

CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
FEBRUARY 5, 2013

PRESENT AND ACTING:

THOMAS G. FLOWERS, CHAIRMAN
LEE LEE BROWN, VICE-CHAIRMAN
WILLIE T. GRANT
DARRELL MCDOUGALD
LEE SHELTON

DEPUTY, MCKEE
MATT FUQUA, ATTORNEY
CARLA A. HAND, CLERK
NONA BORELLI, DEPUTY CLERK

The meeting was called to order by Chairman Flowers at 2:00 p.m., CT. The Prayer and Pledge of Allegiance to the Flag were led by Commissioner McDougald.

APPROVAL OF JANUARY 15, 2013 AND JANUARY 29, 2013 MINUTES

A motion to approve the January 15, 2013 and January 29, 2013 minutes was made by Commissioner McDougald and seconded by Commissioner Shelton. The motion passed unanimously (5-0).

BECKY SMITH – TAX COLLECTOR

Mrs. Becky Smith, Tax Collector, informed the Board it is time to advertise the delinquent property taxes in the local newspaper; Florida Statutes require the Board to select the newspaper. Mrs. Smith advised the Board she has taken bids for advertising in past years and is willing to do so again. Mrs. Smith reminded the Board the bids will need to be received by March.

A motion was made by Commissioner McDougald and Seconded by Commissioner Brown for Becky Smith, Tax Collector, to solicit bids for advertising the delinquent property taxes and for the bids to be opened at the March 5, 2013 meeting. The motion passed unanimously (5-0).

KEVIN GROVER – COUNTY JUDGE

Mr. Kevin Grover, County Judge, spoke the Board about courthouse security stating we are the only courthouse in our circuit to remain unsecured; one of three or four courthouses in the state without security.

The Judge summarized his request for the Board as follows:

1. Authorization for the transfer of funds currently allocated to Gene Morris' probation position salary to the Sheriff's budget for funding of a full-time bailiff position.
2. Authorization for funding of this position at 100% for a five day week. The probation position is currently funded at 80% for a four day week.

3. Approval of a courthouse security and screening system as has been detailed to each commissioner individually.
4. Support for Sheriff Kimbrel and Clerk Hand in their search for grant funding for the needed second full-time bailiff position.
5. Authorization to fund a second full-time bailiff position with county funds in the event that no grant funds are available.
6. Authorization to use up to \$60,000 from the court facility fund for the purchase and installation of the necessary screening and security equipment. (Noting the Chief Judge approved the use of these funds in a letter to the Clerk)

Commissioner Grant asked the Judge if the \$60,000 has already been secured and whether or not there are enough probation funds generated to fund the position at 100%. The Judge responded the \$60,000 is currently available in the Court Facility Fund and these funds will be regenerated over time and also explained the current caseload doesn't justify two probation officers. Commissioner Brown asked is the benefits of Mr. Morris would increase with the Judge responding the bailiff position would be at a high-risk retirement rate. Commissioner McDougald commented that the need is there but the funding is not and he is concerned about county funds. The Judge suggested a short-term solution would be to eliminate #5 from his request which could be revisited at a later time. He further suggested the part-time bailiffs could be used to fund the second position temporarily. Commissioner Brown asked the Judge if the county could be held responsible if someone is injured and the county has not secured the courthouse. The Judge indicated this is probable. The Judge further explained security is not just about court (the court-room is actually secured for court) and explained most incidences occur in the first floor hallway. The Judge is very concerned with securing the public and those employees in other offices inside the courthouse.

Chairman Flowers asked when does all this need to happen and is the Sheriff able to take on a new position. Judge Grover informed the Board this needs to happen now and Sheriff Kimbrel informed the Board he is ready to take the new employee and get started implementing courthouse security.

There was a general discussion on funding, budgets and grants for the long term.

Commissioner McDougald suggested waiting on funding courthouse security until the budget workshops are held because at this time we don't have budgeted funds. Commissioner McDougald suggested at the budget workshops in March or April we will be able to determine if the funding will be available in next year's budget.

Chairman Flowers suggested that the Board proceed with courthouse security as we are only looking at approximately an additional \$2,000 to fund the bailiff position through the end of the 2012-2013 fiscal year.

Commissioner Grant stated he still had concerns over the funding if the Board was to authorize the courthouse security today.

Judge Grover suggested if funding is an issue the Board could just approve funding one full time position using Gene Morris and the second position could be temporarily covered by the part-time bailiffs until funding is available to satisfy the second position. (The part-time bailiffs are paid from Article V funds that will run out in one to five years – these funds will not be replenished)

Commissioner Brown brought up the issue of handicap accessibility. Judge Grover assured the Board the back door will still be used for handicap accessibility and that the security officer will have to go to the back door to let the individual in and complete the screening process.

A motion was made by Commissioner Shelton and Seconded by Commissioner Grant to transfer Gene Morris' probation officer position to the Sheriff Department and transfer 100% of the funds for his position contingent on finding funding. The motion passed (4-1). (Commissioner McDougald voting no)

A motion was made by Commissioner Shelton and Seconded by Commissioner Grant to use up to \$60,000 of the Court Facility Funds to purchase and install screening and security equipment for courthouse security. The motion passed (5-0).

ANGIE SMITH, EMERGENCY MANAGEMENT DIRECTOR

Mrs. Smith submitted for approval and execution HMGP DR-1545-103-R, Calhoun County Flood Mitigation of Tupelo Avenue Modification #3 for an additional project cost of \$177,363. (Federally funded 75%; County match 25%) A motion was made by Commissioner Grant and Seconded by Chairman Flowers to approve the additional project costs. The motion passed unanimously (5-0).

Mrs. Angie Smith discussed with the Board the importance of attending the FEPA Conference stating she and Kelly learned a lot of new things at the conference; things that can help our program. Mrs. Smith provided the Board with a handout for them to read about the conference and thanked them for the opportunity to attend the conference and for their support.

DONALD STANLEY, PREBLE RISH, INC.

Mr. Stanley gave project updates on: Mac's Nursery Road 85% complete, Gray Road 100% complete, White Water Grade Road 100% complete, and B H Stone Road 95% complete.

Mr. Stanley presented proposed change order #8 for Gray Road, part of the HMGP project, an increase of \$15,538.32 for additional striping and sod from Connie Baggett Loop to 287. The original scope of work contracted with North Florida Construction was approved and expanded by FEMA and funded through Modification #3 and approved by the Board earlier in the meeting. The HMGP project modification of \$177,363 requires a 25% county match however the county match has already been met from the BH Stone Road project and therefore Change order #8 will not cost the county additional funds.

A motion was made by Commissioner McDougald and Seconded by Chairman Flowers to approve change order #8. The motion passed unanimously (5-0).

Mr. Stanley opened bids on the Iola Road Project (CIGP) and on the Catalyst Project (OTTED).

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| CALHOUN COUNTY PROJECT #14.270 IOLA ROAD C.I.G.P. PROJECT BID TABULATION FOR BIDS RECEIVED CALHOUN COUNTY COURTHOUSE FEBRUARY 5, 2013 | |
| BIDDER | TOTAL BASE BID |
| C. W. ROBERTS CONTRACTING, INC. | \$473,728.18 |
| NORTH FLORIDA CONSTRUCTION | \$502,725.75 |

Mr. Stanley and the Board discussed the low bid is slightly more than the approved CIGP project budget. Mr. Stanley assured the Board he would negotiate with the contractor and get them to agree to a deductive change order and bring it within the approved CIGP project budget.

A motion was made by Commissioner Grant and seconded by Chairman Flowers to award the bid to C. W. Roberts Contracting, Inc. with the understanding it will be brought back into the approved CIGP project budget. The motion passed unanimously (5-0).

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| CALHOUN COUNTY PROJECT #14.270 CALHOUN COUNTY CATALYST SITE PHASE I BID TABULATION FOR BIDS RECEIVED CALHOUN COUNTY COURTHOUSE FEBRUARY 5, 2013 | |
| BIDDER | TOTAL BASE BID |
| C. W. ROBERTS CONTRACTING, INC | \$961,192.80 |
| NORTH FLORIDA CONSTRUCTION | \$1,073,218.00 |

Mr. Stanley and the Board discussed the bids received; they are significantly higher than the budget funding provided for the OTTED project. The total budget for the OTTED project is \$300,000. Mr. Stanley recommended the Board table the bids and let Preble-Rish contact the funding agency and see if additional funds are available for the OTTED project.

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A motion was made by Commissioner McDougald and Seconded by Commissioner Grant to table the bids received for the Catalyst site and allow Preble-Rish to negotiate with the funding agency for additional funds. The motion passed unanimously (5-0).

Mr. Donald Stanley brought to the Boards attention the continuing contract for lime rock. May 2009 was the last time the lime rock was bid out. Mr. Wood suggested bidding the lime rock out for two (2) different types of rock, magnesium and Cal acidic and all different size aggregate. The specifications will be to D.O.T. standards and County requirements.

Mr. Wood explained the following to the Board: We will select and perform a test site to see which rock holds up better; the test site will be treated and packed identically and will determine if Cal acidic rock is the correct rock for a surface rock. Both rocks are D.O.T. approved for base under asphalt. In the past the County deemed Cal acidic rock to be the best surface rock. This test will determine whether there is a difference in the rock for the surface rock and will be fair and equitable.

A motion was made by Commissioner McDougald and Seconded by Commissioner Brown to bid out the two (2) types of lime rock, high calcium and D.O.T. road bases and any other miscellaneous aggregate we might use. The motion passed unanimously (5-0).

GREG BAILEY – NORTH FLORIDA PROFESSIONAL SERVICES, ENGINEERING REPORT (Engineer on the Altha Sidewalk Project)

Mr. Bailey updated the Board on the Altha Sidewalk Project. Everything has been poured on North Street except a small area by the school which will be poured in Saturday; the delay is because of the high volume of traffic coming in and out during the week.

Mr. Bailey asked the Board to approve a change order for earthwork. 270 cubic yards of dirt is needed at a cost is \$6.00 per yard for a total added cost of \$1620.00. (Total contract amount if approved is \$135,539.) There were questions from Commissioner Flowers to Donald Stanley (Preble-Rish engineered the project) in regards to why there have already been two change orders for this project. Mr. Stanley explained the reason for both change orders. Mr. Stanley stated the first change order was for a percentage increase in subcontractors allowed to be used by the contractor noting D.O.T. does not have a problem with this. The second change order is due to surface elevation lost from clearing and grubbing of trees and stumps. There are funds available from the Department of Transportation (D.O.T.) for this change order as D.O.T. left 10% as a contingency in the project to cover unforeseen items such as earthwork.

A motion was made by Commissioner McDougald and seconded by Commissioner Grant to except the change order. The motion passed unanimously (5-0).

HAROLD PICKRON – COMP PLAN

Mr. Harold Pickron, 16798 18th Street, informed the Board of the dispute over the buildings on his and his neighbor's property. During the June 19, 2012 planning meeting both parties were instructed to move their prospective buildings ten (10) feet off the property line. Mr. Pickron moved his building as instructed but the neighbor has not and Mr. Pickron stated he is receiving storm water damage as a result. Mr. Pickron is requesting the Board remind the neighboring property owner that his building

should be moved back ten (10) feet. Mr. Pickron reminded the Board that he is in compliance and would like the other property owner to get his property in compliance.

There was a general discussion between the Board, Mr. Tony Arrant-County Planner, Attorney Fuqua and Harold Pickron about the right of the county to enforce non-compliance issues of the comprehensive plan. In summary the County Planner stated if the county has no code enforcement action in place the only option is to go to court in a civil action.

It was suggested that Mr. Dowling Parrish look at the property in question and report back his findings at the next Board meeting. All findings are to be copied to Mr. Pickron, the property owner and a third party if any. A motion was made by Commissioner McDougald and seconded by Commissioner Grant for Mr. Dowling Parrish to inspect the property in question. The motion passed unanimously (5-0).

DOWLING PARRISH – BUILDING INSPECTOR

Mr. Parrish asked the Board about the culvert permit issue. At this time the permit for a culvert is \$200.00. Mr. Parrish informed the Board that D.O.T. charges \$50.00 for their permit. The purpose of bringing this up is there is a citizen needing a drive way culvert. Mr. Stanley reminded the Board it was previously discussed letting the road department handle culvert permitting and only calling Preble-Rish as needed. Joe Wood stated Mr. Atkins, Road Superintendent, is comfortable approving culverts for driveways.

Attorney Fuqua suggested updating the county ordinance to include a stipulation that a final certificate of occupancy will not be issued by the Building Official until the culvert permit has been paid for and the culvert has been inspected and approved.

The Board chose not to change the permit fee at this time and it will remain at \$200.00 until the ordinance is changed.

TRES DOWNUM – ROAD DEPARTMENT

Mr. Tres Downum requested the Board give a \$1.00 an hour raise to the last six (6) Road Department employees hired since the October 20, 2009 \$1.00 raise, stating this would bring all Road Department employees up to the same pay rate. Mr. Downum also asked if this is a Union problem that the attorney be instructed to write a letter to the Union for approval. Attorney Fuqua said technically according to Union policy we can't give a raise either; giving these six employees a raise would be a violation of the current policy but the Union contract could be amended with a change in the starting pay. Commission Grant explained all employees were given this raise in 2009 and not just the Road Department employees. Commissioner McDougald said it has to be looked into for all employees. Mr. Downum stated the funds are in the budget for this now; who knows about next year.

There was a general discussion among the Board members and Mr. Tres Downum.

Commissioner McDougald voiced his concerns over the funding issue due to FEMA money decreasing in the future. Commissioner McDougald recommended looking at the issue during the budget review workshops.

The issue was tabled for a later workshop. The Attorney advised discussing this with other financial matters a little later.

Mr. Downum was told by the Attorney the Board can't discuss any Union issues.

ATTORNEY FUQUA

Attorney Fuqua mentioned he has approval for the Watford easement issue, the name was changed to Hue Boyd Lane easement; fees are to be handled at a later date. The Attorney also gave an update on the Oglesby right-of-way issue; a partial release is supposed to be signed tomorrow.

Attorney Fuqua reminded the Board of the abandoned airplane at the airport; he previously sent a letter was sent to the owner of the airplane giving him 30 days for removal. The 30 days have expired. Attorney Fuqua recommends that the Board start enforcement proceedings; similar to foreclosure on a house. A motion was made by Commissioner McDougald and Seconded by Commissioner Shelton to allow Attorney Fuqua to start the civil process. The motion passed unanimously (5-0).

Attorney Fuqua gave an update on the lease with Dr. Farquooi. He is to have a meeting with Dr. Farquooi's attorney, David House, soon.

Attorney Fuqua brought to the Boards attention that Blountstown High School is now outside the city limits and since the school resource officer is provided by the City of Blountstown there is a need for an updated inter-local agreement between all parties.

Attorney Fuqua mentioned the City of Blountstown and the Town of Altha may work together if a new school is built in Altha; the City of Altha does not have the financial resources to build a wastewater treatment plant.

Attorney Fuqua asked Mr. Dowling Parrish to give a report on the Cochran issue. Mr. Parrish reported Mr. Cochran is in compliance at the location across from the Bailey's because the extra RV has been removed. He mentioned two other locations, one with caregiver quarters built next to a home and one off of Hwy 69 North (close to Mr. McDougald's property). Mr. Cochran has removed the trailer off of the Hwy 69 North property leaving three (3) RVs. The Attorney mentioned the caregiver location may be okay according to the Granny Flats Ordinance as long as Mr. Cochran provides proof. The Attorney also asked additional questions about the property on Hwy 69 North; He stated RVs used as living quarters are not in compliance with the County Comp Plan. The attorney will write a letter requesting him to be at the next meeting. Commissioner Brown said he has been in contact with Mr. Cochran and Mr. Cochran said he and Dowling were working this out. Commissioner Brown believes he can get Mr. Cochran to come to the next meeting.

Attorney Fuqua asked the Board if he could be late at the next meeting or if the Board could start without him because of a conflict in his schedule.

COMMISSION TIME

COMMISSIONER MCDOUGALD

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Commissioner McDougald briefed the Board on the garbage company reminding everyone of the workshop scheduled at 5:00 p.m. CT on February 19, 2013; he also voiced the major concern of the garbage company. Commissioner McDougald mentioned one way to increase participation in garbage services is by identifying and billing non-participants. Commissioner McDougald also mentioned he would like to represent the County in dealing with the garbage contractor.

Commissioner McDougald reminded the Board of the need to make appointments to the Small County Coalition Board. It was suggested that Chairman Flowers and Commissioner McDougald be appointed to the Small County Coalition Board and Mr. Joe Wood be appointed as the staff liaison.

A motion was made by Commissioner Brown and seconded by Commissioner Shelton for Chairman Flowers and Commissioner McDougald to be appointed to the Small County Coalition Board and Mr. Joe Wood to be appointed as the staff liaison. The motion passed unanimously (5-0).

Commissioner McDougald brought to the Boards attention that the Circuit 14 Community Alliance wants someone appointed to represent Calhoun County. It was suggested that someone from the Health Department be appointed. A motion was made by Commissioner Grant and seconded by Commissioner Brown to appoint Ms. Rachel Manspeaker from the Health Department to the Circuit 14 Community Alliance Board. The motion passed unanimously (5-0).

Commissioner McDougald asked Commissioner Brown to ask Mr. C. R. Cochran to come to the first meeting in March and tell him in advance what is needed before he comes to the meeting. There was discussion about whether or not recreational vehicles come under the Comp Plan. It was stated by the attorney RVs come under the Comp Plan if they are used for dwellings.

COMMISSIONER BROWN

Commissioner Brown stated he has requests from individuals about changing the meeting times. Commissioner Brown made a motion to move all the meeting times to 6:00 p.m. CT and seconded by Commissioner Shelton.

Commissioner McDougald made an amended motion for the change to be on a trial basis for a period of three months and seconded by Commissioner Grant.

There was a general discussion among the commissioners about advantages and disadvantages of changing the meeting times. The Attorney reminded everyone the meeting times could always be moved back.

Commissioner McDougald brought his amended motion back to the table and motion failed 2-3. (Voting No: Commissioners Shelton, Brown and Chairman Flowers).

Commissioner Brown brought his motion back to the table and motion passed 3-2. (Voting No: Commissioners McDougald and Grant).

CHAIRMAN FLOWERS

Chairman Flowers brought up for the Board's approval the Great Florida Birding and Wildlife Trail Site Acceptance Form. A motion was made by Commissioner Grant and Seconded by Commissioner Shelton

for the Chairman to sign the form supplied by Judy Ludlow, County Extension Agent, accepting the Sam Atkins Park portion of the Blountstown Greenway Complex as a part of the Great Florida Birding and Wildlife Trail Program. The motion passed unanimously (5-0).

Chairman Flowers mentioned the lease at Jehu landing between the County and Mrs. Hester Leonard. Chairman Flowers suggested the Board allow Mr. Joe Wood to negotiate renewal of the lease as it is expiring soon. The Board agreed to allow Mr. Wood to negotiate the lease.

Chairman Flowers brought for the Board's consideration Resolution 2013-02 amending the County Personnel Policy for travel; changing the mileage rate to the IRS standard mileage rate. The Resolution was drafted by the Clerk and reviewed and approved by the Attorney. A motion to amend the travel policy and adopt Resolution 2013-02 was made by Commissioner McDougald and Seconded by Commissioner Grant. The motion passed unanimously (5-0).

Chairman Flowers gave an update on the Ambulance contract noting the Hospital Administrator Phillip Hill is working on some numbers to bring back for consideration.


Chairman Flowers reminded the Board the construction at the Mossy Pond Library is complete; no more spending should be necessary.

Chairman Flowers explained to the Board the County has historically supplemented Medicare aged employees for their supplemental insurance outside of the payroll system and without withholding or paying payroll taxes. The Chairman requested the Board authorize the Clerk, as a temporarily measure, to include the historical amount as a supplement to payroll and the supplement be subject to payroll taxes; these individuals will be able to enroll in the County Group Health Policy during the upcoming open enrollment period. A motion was made by Commissioner Grant and Seconded by Commissioner Brown to include the historical health insurance subsidy in the salary of those specific employees on a temporarily basis. The motion passed unanimously (5-0).

There being no further business a motion was made by Commissioner Grant, seconded by Chairman Flowers and passed (5-0) to adjourn this meeting at 4:55 p.m. CT.

ATTEST:


CARLA A. HAND, CLERK


THOMAS G. FLOWERS, CHAIRMAN

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