Wildlife Commission's Proposed Revision of Regulation Number 68A-12.007. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Grant and carried to approve and execute said Resolution.

CLERK ATTAWAY

Clerk Attaway presented to the Board for approval and execution a Resolution of Support for all Volunteers in Calhoun County. This Resolution states that July 26, 2004 will be declared as Volunteer Day in Calhoun County. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to approve and execute said resolution.

Clerk Attaway presented to the Board a letter from Opportunity of Florida asking the Board to reappoint Vicki Montford to their Board or name a new official contact to Opportunity of Florida. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Grant and carried to reappoint Vicki Montford as the official contact to Opportunity of Florida.

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Clerk Attaway asked the Board for discussion on an annual fee of \$1,334.60 for membership in Opportunity Florida. After discussion, a motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to pay the membership dues for Opportunity of Florida for the 2004-2005 membership year and to have those dues put in the County budget hereafter.

Clerk Attaway discussed with the Board issues related to the implementation of GASB 34 for Calhoun County. She asked that the Board approve the use of the Composite Method in accounting for assets. She also asked that the County adopt a threshold for depreciation on buildings of \$25,000.00. After discussion, a motion was made by Commissioner Grant, seconded by Commissioner Pickron and carried to approve both the composite method and the depreciation threshold recommended by Clerk Attaway.

Clerk Attaway presented to the Board for approval and execution a Lease Agreement between the Calhoun County Board of County Commissioners and Community Action "CAP". After discussion, a motion was made by Commissioner Pickron, seconded by Commissioner Grant and carried to approve and execute said Lease Agreement.

Clerk Attaway asked the Board to place an open enrollment period of August 1 through August 31 for all Insurances on Payroll deduction with the County. After discussion, a motion was made by Commissioner Grant, seconded by Commissioner Pickron and carried to have an open enrollment period on August 1 through August 31 of each year.

Clerk Attaway discussed with the Board adopting an ordinance allowing the Board to collect a max of \$15.00 on all Civil Traffic fines. After discussion the Board agreed to table this discussion for further review.

Clerk Attaway discussed with the Board the Crime Prevention Fund addressed in SB 2962. She said that an ordinance was not required and that the fund would be set up in the County's Books.

Clerk Attaway told the Board that SB 2862 requires the County to be responsible for the prosecuting of County Ordinances. She said that the county could choose to decriminalize the Ordinances and handle them as civil actions through the County Attorney, or the County could contract with the State Attorney to handle the prosecution of County Ordinances. The rate available through the State's Attorney's Office is less than the rate available if handled as civil actions; therefore, Clerk Attaway suggested that the County contract with the State Attorney. After discussion, the Board agreed by consensus for Attorney Fuqua to prepare a contract with the State attorney's Office for review.

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Clerk Attaway stated that Donna Dalton terminated her employment with the County Extension Office leaving only a part time employee (Joyce Taylor) to answer the phones. Clerk Attaway recommended to the Board to allow Ms. Joyce Taylor to remain temporary until Logan Barbee returns. The Board agreed to pay Ms. Taylor \$6.50 per hour and her Health Insurance until Mr. Barbee returns to his job. A motion was made by Commissioner Whitfield, seconded by Commissioner Pickron and carried to accept Clerk Attaway's recommendation.

Clerk Attaway stated that the 2003-2004 Audit Report was in the Clerk's Office for the Commissioner's to pickup.

Clerk Attaway presented to the Board the 2004-2005 Budget for review.

The minutes of June 16, 2004 were approved as presented.

Commissioner Pickron discussed with the Clerk Jail Committee members.

ATTORNEY FUQUA


Attorney Fuqua presented a letter from Mr. Jerry Harrell's Attorney in reference to Harrell Hill Road. The Board directed Attorney Fuqua to write a letter to Mr. Harrell's Attorney requesting more details on his demands.

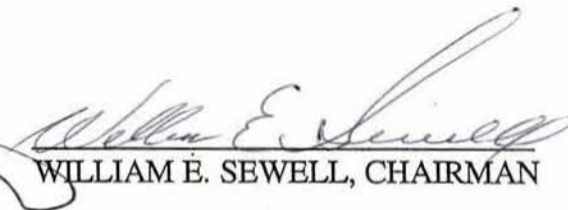
The Board agreed by consensus for Attorney Fuqua to write a letter to Janice Moore stating that the Board would not accept the offer on Lee Hill Road.

Attorney Fuqua stated that he received a letter from David House, Attorney filing a Law Suite for Hester Leonard against Calhoun County in reference to Jehue Landing. Attorney Fuqua was directed to file a counter suite in the case.

There being no further assistance, the Board did adjourn.

ATTEST:


RUTH W. ATTAWAY, CLERK


WILLIAM E. SEWELL, CHAIRMAN

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