

BOARD OF COUNTY COMMISSIONERS
MINUTES OF MEETING
AUGUST 7, 1990 REGULAR MEETING

COMMISSIONERS PRESENT:
DONNELL WHITFIELD
JAMES M. DILLARD
ELLIS MELVIN
WILLIE T. GRANT
MONROE COX

PRESNET AND ACTING:
WILLIE D. WISE, CLERK OF COURT
GAIL O'BRYAN, ADMINISTRATIVE ASSISTANT
WILLIAM G. SMITH, SHERIFF

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

The minutes of July 17, 23, 24 and 25 were presented for approval.

This portion of the minutes was prepared by Commissioner Melvin.
"Commissioner Melvin stated, that when he came on the board Mr. Dillard said that Mr. Earl Bright was one of his representatives on the Planning Council. He asked me if it would be all right for Mr. Bright to represent district 2 while living in district 3. I said it was O.K.

Mrs. Lima was appointed by the Commissioner from District 2 and living in district 3. When her term expired she was appointed as a representative from district 3 by the Commissioner at that time. She gave me her letter of resignation. I recommended that Mrs. Audrey Elofosin replace her since Mrs. Lima was an official member from district 3. Motion died for lack of a second."

After a lengthy discussion on District 2 and district 3's appointees to the Planning Commission, the Board was polled regarding their feelings on each district having 2 representatives to the Planning Commission. By a 4-1 concensus it was decided that each district have 2 representatives on the Planning Commission. After more, discussion, the minutes of July 17, 23, 24 and 25th were approved as amended.

Commissioner Whitfield presented the only bid received for Weatherization re-hab from Charles F. Bailey:
See attached bid:

Building Inspector, Dowling Parrish, stated the bid was a fair bid. After discussion, Motion by Commissioner Dillard to accept Weatherization bid from Charles F. Bailey since we are running short of time on completion of work date and also since the Building Inspector said it was a fair bid.
2nd Grant
Motion carried 4-1
Commissioner Melvin voting no.

Commissioner Whitfield opened the public hearing and held the 2nd reading of Ordinance 90-4 for the purpose of adoption.

Motion by Commissioner Cox, 2nd Commissioner Dillard and duly carried 5-0 to adopt Ordinance 90-4.

Mr. John DeNada was present at the meeting to obtain an answer from the Board regarding the survey on the Kelly Road.

Commissioner Dillard stated he had spoken with Attorney David House today and that Attorney House's recommendation was for the Board to put Mr. DaNada's fence back where it originally was.

This portion of the minutes was prepared by Commissioner Melvin.

" Commissioner Melvin said, "I do not know why Mr. House advised you Mr. Dillard and Mr. Whitfield to give Mr. John DeNada ten feet back. I had gone by to see Mr. House and he would not talk to me about County business since he had resigned."

"John DeNada was well aware of what we were going to do. I asked him not to continue building the fence in the county road. I met with him and the Goodmans two nights and every one was in agreement, including John. John measured the road off by tape himself. The road was moved on the Goodman's side. On John's side the fence was moved 5' out of the road. This fence was put in the road about two years ago. Richard Harnage stated he brought this to the Board's attention at that time and nothing was done."

Commissioner Melvin had a drawing showing the road with the curve going around the light pole and telephone stub and shrubs, Goodmans side and where the fence was. The survey also, and drawings by the survey of 1978 showing all the road was on the West side with surveyor's concrete markers marking off the land and the road. Now the same surveyor says the road is in the wrong place.

The surveyor was hired and paid for with tax payers money. Melvin stated he voted no, not to spend tax payers money because the road had been there for 12 years and there had never been a problem before.

Melvin asked Wanda Goodman if John's fence was in the county road and she said, "yes".

He asked Richard if the fence was in the road and he said, "Yes".

He ask Darrell Melvin if the fence was in the road and he said, "yes". He stated Darrell was the grader operator. He asked Darrell how long he had been grading that road and he said, "ten years".

Commissioner Melvin asked Delbert Melvin if he was road Superintendent when the road was built and he said, "yes". He also asked Delbert if it was built with County equipment on county time and he said, "yes".

Commissioner Melvin stated he had called Lloyd Tatum who was County Commissioner at that time. He asked him if the road was built with County equipment and on County time and he stated it was and at that time there had been no problems.

At this time Commissioner Melvin asked Gail to read the Florida Statutes on the road. She read Florida Statue # 95.361.

At this time Commissioner Melvin recommended to the board that the road not be moved since the road had been there for 12 years without any problems and when John bought his land he knew the road was there. If John had not put his fence in the road it would have been unnecessary to do anything to it.

This road is a mail and bus route and it would set a precedence."

After a long and lengthy discussion between the Board, Me. DeNada and his neighbors on the Kelly road, it was the general agreement by all persons present living on both sides of the Kelly Road, for the Board to restore Mr. DeNada's fence back to its original position.

The Board was polled regarding putting Mr. DeNada's fence back to where it was and to grade up to the stobs, making the road 20 feet since all parties living on both sides of the Kelly road were in agreement to this.

Comm. Melvin - No - Stated he felt it would set a precedent.
Comm. Cox - yes
Comm. Dillard - Yes
Comm. Grant - Yes
Comm. Whitfield - Yes

Mr. Roland Faircloth, Grand Master, Dixie Lodge #109, presented a check in the amount of \$379.05 to the Board for the purpose of repairing playground equipment at the park.

Commissioner Whitfield presented the only bid received for a 4" water well pump and tank from Capps Well Drilling.

SEE ATTACHED BID

After discussion, Motion by Commissioner Grant, 2nd by Commissioner Dillard and duly carried to accept low bid from Capps Well Drilling for a 4" water well and tank.

Alvin Roberts, Maint. Supv. was present at the meeting and presented the Board with specifications for advertisement for an air conditioner at the Library.

Motion by Cox to advertise for two (2) ton heat pumps for Library, same to be paid from Library Grant funds.
2nd Comm. Dillard
Motion carried 5-0

Motion by Commissioner Grant, 2nd by Commissioner Dillard and duly carried to enter into a contract with Mowery Elevator for \$63.00 per month for maintenance.

Mr. John Lynn, Fl Asso. of Counties, made a presentation to the Board on a deferred compensation plan available to County employees. The Board advised they would review the plan.

The Board recessed for 5 minutes.
The Board reconvened.

Frank Stone was present to discuss an easement he gave in 1978 on the Ben Stone Road. He stated his easement was for 60', however, the Montford Easement on the same road was for 40'. He also said the description on Mrs. Montford easement was wrong. Commissioner Whitfield stated both easements were to have been for 60'. He relayed he had spoken with the Montfords and they were agreeable to sign a corrective easement for 60' with a correct legal discription. The Board agreed to correct both easements if they were incorrect.

J. Hoyt Rackley was present at the meeting to present a statement from Tatums Hardware showing where he had purchased a culvert that was placed on his property.

Eddie White was present at the meeting to discuss his dissatisfaction with the garbage pick-up. After a lengthy discussion, the Board agreed by consensus to write a letter to C & N Enterprises giving them 30 days to correct the deficiencies in the contract between the County and C & N Enterprises.

Jim Anders, IDA Chairman, and Marsha Harpool, ARPC, were present at the meeting to discuss Contract 5 on roadway and drainage and to ask the Board to issue the Notice to proceed on same.

Mr. Anders also reported that at the July 26, 1990 IDA meeting a motion was made and unanimously carried to recommend that the BCC appoint a 5 member IDA Board versus the present 9 member board due to the problem of not easily obtaining a quorum with 9 members. Mr. Anders also reported that Bobby O'Bryan and Jeff Wood had resigned from the IDA Board.

Marsha Harpool, ARPC, was present to discuss the overall economic development plan for Calhoun County. The Board unanimously concurred with the overall economic development plan as updated by the ARPC.

The Board discussed new paving in each district and the money spent in each district.

Commissioner Whitfield stated, in next years budget, 350 feet of District 1 paving will go to District 2 paving due to District 2 giving 350 feet of Paving to District 1 this Fiscal Year. He stated he really appreciated Commissioner Dillard giving him 350 feet of Commissioner Dillard's 500 feet.

The following correspondence was presented:

Letter from Baskerville Donovan Engineers, Inc.
re: Ag Park-Contract III

Letter from Baskerville Donovan Engineers, Inc.
re: Calhoun County Landfill-Closure

Letter from Veteran's Memorial Foundation, Inc.

ARPC Resolution
RE: Water management actions related to the Apalachicola-Chattahoochee-Flint Basin

Letter from Northwest Fl/Big Bend Health Councils
RE: Provider appointment

The Board re-appointed Dan Yoder as Calhoun Counties member

Letter from Jackson County Asso. for Retarded Citizens
RE: road and street signs

Letter of resignation from J. ^J david House, County Attorney
Letter from J. David House
RE: DER meeting August 15, 1990

The Board was polled and agreed to authorize Commissioner Whitfield to obtain an attorney to attend the DER meeting with him on August 15, 1990.

Letter from J. David House
RE: White Pond

Letter from Dept. of Comm. Affairs
RE: Comprehensive Plan

Letter from ARPC
RE: Transportation Disadvantaged appointees

Letter from Dept. of Commerce
RE: Project No. 04-01-03560

There being no further business, the Board did adjourn.

Adendum to Minutes

Commissioner Whitfield Stated

The Goodmans said it was alright to put the fence where it was and they had no problem with that and they had no problem with neighbors until after the fence was moved.