

BOARD OF COUNTY COMMISSIONERS
MINUTES OF MEETING
DECEMBER 19, 1989

The Board of County Commissioners met this date in regular session.

COMMISSIONERS PRESENT:

Donnell Whitfield, Chairman
Ellis Melvin
James M. Dillard
Willie T. Grant
Monore Cox

PRESENT AND ACTING:

Willie D. Wise, Clerk
Gail O'Bryan, Administrative Assistant
J. David House, County Attorney
William G. Smith, Sheriff

The meeting was called to order by Sheriff Smith and followed with prayer by Commissioner Melvin and pledge of allegiance to the flag.

Mr. George Mueller, attorney representing Calhoun Fibreboard, Inc., was present at the meeting to discuss a bond issue for Calhoun Fibreboard. Mr. Mueller explained findings under chapter 155 as set out in the Resolution adopted by the Board of County Commissioners in April, 1989. Mr. Mueller also explained bond indenture, loan agreement and mortgage. Mr. Mueller stated a letter of inducement and resolution signed by Calhoun County Board of County Commissioners are in place and requested the board to proceed with the bond validation hearing. Mr Mueller stated the county is a conduit for the bonds and is in no way liable for the bond.

Cynthia Davis, representing Calhoun Fibreboard made a presentation to the board, re the bond issue.

Commissioner Whitfield asked Mike Tucker, CPA for his recommendation regarding the bond issue. Mr. Tucker, CPA., stated he understood their report had been revised and a new report had been issued, and since he had not seen the new revision, he could not comment on the financial accountability. He said he would be happy to sit down with Mrs. Davis and go over the new revised information.

Mrs. Davis stated that Mr. Tucker was given the financial information on Calhoun Fibreboard 2 weeks ago.

Mr. Tucker stated he felt the information presented to him was in adequate and he could not give a recommendation either way on Calhoun Fibreboard.

Attorney House stated his recommendation was that the board obtain and study all financial records before proceeding further.

The environmental impacts of Calhoun Fibreboard was discussed at length by the Board of County Commissioners, audience, Cynthia Davis, H.D. Connell and George Mueller.

Clerk Wise stated he had presented Col. Elofson with the Chipola River Environmental Protection Agency with a financial and environmental packet.

After much discussion, Commissioner Cox, and Commissioner Dillard stated they could not vote for bond validation against the advice of the county accountant and the county attorney.

Several citizens spoke in favor of the bond validation.

BOARD OF COUNTY COMMISSIONERS
MINUTES OF MEETING
DECEMBER 19, 1989

PAGE 2

Attorney House explained that James Harold Thompson's Law Firm had tentatively agreed to represent Calhoun County as special counsel for validation of the bond issue and that Calhoun Fibreboard agreed that they would be responsible for fees for the special counsel representing Calhoun County Board of County Commissioners.

Mrs. Davis with Calhoun Fibreboard stated that Calhoun Fibreboard accepts all responsibility for payment of the special counsel knowing full well and agreeing that the special counsel would represent Calhoun County Board of County Commissioners.

After much discussion, it was decided that Clerk Wise would contact James Harold Thompsons' Law Firm and schedule a special board meeting with them in attendance as special counsel for a recommendation on the bond validation.

After more discussion, a motion was made by Commissioner Cox, seconded by Commissioner Dillard, and duly carried to adopt a resolution to employ James Harold Thompson's Law Firm as special bond attorney for Calhoun County.

The board was polled as to whether or not they had any objections to the bond validation if recommended by the special counsel (James Harold Thompson's Law Firm.) Commissioner Grant-no objection, none from Commissioner Dillard, Commissioner Whitfield-no objection, same from Commissioner Cox, Commissioner Melvin wanted the approval from the special counsel and the county auditor. Mike Tucker, CPA., stated if the special counsel approved then he had no problem with it.

The board recessed for 5 minutes.

The board reconvened.

Don O'Bryan was present at the board meeting to discuss the condition of the Parrish Lake Road. He stated the semi truck traffic during wet, rainy weather is making the road impassable. He said his recommendation is to stop the semi truck traffic.

After much disucssion, the board was polled regarding advertising for public hearing for and ordinance prohibiting destruction of county roads, Whitfield=yes, Grant=yes, Dillard=yes, Cox=yes, Melvin-undecided. The Board approved the re-advertising for the next meeting.

Intergrated Telecommunications Corp. appeared before the board to discuss cable T.V. in the rural areas of the county.

After discussion, the board authorized the clerk to check and see if any cable T.V. franchises have been awarded in Calhoun County and to report back at the next board meeting. The board voted to take bid proposals for outside of city limits cable T.V.

Mike Tucker, CPA., stated he has not received any financial statements on Calhoun General Hospital and therefore could not report on the hospital as the Board of County Commissioners requested.

Attorney House presented packets of information on gas tax to each board member.

BOARD OF COUNTY COMMISSIONERS
MINUTES OF MEETING
DECEMBER 19, 1989

PAGE 3

Attorney House reported advertisement for hiring of engineering firm for White Pond Project is in the paper.

Commissioner Whitfield presented a letter from Baskerville-Donovan Engineers, re: landfill closure plan.

The board accepted applications received from persons applying for the veterans service officer, as follows:

- 1) Newton Tatum
- 2) Brenda Gatlin
- 3) Silas Greene
- 4) Jimmy Marshall

Commissioner Cox recommended that the clerk notify the applicants of criteria to bring such as discharge and to have them present at the January 3rd board meeting and to table the filling of the position until that time.

Clerk Wise presented a letter from DER, re: Sam B. Atkin's Water System.

Clerk Wise presented a letter from the Department of General Services re: eligibility approval.

Letter from Capital Area Community Action Agency, re: requesting permission to apply for Community Services Block Grant.

The board agreed, since the senior citizens association have been administering the grant, to offer the application and if they decline to give it to CAP.

A motion was made by Commissioner Dillard, seconded by Commissioner Grant, and duly carried to execute mutual release between Time Energy Systems, Inc. and Calhoun County Board of County Commissioners.

A motion was made by Commissioner Cox, seconded by Commissioner Melvin, and duly carried to extend the loan credit line with C & L Bank of Bristol for the prison land for 1 year in the amount of \$115,000.00.

Clerk Wise presented a letter from Frank Stone, re: 1989-1990 budget.

There being no further business, the board did adjourn.

ATTEST:

WILLIE D. WISE, Clerk



DONNELL WHITFIELD, Chairman