

BOARD OF COUNTY COMMISSIONERS
MINUTES OF REGULAR MEETING
DECEMBER 3, 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
BILL A. CORBIN, COUNTY ATTORNEY
BROWARD VICKERY, DEPUTY SHERIFF

THE MEETING WAS CALLED TO ORDER BY DEPUTY VICKERY AND FOLLOWED WITH PRAYER BY COMMISSIONER MELVIN AND PLEDGE OF ALLEGIANCE TO THE FLAG.

CLERK WISE PRESENTED A BILL FROM DEPARTMENT OF ADMINISTRATION FOR RETIREMENT CONTRIBUTIONS OF \$288,274.23 DUE ON CALHOUN GENERAL HOSPITAL EMPLOYEES. CLERK WISE REPORTED ATTORNEY CORBIN HAD UNTIL DECEMBER 10TH TO FILE A MEMORANDUM TO SEE IF LAWSUIT WAS PROPERLY FILED IN CALHOUN COUNTY. HE REPORTED JUDGE ROBERTS WOULD RULE ON THE ISSUE OF CHANGE OF VENUE BEFORE HE LEAVES IN JANUARY.

COMMISSIONER WHITFIELD STATED NO BOARD MEMBER INCURRED THE DEBT; IT WAS A GOVERNOR APPOINTED BOARD AND HE WAS NOT IN FAVOR OF THE COUNTY PAYING THE DEBT.

ATTORNEY CORBIN STATED THE LEGAL STANDPOINT IS THAT THE BOARD OF COUNTY COMMISSIONERS HAD NOTHING TO DO WITH THE INDEBTEDNESS; IT WAS A GOVERNOR APPOINTED BOARD AND THE BCC HAD NO DECISION MAKING AUTHORITY. HE SAID IT WAS THE DECISION OF THE BOARD, POLICY WISE, TO SEEK A DECLARATORY JUDGMENT. HE REPORTED, IF THE COUNTY WINS THE LAWSUIT, HE HAS BEEN ADVISED BY THE ATTORNEY FOR THE STATE THAT THERE WILL BE AN APPEAL. ATTORNEY CORBIN RELAYED THAT HE HAS NO PARTICULAR RECOMMENDATION AND THAT THE CENTRAL ISSUE IS, "ARE BOARDS OF COUNTY COMMISSIONERS RESPONSIBLE FOR DEBTS OF A COUNTY HOSPITAL, WHEN THOSE DEBTS WERE INCURRED BY A GOVERNOR APPOINTED BOARD?"

COMMISSIONER BOWDEN POLLED THE BOARD AGAIN REGARDING CONTINUING THE LAWSUIT AGAINST THE DEPARTMENT OF ADMINISTRATION AND IT WAS A UNANIMOUS CONSENSUS OF THE BOARD TO PURSUE THE LAWSUIT.

CLERK WISE PRESENTED A LETTER FROM SENATOR BRUNNER STATING HIS SUPPORT FOR THE RESOLUTION PASSED BY THE CALHOUN COUNTY BCC REGARDING ABOLISHMENT OF LAND USE REGULATIONS.

CLERK WISE ALSO PRESENTED THE HRS PLAN FOR REORGANIZATION OF DEPARTMENT OF HRS AND REPORTED THERE WAS A MEETING SCHEDULED IN TALLAHASSEE ON DECEMBER 6, 1991 REGARDING SAME.

ATTORNEY CORBIN PRESENTED AN AMENDED RESOLUTION CORRECTING THE DESCRIPTION OF A ROAD ABANDONMENT ON APRIL 5, 1988 (MADDOX PROPERTY).

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ATTORNEY CORBIN STATED, IN EFFECT, A LINE WAS LEFT OUT OF THE ORIGINAL DESCRIPTION SHOWING 50 FOOT WIDTH. AFTER DISCUSSION, THE BOARD TOOK NO ACTION ON THE AMENDED RESOLUTION.

THE BOARD AND CLERK DISCUSSED A QUOTE RECEIVED FROM A LOCKSMITH FOR REPLACING LOCKS ON BACK DOOR OF THE COURTHOUSE. \$360.00 TO REPLACE LOCKS ON BOTH BACK DOORS. \$651.00 TO PLACE SECURITY BARS ON 51 DOORS.

AFTER DISCUSSION, MOTION BY COMMISSIONER WHITFIELD TO HAVE FIREHOUSE LOCK AND KEY FIX THE 2 OUTSIDE DOORS OF THE COURTHOUSE FOR \$360.00.
2ND COMMISSIONER GRANT
MOTION CARRIED 5-0

THE BOARD RECESSED FOR 10 MINUTES.

THE BOARD RECONVENED.

MOTION BY COMMISSIONER WHITFIELD TO AUTHORIZE ALVIN ROBERTS, BUILDING SUPERVISOR, TO NEGOTIATE REGARDING SEALING THE THIRD FLOOR FROM BATS.
2ND COMMISSIONER MELVIN
MOTION CARRIED 5-0

MOTION BY COMMISSIONER WHITFIELD TO FIX WATER COOLER ON THIRD FLOOR.
2ND COMMISSIONER MELVIN
MOTION PASSED 5-0

DISCUSSION ENSUED AS TO VIABILITY OF SOMEONE STAYING AT SAM B. ATKINS PARK.

COMMISSIONER MELVIN QUESTIONED DOWLING PARRISH, BUILDING INSPECTOR, ABOUT RATES CHARGED TO MOBILE HOMES. THE BOARD REQUESTED MR. PARRISH TO CONSIDER RATES CHARGED TO UPGRADES ON MOBILE HOMES.

SONNY O'BRYAN, CIVIL DEFENSE, UPDATED THE BOARD ON THE MOVING OF THE FUEL TANKS AT THE ROAD YARD AND THE IN-KIND PROJECT REGARDING D.E.R. AND THE CONSENT ORDER. MR. O'BRYAN REPORTED 9,070 POUNDS OF RECYCLABLES AS OF OCTOBER 31, 1991, HAD BEEN COLLECTED. MR. O'BRYAN QUESTIONED THE BOARD REGARDING THE PURCHASE OF A PLASTIC GRANULATOR. CHAIRMAN BOWDEN RECOMMENDED THAT MR. O'BRYAN PURSUE THE INFORMATION ON A PLASTIC GRANULATOR AND THE PURCHASE PRICE OF SAME.

THE CITIZENS ADVISORY COMMITTEE REPORTED THEY HAD RECEIVED BETWEEN 90-95 APPLICATIONS. THEY REPORTED ON THE PROGRESS OF SELECTION OF THE APPLICATIONS. MR. HALLEY FRYE REQUESTED A MEETING ON MONDAY, DECEMBER 9TH WITH THE BOARD OF COUNTY COMMISSIONS TO REVIEW APPLICATIONS. THE MEETING WAS SET FOR 4:00 P.M.

ROBERT COONER UPDATED THE BOARD ON MAGNOLIA CHURCH ROAD STATING THAT A HEAVY MIXER HAD BEEN MOVED IN BY BAXTER ASPHALT. MR. COONER STATED THE NEED FOR MORE SPACE AT THE ROAD YARD AND THE NEED FOR CLEAR CUTTING OF TIMBER TO PROVIDE THE SPACE. THE NEED FOR A SURVEY WAS QUESTIONED SINCE THREE PROPERTY LINES HAD ALREADY BEEN DETERMINED. CHAIRMAN BOWDEN APPOINTED COMMISSIONER LINDSEY TO ESTABLISH THE PROPERTY LINES. THE BOARD TABLED THE PURCHASE OF ROAD SIGNS UNTIL DECEMBER 17TH IN ORDER FOR EACH COMMISSIONER TO DEVELOP A LIST OF NEEDS.

MR. COONER REPORTED THAT HE HAD DISCUSSED WITH CURT MILLER OIL COMPANY AND THAT MILLER OIL COMPANY HAD NO PROBLEMS WITH DELIVERY TO REMOTE SITES. CHAIRMAN BOWDEN RECOMMENDED NOT CHANGING THE OIL BID BUT GO

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WITH LOW BID ON FUEL. IT WAS THE CONSENSUS OF THE BOARD TO AWARD LOW BID TO MILLER OIL COMPANY FOR FUEL AND TO NOT CHANGE PURCHASE OF OIL. MR. COONER QUESTIONED WHETHER THE ROAD DEPARTMENT WOULD RECEIVE HAMS. COMMISSIONER LINDSEY MADE MOTION TO PURCHASE HAMS FOR COUNTY EMPLOYEES. 2ND COMMISSIONER GRANT. COMMISSIONER MELVIN STATED HE WOULD PAY 1/5TH OF THE COST FROM HIS POCKET BUT WOULD NOT USE TAX PAYER MONEY. MOTION CARRIED 4-1. COMMISSIONER MELVIN VOTING NO.

MR. COONER QUESTIONED IF CHRISTMAS EVE WAS A HOLIDAY. THE BOARD RESPONDED THAT THE PERSONNEL POLICY ONLY ALLOWS FOR CHRISTMAS DAY AS A HOLIDAY.

MR. COONER STATED THE NEED FOR FILL DIRT. THE CONSENSUS OF THE BOARD WAS FOR EACH COMMISSIONER TO CHECK WITHIN THEIR DISTRICT FOR THE AVAILABILITY OF LAND.

COMMISSIONER MELVIN UPDATED THE BOARD ON MAGNOLIA CHURCH ROAD. COMMISSIONER MELVIN STATED THAT GULF ASPHALT WOULD CHARGE 30 CENT A YARD FOR MIXING WITH COUNTY ASSISTANCE; GULF ASPHALT WOULD ALSO CHARGE \$250.00 FOR EQUIPMENT MOVING. PACKING BY COUNTY WITH GRADER AND SCARFIRE.

COMMISSIONER MELVIN REPORTED THAT BOB KING STATED HE WOULD NOT BE RESPONSIBLE OR INVOLVED ANY LONGER IF THE DEPTH WAS LEFT AT 6 INCHES. COMMISSIONER MELVIN STATED THAT IT WAS THE RECOMMENDATION OF BOB KING TO GO WITH 12 INCHES. HE REPORTED GO ASPHALT DID NOT RESPOND TO QUESTION IF MIXING WAS FOR 6 OR 12 INCHES IN BID. THE RECOMMENDATION OF BOB KING TO GO WITH 12 INCHES.

COMMISSIONER MELVIN REPORTED THAT BAXTER ASPHALT AGREED TO MIX THE ROAD 22 FOOT WIDE WITH 2 FOOT APRONS ON THE DRIVES WITH 12 INCH COMPACTION FOR \$12, 500.00 ABOVE THE ORIGINAL \$53,000.00 CONTRACT. THE RATE WAS SLIGHTLY MORE THAT 50 CENT/SQ.YARD. BAXTER WOULD REQUIRE \$13,434.00 TO END HIS CONTRACT, AS COMMISSIONER MELVIN REPORTED.

MOTION BY COMMISSIONER MELVIN TO ACCEPT \$12,500.00 OFFER WITH BAXTER ASPHALT.

2ND COMMISSIONER WHITFIELD.

COMMISSIONER WHITFIELD STATED THAT HE WANTED TESTING DONE FOR THE AMOUNT OF MONEY BEING PUT IN THE ROAD. COMMISSIONER GRANT QUESTIONED THE TRUE COST OF PAVING THE MAGNOLIA CHURCH ROAD WITH THE CALCULATION BEING OVER \$100,000.00. THIS INCLUDED THE \$65,500.00 PAID TO BAXTER, ENGINEERING, TESTING AND PERMITS, PLUS THE COST OF THE ROAD DEPARTMENT EMPLOYEES.

MOTION CARRIED 5-0.

COMMISSIONER GRANT QUESTIONED THE USE OF AN ENGINEER, WITH COMMISSIONER MELVIN RESPONDING ENVIRONMENTAL REQUIREMENTS REQUIRED ONE.

BIDS ON ROAD STRIPING WERE OPENED AT 5:45 P.M. AS FOLLOWS:

GULF COAST TRAFFIC ENGINEER, PENSACOLA, FL.

SOLID WHITE BASE LINE	11 CENT/LINEAR FOOT
YELLOW BROKEN LINE	9 CENT/LINEAR FOOT
YELLOW SOLID LINE	11 CENT/LINEAR FOOT

OZARK STRIPING COMPANY, INC.,

UNABLE TO SUBMIT BID.

MOTION BY COMMISSIONER WHITFIELD TO DISCARD BIDS AND RE-ADVERTISE IN THE NEWS HERALD, TALLAHASSEE DEMOCRAT, AND JACKSON COUNTY FLORIDIAN.
2ND COMMISSIONER GRANT
MOTION CARRIED 5-0.

CHAIRMAN BOWDEN PRESENTED DEED TO CHROMOLLOY FOR 6.34 ACRES IN PURCHASE OF AG PARK LAND. AFTER DISCUSSION, THE CHAIRMAN SIGNED THE DEED TO CHROMOLLOY.

CHAIRMAN BOWDEN PRESENTED A LETTER FROM BLISS MC KNIGHT REGARDING BRIAN CHEESEMAN'S ACCIDENT REGARDING ON LIABILITY ON THE COUNTY'S PART.

JOHN HITRON OF PARRISH LAKE ROAD, QUESTIONED THE CHAIRMAN ON THE PARRISH LAKE ROAD AS FOLLOWS.

1. COST OF PARRISH LAKE ROAD--CHAIRMAN BOWDEN RESPONDED HIS TIME AND COMMISSIONER WHITFIELD'S TIME WAS USED. AN EXACT COST FIGURE IS NOT AVAILABLE, BUT THE APPROXIMATE COST IS \$30,000.00.

2. ENGINEER OF RECORD?--CHAIRMAN BOWDEN RESPONDED THAT THE ROAD SUPERINTENDENT WAS IN CHARGE AND DID THE REQUIRED GRADING AND SHOOTING.

3. WHO DID LAND SURVEY AND IS THE DEED REGISTERED?--COMMISSIONER BOWDEN RESPONDED NO FORMAL EASEMENT IS PRESENT AND THE COUNTY HAS RIGHT OF USAGE FROM NEAL LAND.

4. HAVE THERE BEEN ANY SAFETY CONSIDERATIONS ON THE CURVES ESPECIALLY?--CHAIRMAN BOWDEN RESPONDED THAT THE CONSTRUCTION WAS NOT COMPLETE.

5. ANY DER PERMITS OR EXEMPTIONS GOTTEN?--CHAIRMAN BOWDEN RESPONDED THAT NO OTHER ACTIONS WERE TAKEN DIFFERENTLY THAN ANY OTHER COUNTY ROAD.

MR. HITRON SUGGESTED GETTING IN TOUCH WITH DER AND NORTH WEST FLORIDA WATER MANAGEMENT DISTRICT ABOUT ROAD CONSTRUCTION.

6. PROJECT COMPLETION DATE?--NO DATE HAS BEEN OFFICIALLY SET DUE TO THE ROAD DEPARTMENT NEEDS WITHIN THE COUNTY.

SPUD DAVIS OF PARRISH LAKE ROAD ADDRESSED THE BOARD OF COUNTY COMMISSIONERS REGARDING THE CONSTRUCTION OF THE ROAD, AND THE CONDITION OF THE CULVERT IN FRONT OF HIS RESIDENCE.

CHAIRMAN BOWDEN PRESENTED A LETTER THAT THE CALHOUN COUNTY PLANNING COMMISSION HAD WRITTEN REGARDING PRELIMINARY LOT LAYOUT OF PROPERTY OWNED BY JOHN M. DAVIS. THE PROPERTY IS LOCATED IN THE SOUTHERN PORTION OF CALHOUN COUNTY ALONG DEAD LAKES. THE PLANNING COMMISSIONS RECOMMENDATION IS TO APPROVE AND ACCEPT THE PRELIMINARY LOT LAYOUT.

MOTION BY COMMISSIONER LINDSEY TO ACCEPT AS PRESENTED BY THE PLANNING COUNCIL AND APPROVE PRELIMINARY LOT LAYOUT OF PROPERTY OWNED BY JOHN M. DAVIS.

2ND COMMISSIONER WHITFIELD

MOTION CARRIED 5-0.

COMMISSIONER GRANT QUESTIONED THE BOARD REGARDING A BILLBOARD AT

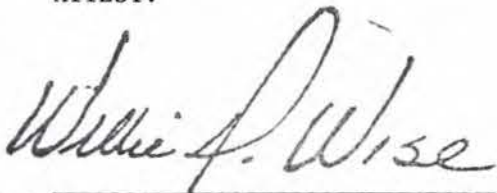
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MAHAW. AFTER POLLING OF THE BOARD, IT WAS DECIDED THAT IT WOULD BE PERMISSIBLE.

THERE BEING NO FURTHER BUSINESS, THE BOARD DID ADJOURN.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
CALHOUN COUNTY



WILLIE D. WISE, CLERK



PACK BOWDEN, CHAIRMAN