

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 10, 2015**

PRESENT AND ACTING:

**THOMAS G. FLOWERS, CHAIRMAN
MARION "LEE LEE" BROWN, VICE-CHAIRMAN
DENNIS JONES
DARRELL MCDOUGALD
WOODROW "LEE" SHELTON**

**GENE MORRIS, DEPUTY SHERIFF
MATT FUQUA, ATTORNEY
CARLA HAND, CLERK OF COURT AND COUNTY COMPTRROLLER
BECKY BROWN, DEPUTY CLERK**

The meeting held in the Regular Meeting Room was called to order by Chairman Flowers at 6:00 p.m., CT. Commissioner Brown led the Prayer and Pledge of Allegiance to the Flag.

Chairman Flowers reminded everyone to silence their cell phones and reminded those on the agenda they will have three minutes to speak on their topic. The public will have an opportunity to speak on items before the Board votes on a motion.

APPROVAL OF MINUTES

❖ A motion to approve the January 27, 2015 Planning Commission Public Hearing Meeting Minutes (Hand Raceway Properties, LLC) and January 27, 2015 Regular Meeting Minutes, vouchers for warrants: 1502-GS, 1502-1G, 1502-1RD, 1502-1L, 1502-1E, 1502-1S, 1502-1W and payroll warrants PR15-B03, PR-B02, PR012915 was made by Commissioner Brown and seconded by Commissioner Shelton. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

BID OPENINGS

There were no bids to be opened.

KEVIN JACKSON

Mr. Jackson addressed the Board with comments on "Agenda 21" topics and also spoke of development issues in Florida.

CARL OWENS – HAND RACEWAY PROPERTIES, LLC

Mr. Owens presented the Board with a handout addressing concerns by adjacent landowner, Larry Defreezer, during the Planning Board Public Hearing, January 27, 2015. Mr. Owens addressed those concerns in a letter to the Commissioners as requested in the Public Hearing:

- Sound Attenuation – the track will be recessed 4'-5' below ground level at the starting area. Bleachers will be located at or around the starting area with plywood attached to the back side of the units, 4'x8' signs will be sold and attached to the fencing surrounding the facility which

will provide additional buffering. The public address system will be located with speakers facing down track to the south.

- Dates of Operation – typically from March to November, occasionally someone will rent the track for testing at other times, if weather permits during off season. Races will normally be three weekends a month, Friday, Saturday and Sunday after 12:00 pm if open.
- Hours of Operation – normally races will start 10:00 am – 11:00 am and all reasonable efforts will be made to conclude races in a timely manner as not to run in early morning hours. There will be no races scheduled after 12:00 am. At times there will be situations and conditions beyond tracks control that will require the races to finish after such time.
- Lighting – all lighting will be repositioned to the South down track

Attorney Fuqua stated the Commissioners can approve the conditional use permit with or without additional requirements. Attorney Fuqua mentioned the only concern not addressed in the handout was the number of racing events per year. There was discussion of how many events there would be per year. Mr. Owens stated the race track could be rented during off season for testing.

- ❖ Commissioner Brown made a motion to approve the conditional land use subject to development restrictions set forth in the February 10, 2015 handout from Hand Raceway Properties, LLC to Commissioners. (Handout includes map of property) The motion was seconded by Commissioner McDougald. Chairman Flowers called for public comment. Larry Defreezer addressed the Board with his concerns of the property fence which is in place now. Attorney Fuqua stated bleachers will be located around the starting area with plywood attached to the back side and 4'x8' signs will be sold and attached to the fencing surrounding the facility which will provide additional buffering. Ray Goodwin advised the Board he is in support of Hand Raceway Properties. Pamela Defreezer addressed the Board with the concerns of the nightly raceway closing time and who to contact if Hand Raceway doesn't abide by the cutoff time of midnight. The Attorney stated any complaints would be made to the Board in a meeting. Commissioner Brown asked the neighbors to give Hand Raceway consideration for unforeseen events that could extend the cutoff time before making a complaint. There were no further public comments. The motion passed unanimously 5-0.

TREY JOHNSON – 5TH ANNUAL CAR SHOW

Mr. Johnson asked the Board for their approval to hold the 5th Annual Car Show at Cooper's Park through the St. Paul's Youth Organization. Attorney Fuqua stated they will need to provide proof of 501C3 form regarding a non-profit organization and event insurance for the car show.

- ❖ Commissioner Jones made a motion to approve the holding of the 5th Annual Car Show at Cooper's Park. Commissioner McDougald seconded the motion. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

ROBERT FARLEY – FDOT WILDFLOWER MANAGEMENT PLAN

Mr. Farley presented the Board with handouts of Vegetation Management Plan. Mr. Farley stated there has been a modified mowing program initiated to accommodate naturally occurring wildflowers along SR71 and SR73. Mr. Farley stated the designated wildflower area starts at the intersection of SR71 and CR392, progresses southwest to the intersection of SR71 and SR73, then northwest to the intersection of SR73 and CR392, comprising approximately 9.5 miles of right of way. Mr. Farley asked the Board to include 2.7 additional miles north of CR 392 on SR73 in the wildflower area. Chairman Flowers asked the Board for more time to look at the site before making a decision on Mr. Farley's request to increase the wildflower area by 2.7 miles.

DEBBIE BELCHER – COMMUNITY ADVISORY TASK COMMITTEE

Ms. Belcher advised the Board that the County can apply for a Small Cities Community Development Block Grant (CDBG). The Board could submit basically the same application as in the previous cycle, but the decision on what to apply for should not be made until after a Citizen Advisory Task Force meeting and a public hearing. The application deadline is probably in May. Ms. Belcher explained the required Citizen Advisory Task Force Committee must have at least 5 members from unincorporated Calhoun County with 51% of the members in the low to moderate income range. Ms. Belcher provided the Board with a list of names (six) for consideration as their appointees for the Citizen Advisory Task Force as follows: Angie Smith, Melissa Pitts, June Clemmons, Chris Castleberry, Barbara McGill and Durwin Goodman.

- ❖ Commissioner McDougald made a motion to accept list of names provided for the Citizen Advisory Task Force Committee. Commissioner Brown seconded the motion. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers called for a break at 7:47pm and reconvened at 7:57pm.

ALEX QUINTANA – FIELD REPRESENTATIVE FOR CONGRESSWOMAN GWEN GRAHAM

Mr. Quintana, Field Representative for Congresswoman Gwen Graham – Panama City office, advised the Board he is looking forward to working with Calhoun County on behalf of Congresswoman Graham. Mr. Quintana provided his contact information.

DONALD STANLEY – PREBLE-RISH – COUNTY ENGINEER

Mr. Stanley gave the Board an update on two (2) County projects:

1. CR 392 – The Contractor has completed placing rip-rap along both sides of the box culvert. There are 26 days remaining on the contract. Mr. Stanley advised the Board the guardrails are exactly the same width as the existing guardrails on CR392, the road is wider so it appears tighter.
2. Pine Island Water System – The Contractor is installing meters and connecting water lines to houses. There are 45 days remaining on the contract. Mr. Stanley advised the Board there have only been 60 houses connected to the water system as of today. Mr. Stanley stated a public notice will be placed in the newspaper tomorrow with a deadline for water connection of Friday, February 13, 2015.

Mr. Stanley presented the Board with corrective Change Order #4 from North Florida Construction, Inc. for the Pine Island Water System project for a \$40 decrease (New Contract Change Order Amount, \$25,333.15) due to a discrepancy discovered by Water Management.

- ❖ A motion to approve corrective Change Order #4 was made by Commissioner McDougald and seconded by Commissioner Jones. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Stanley presented the Board with a change order (increase of \$50,875) to the contract with Roberts and Roberts for the CR69S CIGP Project (Change Order #5) for repairs necessary to repair the undermining of a box culvert caused from the April rain event (FEMA declared disaster DR4177). The majority of Change Order #5 will be funded by FEMA; the match waiver request has not yet been approved so the County's funding exposure is limited to 12.50% (\$6,359) of the change order. Even though the County may have to fund 12.50% the Engineer advised the Board this repair must be made. The funding source of the possible 12.50% local match was not determined.

- ❖ A motion to approve Change Order #5 was made by Commissioner Jones and seconded by Commissioner McDougald. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Stanley advised the Board he received a call from an Engineer with Comprehensive Engineering Solutions in Orlando, Florida regarding a Florida Department of Transportation (FDOT) sponsored project at Ocheese crossroads (CR69, CR286 and CR274). Mr. Stanley stated the County has made efforts to improve safety at this intersection by placing "No Parking" signs and FDOT is going to be placing oversized "STOP" signs at the intersection and making other necessary improvements for safety concerns at this location. Mr. Stanley advised he sent the maintenance agreement from Comprehensive Engineering Solutions to Attorney Fuqua for further review.

- ❖ A motion to enter into the maintenance agreement with FDOT upon review by Attorney Fuqua was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Stanley advised the Board the plans for the north end of CR69S are in the last stage of review and bids will be received by March 10, 2015.

ANGIE SMITH – EMERGENCY MANAGEMENT DIRECTOR

Ms. Smith was not present due to attending the Florida Preparedness Association (FEPA) annual meeting in Orlando, Florida.

JOE WOOD – DIRECTOR OF OPERATIONS

Mr. Wood presented to the Board for their approval and execution Pine Island Water System Grant Agreement Modification #2 with North West Florida Water Management District (NFWFMD) for an additional \$19,701.00 (Modified grant award of \$446,545) providing for additional residential meters. Mr. Wood advised the Board the grant (modified) will fund a total of 125 water meters. Mr. Stanley advised the Board the old water system will be shut down on Thursday, February 12, 2015 and the deadline to receive applications for the new water system is Friday, February 13, 2015.

- ❖ A motion to approve and execute Grant Agreement Modification #2 with NFWFMD was made by Commissioner McDougald and seconded by Commissioner Shelton. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Wood presented to the Board for their approval and execution the Division of Emergency Management (DEM) Hurricane Shelter Retrofit Blountstown High School Project Grant Agreement Modification #2 for a time extension to June 30, 2015 allowing additional time for the custom windows to be manufactured.

- ❖ A motion to approve and execute Grant Agreement Modification #2 was made by Commissioner Brown and seconded by Commissioner Jones. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Wood presented the Board for their approval and execution Resolution 2015-3 authorizing Chairman Flowers to execute the Florida Department of Transportation (FDOT) contract agreement for the LAP CR69A Paved Shoulder Design Project.

RESOLUTION NO. 2015-3

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
CALHOUN COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE
BOARD OF COUNTY COMMISSIONERS TO EXECUTE AND ENTER INTO
THE "STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT"**

WHEREAS, Calhoun County, Florida, has requested the State of Florida, Department of Transportation, for financial assistance for costs directly related in the design of the County Road 69A Paved Shoulders Project; and,

WHEREAS, the State of Florida, Department of Transportation, has agreed to participate in the design up to the amount of Seventy Thousand Dollars (\$70,000.00); and,

WHEREAS, the State of Florida, Department of Transportation, requested that Calhoun County enter into a "State of Florida, Department of Transportation, Local Agency Program Agreement", attached hereto; and,

WHEREAS, the State of Florida, Department of Transportation, Local Agency Program Agreement" requires that a Resolution be passed by the Board of County Commissioners of Calhoun County, Florida, authorizing the Chairman of the Board of County Commissioners of Calhoun County, Florida, to execute and enter into the "State of Florida, Department of Transportation, Local Agency Program Agreement", attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Calhoun County, Florida, as follows:

1. The Chairman of the Board of County Commissioners of Calhoun County, Florida, is authorized to enter into and execute the "State of Florida, Department of Transportation, Local Agency Program Agreement: attached hereto as EXHIBIT "A".

DULY PASSED AND ADOPTED by the Board of County Commissioners of Calhoun County, Florida, this **10th** day of **February**, 2015.

- ❖ A motion to adopt Resolution 2015-3 was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Mr. Wood advised the Board the County (in a prior year) did some road improvements on Grey Road next to Doug Foxworth's property. Mr. Foxworth agreed to give the County right of way in exchange for relocating his fence. Mr. Wood asked the Board to reimburse Mr. Foxworth \$2,587.15, the amount the County would have paid to have the fence relocated. (The fence was paid for by Mr. Foxworth.)

- ❖ A motion to reimburse Mr. Foxworth \$2,587.15, the amount the County would have paid to have the fence relocated was made by Commissioner Shelton and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

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CARLA A. HAND – CLERK OF COURT AND COUNTY COMPTROLLER

The Clerk asked the Board's permission to purchase a piece of equipment (fogger) for the local Health Department to be used for mosquito control in the amount of \$4500.00 and reduce their budget allocation by the same amount. (This was requested by Ms. Kelly King from the Health Department.)

- ❖ A motion to purchase a piece of equipment for the local Health Department was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

ATTORNEY FUQUA

Attorney Fuqua advised the Board he attended the mediation for William Hunter who was injured during the Pace Wood incident. Attorney Fuqua stated the insurance company has agreed upon a settlement of \$150,000.00 and recommended the Board accept the settlement. The Attorney also informed the Board of their \$5,000 insurance deductible for this settlement.

- ❖ A motion to accept the settlement was made by Commissioner Shelton and seconded by Commissioner Jones. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Attorney Fuqua presented the Board with the Panhandle Saddle Club lease renewal mentioning the lease term of ten (10) years with a one (1) year renewal option and the insurance requirement.

- ❖ A motion to accept the Panhandle Saddle Club lease renewal drafted by the Attorney was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Attorney Fuqua advised the Board Waste Pro sent a response accepting the Board's offer for an increase of \$1.75/month continuing the current level of service until the end of the year.

Attorney Fuqua advised the Board they received a subpoena from the State of Georgia requesting information. Attorney Fuqua asked if he could meet with Chairman Flowers and Donald Stanley to review the subpoena on Friday, February 13, 2015 at 8:00 AM CT in the Clerk's office.

COMMISSION TIME

COMMISSIONER MCDUGALD

Commissioner McDougald advised the Board he attended a meeting regarding the Boys and Girls Club of Calhoun County. Commissioner McDougald stated they are looking at different locations to house the Boys and Girls Club and have found different sources of revenue.

COMMISSIONER JONES

Commissioner Jones had nothing to report.

COMMISSIONER SHELTON

Commissioners Shelton had nothing to report.

COMMISSIONER BROWN

Commissioner Brown advised the Board he is making contact with the State oversight organization (Florida Communities Trust) regarding using a portion of the 160 acres at Sam Atkins Park for locating the Apalachicola Creek Indians represented by Mr. Billy Joe Bryant.

Commissioner Brown advised the Board he received a phone call regarding the special IDA Board meeting regarding fireworks for 4th of July. Mr. Wood stated they have met with the local organizations who would like to sponsor the fireworks and bring the recommendation before the Board after looking into the safety issues.

CHAIRMAN FLOWERS

Chairman Flowers asked the Board for their approval to renew the Jehu Lease; renewal period is March 1, 2015 through February 29, 2016.

- ❖ A motion to renew the Jehu Lease was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers asked the Board to approve a letter of guarantee to be obtained from Cadence Bank for Mr. Wood to purchase a service truck at Ritchie Brothers Auction in Orlando for the maximum amount of \$70,000.00. The truck is for the Road Department; the funds are from the remaining auction proceeds.

- ❖ A motion to authorize Cadence Bank to issue a letter of guarantee in the amount of \$70,000.00 was made by Commissioner McDougald and seconded by Commissioner Shelton. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers asked the Board if they reviewed the asset survey report with insurance replacement values for real property for the purpose of determining insurance placement with Florida Municipal Insurance Trust (FMIT). The Chairman and the Attorney previously met and made recommendations of location and values to be insured including increasing contents coverage at the Courthouse, Blountstown Library, and the Mossy Pond Community Center which were documented on the asset survey report. (Personal Property Coverage changed to: Courthouse - \$1 million, Blountstown Library - \$443,040, Mossy Pond Library and Community Center - \$162,000.)

- ❖ A motion to accept the recommendations of the County Attorney and Board Chairman regarding property insurance coverage (Real Property and Contents Coverage) was made by Commissioner McDougald and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers gave an update on the necessity for a Line of Credit to fund FEMA DR4177 projects prior to reimbursement from FEMA. Chairman Flowers stated he is waiting to hear back from a couple of the local financial institutions but should have firmer offers at the next Board meeting, February 24, 2015.

Chairman Flowers asked the Board's permission to approve and execute an FDLE grant application for the Sheriff Department for a mobile radio grant in the amount of \$1,000 and an FDLE grant application for the Sheriff Department for an all-terrain vehicle in the amount of \$17,000.

- ❖ A motion for the Chairman to approve and execute both FDLE grant applications was made by Commissioner Shelton and seconded by Commissioner Brown. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers asked the Board to limit the Department heads required attendance at BOCC meetings to quarterly instead of monthly. The Board agreed by consensus.

Chairman Flowers asked the Board to allow the Department Heads to give raises/salary decreases within their departments as long as it is within their confined salary item of their budget. There was discussion that the Department Heads would advise Mr. Wood when someone within their department received a raise/salary decrease.

- ❖ A motion for the Department Heads to give raises/salary decreases within their departments was made by Commissioner McDougald and seconded by Commissioner Shelton. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.
- ❖ Chairman Flowers made a motion to have a Personnel policy ready for the Board to review by April 14, 2015. Commissioner Brown seconded the motion. Chairman Flowers called for public comment. There were no comments from the public. The motion passed unanimously 5-0.

Chairman Flowers asked the Board to schedule a Workshop for the Building Official/State Housing Initiatives Partnership Program (SHIP) Coordinator on March 10, 2015 at 5:00pm.

There being no further business, the Chairman adjourned the meeting at 8:15 pm.



THOMAS G. FLOWERS, CHAIRMAN

ATTEST: 

CARLA A. HAND, CLERK