

CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
OF
REGULAR MEETING
JULY 16, 1991

COMMISSIONERS PRESENT:

S. DONNELL WHITFIELD
PACK BOWDEN
ELLIS MELVIN
TRUMAN GRANT
JOHN LINDSEY

PRESENT AND ACTING:

WILLIE D. WISE, CLERK
GAIL O'BRYAN, ADMINISTRATIVE ASSISTANT
JOE TAYLOR, FINANCE
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.

COMMISSIONER WHITFIELD ASKED FOR BIDS RECEIVED FOR 6 COMPARTMENT RECYCLING CONTAINERS. THE CLERK ADVISED NO BIDS WERE RECEIVED. AFTER DISCUSSION, THE BOARD BY CONSENSUS AUTHORIZED SONNY O'BRYAN TO MEET WITH COMMISSIONER MELVIN, HARRY CUMBAA AND ARGUS SERVICES IN ORDER TO DRAW UP MORE DETAILED SPECIFICATIONS FOR THE 6 COMPARTMENT RECYCLING CONTAINERS AND TO RE-ADVERTISE SAME.

CLERK WISE PRESENTED THE BOARD WITH A BALANCED BUDGET FOR FY 91-91 IN THE AMOUNT OF \$3,951,373 WITH A MILLAGE RATE OF 13.49. CLERK WISE REPORTED \$540,000 HAD TO BE CUT FROM THE BUDGET IN ORDER TO GET WITHIN THE 10 MILL CAP.

AFTER DISCUSSION, THE BOARD SCHEDULED A BUDGET WORKSHOP FOR FY 91-92 PROPOSED BUDGET FOR JULY 25, 1991 AT 1:15 P.M. AND ASKED THE CLERK TO NOTIFY ALL ELECTED TO BE PRESENT.

CLERK WISE REPORTED ON JULY 24, 1991, 31 COUNTIES IN THE STATE OF FLORIDA WILL BE MEETING AT THE EXECUTIVE SUITE IN TALLAHASSEE RE: COMPREHENSIVE PLAN AND REQUESTED THAT THE WHOLE BOARD ATTEND.

CLERK WISE PRESENTED APPROVED CONNECTION PERMIT FROM THE DEPARTMENT OF TRANSPORTATION FOR HAYES SUB-DIVISION.

CLERK WISE PRESENTED AND REPORTED ON A LETTER RECEIVED FROM DEPARTMENT OF COMMUNITY AFFAIRS REQUIRING THAT ALL CONSULTING SERVICES FOR CDBG GRANTS BE ADVERTISED. THE BOARD AUTHORIZED THE CLERK AND COUNTY ATTORNEY TO PREPARE AN ADVERTISEMENT FOR CONSULTING SERVICES FOR THE \$371,000 CDBG GRANT.

MR. BILL LINDSEY AND ROBERT CATLEDGE WERE PRESENT AT THE MEETING AND MADE A PRESENTATION ON 911 SYSTEM. MR. LINDSEY AND MR. CATLEDGE EXPLAINED THE MANY BENEFITS OF 911 SYSTEM AND ALSO EXPLAINED THE SOFTWARE AVAILABLE FROM THEIR COMPANY FOR THE SYSTEM. MR. CATLEDGE EXPLAINED THAT 50 CENT A MONTH COULD BE ADDED TO RESIDENTS TELEPHONE BILLS TO HELP COUNTY IMPLEMENT 911 SYSTEM.

AFTER THE 911 SYSTEM PRESENTATION, COMMISSIONER WHITFIELD RECOMMENDED AND THE BOARD AGREED TO PUT THE 911 ISSUE ON A STRAW BALLOT FOR THE NEXT REGULAR ELECTION IN SEPTEMBER 1992.

SONNY O'BRYAN PRESENTED A \$10,000.00 SURETY BOND #NB84714, NATIONAL AMERICAN INSURANCE COMPANY FOR CUMBAA ENTERPRISES, INC. AS REQUIRED IN THE RECYCLING CONTRACT BETWEEN BOARD OF COUNTY COMMISSIONERS AND CUMBAA ENTERPRISES INC.

MR. CUMBAA SAID THE RECYCLING CONTRACT ALLOWED AND OUT FOR THE COUNTY, BUT NO OUT FOR HIM. HE SAID THE MARKET FOR RECYCLABLES IS OUT. MR. CUMBAA REQUESTED THAT THE CONTRACT BE AMENDED TO READ THAT AFTER 6 MONTHS, CUMBAA ENTERPRISES COULD CANCEL AFTER A 90 DAY NOTICE. MR. CUMBAA SAID THE ONLY RECYCLABLES HE WOULD ACCEPT WAS TIN AND ALUMINUM CANS. HE SAID THERE WAS NO MARKET FOR PAPER AND HE COULD NOT SELL IT.

SONNY O'BRYAN STATED, IF MR. CUMBAA WAS ONLY GOING TO TAKE TIN CANS AND ALUMINUM CANS, THEN THE COUNTY IS NO BETTER OFF THAN THEY WERE ON RECYCLABLES

COMMISSIONER MELVIN STATED DURING CONTRACT NEGOTIATIONS WITH MR. CUMBAA, MR. CUMBAA HAD AGREED TO TAKE ALL RECYCLABLES AND HAD SIGNED THE CONTRACT TO THAT EFFECT.

MR. O'BRYAN REPORTED THAT THE COUNTY HAS A \$10,000.00 PERFORMANCE BOND IF MR. CUMBAA DOES NOT PERFORM.

AFTER FURTHER DISCUSSION, MR. CUMBAA STATED HE WOULD FULFILL THE CONTRACT IF THE COUNTY WOULD AMEND THE CONTRACT TO READ AFTER HIS PERFORMING FOR 6 MONTHS TO ALLOW HIM A 90 DAY CANCELLATION NOTICE IF HE SHOULD SO DESIRE.

THE BOARD WAS POLLED AND VERBALLY AGREED TO MEET WITH MR. CUMBAA IN 6 MONTHS, LOOK AT HIS FIGURES AND DETERMINE AT THAT TIME WHETHER OR NOT TO AMEND THE CONTRACT.

MR. CUMBAA ADVISED HE WOULD LET THE BOARD KNOW TOMORROW WHETHER OR NOT HE WOULD FORFEIT HIS BOND OR TRY AND RUN THE RECYCLING PROGRAM.

BILL STOUTAMIRE, MC CASKILL INS., WAS PRESENT AT THE MEETING AND REPORTED INSURANCE FOR CALHOUN-LIBERTY HOSPITAL EXPIRES ON JULY 19, 1991.

HE STATED,
AT THIS TIME, HE HAS FOUND NO COMPANY THAT WILL WRITE COVERAGE ON THE EMERGENCY VEHICLES DUE TO THE HOSPITAL HAVING NO MALPRACTICE INSURANCE. HE SAID IN MARCH OF 1989, SINCE THE HOSPITAL AT THAT TIME WAS A COUNTY OWNED HOSPITAL AND RUN BY A GOVERNOR APPOINTED BOARD OF TRUSTEES, THE HOSPITAL FELL UNDER SOVEREIGN IMMUNITY. MR. STOUTAMIRE EXPLAINED, IN FEBRUARY OF 1991, THE HOSPITAL WAS LEASED TO CALHOUN-LIBERTY HOSPITAL ASSOCIATION, INC. AND THAT LEASE SPELLS OUT INSURANCE REQUIREMENTS. HE STATED, SINCE THE HOSPITAL IS NO LONGER OPERATED BY THE COUNTY, WITHIN 60 DAYS AFTER FEBRUARY 26, 1991, NEW LICENSE HAS TO BE APPLIED FOR AND THAT HAS NOT BEEN DONE. HE SAID THE LICENSE IS INVALID BECAUSE IT IS STILL UNDER THE COUNTY'S NAME AND SINCE INSURANCE AGENTS ARE UNDER THE SAME CATEGORY AS DOCTORS AND LAWYERS, HE FELT IT WAS HIS DUTY TO NOTIFY HRS OF THE FACT THAT THERE IS NO MEDICAL MALPRACTICE INSURANCE AT CALHOUN-LIBERTY HOSPITAL WHICH IS A VIOLATION OF STATE STATUTE. MR. STOUTAMIRE THEN READ A LETTER TO THE BOARD THAT HE HAD WRITTEN TO MR. JOHN COMPTON, HRS LICENSURE AND CERTIFICATION, INFORMING HRS OF SAME.

MR. STOUTAMIRE SAID HE IS TRYING TO WORK OUT A 30 DAY EXTENSION WITH THE INSURANCE COMPANY ON COVERAGE AND WILL CONTACT CHAIRMAN WHITFIELD BY THE MORNING OF THE 18TH AND ADVISE STATUS OF THE EXTENSION.

MR. LARRY WALTERS, POWERHOUSE RACE TRACK, WAS PRESENT AT THE MEETING TO INVITE ALL BOARD MEMBERS TO THE GRAND OPENING OF THE RACE TRACK ON SATURDAY JULY 27, 1991 AT 4:00 P.M. HE ALSO DISCUSSED THE DUST HAZARD AND BAD ROAD CONDITIONS AFTER RAINS AND REQUESTED THAT THE BOARD CONSIDER GRAVELING THE 1.5 MILES OF ROAD GOING INTO THE TRACK. COMMISSIONER MELVIN STATED HE KNEW THE COUNTY DID NOT HAVE THE MONEY TO GRAVEL THE ROAD, HOWEVER, MRS. BROCK HAD CALLED HIM AND WAS CONCERNED ABOUT THE AMBULANCE GOING TO THE TRACK. HE RELAYED SHE HAD TOLD HIM SHE WAS AFRAID THE AMBULANCE WAS GOING TO GET STUCK. AFTER DISCUSSION, COMMISSIONER MELVIN RECOMMENDED AND THE BOARD AGREED TO FIX THE 2 WORST PLACES ON THE ROAD IN ORDER TO INSURE THE AMBULANCE NOT GETTING STUCK.

THE BOARD WAS POLLED AND AGREED TO ROTATE ROAD CREW 5 DAYS IN EACH DISTRICT, WITH COMMISSIONER MELVIN BEING FIRST TO HAVE THE ROAD CREW.

SONNY O'BRYAN REPORTED ON THE STATUS OF RECYCLING GRANTS AND LANDFILL.

AFTER DISCUSSION, THE BOARD AUTHORIZED MR. O'BRYAN TO PURCHASE A GAS DETECTOR NEEDED FOR WELL MONITORING AT LANDFILL.

MR. O'BRYAN PRESENTED SEVERAL POSSIBLE LOGOS TO BE PLACED ON RECYCLING TRUCK AND TRAILER. HE EXPLAINED THESE LOGOS WILL REPRESENT CALHOUN COUNTY'S RECYCLING PROGRAM.

AFTER DISCUSSION, MOTION BY COMMISSIONER MELVIN TO PAINT RECYCLING EMBLEM ON DOORS OF RECYCLING TRUCK AND ENDS OF RECYCLING TRAILER.
2ND COMMISSIONER LINDSEY
MOTION CARRIED

MOTION BY COMMISSIONER BOWDEN TO ADOPT A RESOLUTION SUPPORTING FUNDING TO MEET THE COSTS OF DIALYSIS FOR HUNDREDS OF INDIGENT KIDNEY PATIENTS.
2ND COMMISSIONER GRANT
MOTION CARRIED

THE BOARD DISCUSSED QUALIFICATIONS AND EXPERIENCE NEEDED FOR ROAD DEPARTMENT SUPERINTENDENT POSITION AND DECIDED AS FOLLOWS:

MUST HAVE A GENERAL KNOWLEDGE OF PRIVATE DIRT ROADS, HEAVY EQUIPMENT, TRUCKS, EARTH MOVING EQUIPMENT, AND OILS AND GREASES. MECHANICAL EXPERIENCE, AND A MINIMUM OF HIGH SCHOOL EDUCATION OR EQUIVALENT. MUST HAVE A CHAUFFEURS LICENSE. ENGINEERING BACKGROUND DESIRABLE. SALARY TO BE COMMENSURATE WITH QUALIFICATIONS AND EXPERIENCE.

BILLY JOE TIPTON WAS PRESENT AT THE MEETING AND QUESTIONED WHY HE WAS DEMOTED. HE SAID HE AND GENE CARTER WERE APPOINTED BY THE PREVIOUS BOARD AS CREW CHIEFS AND ALL THIS TIME HAD BEEN ACTING AS SUCH.

COMMISSIONER WHITFIELD STATED RESEARCH HAD BEEN DONE IN THE MINUTES AND MR. TIPTONS PERSONNEL FILE AND NO DOCUMENTATION COULD BE FOUND SUPPORTING THAT.

COMMISSIONER WHITFIELD STATED HE HAD SPOKEN WITH FELLOW COMMISSIONERS REGARDING APPOINTING AN ACTING ROAD SUPERINTENDENT AND THAT THE

MAJORITY OF THE COMMISSIONERS HAD DECIDED TO APPOINT ROBERT COONER AS ACTING ROAD SUPERINTENDENT UNTIL THE REGULAR BOARD MEETING ON JULY 16, 1991.

COMMISSIONER MELVIN STATED HE DID NOT KNOW IF DOCUMENTATION WAS ON FILE SUPPORTING MR. TIPTON'S POSITION, BUT IT WAS COMMON KNOWLEDGE THAT MR. TIPTON WAS GIVEN RESPONSIBILITIES IN THE ABSENCE OF THE ROAD SUPERINTENDENT. COMMISSIONER MELVIN ASKED MR. TIPTON IF HE WAS APPOINTED TEMPORARY ROAD SUPERINTENDENT UNTIL THE POSITION IS FILLED, WOULD HE CONTINUE HIS POSITION AS UNION REPRESENTATIVE WHILE ACTING AS TEMPORARY ROAD SUPERINTENDENT? MR. TIPTON RESPONDED HE WOULD DISCONTINUE REPRESENTING THE UNION WHILE ACTING AS ROAD SUPERINTENDENT IF APPOINTED.

MR. TIPTON STATED HE WAS NOT HERE TO ASK FOR ACTING SUPERINTENDENT, BUT JUST WANTED TO KNOW WHY MR. COONER WAS APPOINTED AS ACTING ROAD SUPERINTENDENT UNTIL TONIGHT, SINCE I WAS AND HAD BEEN DOING THE JOB UNDER FERNWOOD BAILEY.

AFTER A LENGTHY DISCUSSION, THE BOARD BY A 4-1 CONSENSUS AGREED TO CONTINUE WITH ROBERT COONER AS ACTING TEMPORARY ROAD SUPERINTENDENT FOR THE NEXT 2 WEEKS UNTIL THE POSITION IS FILLED. COMMISSIONER MELVIN VOTED NO.

THE BOARD AGAIN DISCUSSED COMMENTS AND RECOMMENDATIONS RELATING TO THE TOWN OF ALTHA COMPREHENSIVE PLAN AND AFTER DISCUSSION, MOTION BY COMMISSIONER BOWDEN TO NOT ACCEPT THE TOWN OF ALTHA COMPREHENSIVE PLAN AS WRITTEN AND FOR THE BOARD TO SEND THE COMMENTS AND RECOMMENDATION ALONG WITH THE PLAN TO DEPARTMENT OF COMMUNITY AFFAIRS.
2ND COMMISSIONER GRANT
MOTION CARRIED

THE MINUTES OF JULY 2, 1991 WERE APPROVED AS WRITTEN.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
CALHOUN COUNTY

Willie F. Wise

J. Harold Knight
