

CALHOUN COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
JANUARY 21, 1997  
5:00 P.M.

PRESENT & ACTING:

DONNELL WHITFIELD, CHAIRMAN  
DUANE CAPPS, VICE-CHAIRMAN  
WILLIE T. GRANT  
FRED ATTAWAY (ARRIVED AT 5:40)  
PACK BOWDEN

BRENDA TODD, DEPUTY CLERK  
MATTHEW FUQUA, COUNTY ATTORNEY  
SHERIFF WILLIAM G. "BUDDY" SMITH

SHERIFF SMITH CALLED THE MEETING TO ORDER. COMMISSIONER BOWDEN LED IN PRAYER AND PLEDGE OF ALLEGIANCE.

THE BOARD OF COUNTY COMMISSIONERS RECEIVED BIDS ON THE DEMOLITION PORTION OF THE CALHOUN COUNTY HAZARD MITIGATION CDBG PROGRAM. THE BIDS WERE A PACKAGE BID ON FOUR UNITS AND THE BOARD WILL VOTE ON LUMP SUM BIDS ON THESE UNITS.

THE BIDS WERE AS FOLLOWS:

CARR ENGINEERING	\$21,050.00
TRI-STATE ROADWAY SPECIALTIES	16,200.00
SKINNER GRAIN & FERTILIZER CO.	6,647.50

THESE BIDS WERE TABLED UNTIL FURTHER IN THE MEETING TO ALLOW THE ADMINISTRATORS OF THIS GRANT TO REVIEW THE BIDS AND REPORT BACK TO THE BOARD.

MR. DON A. "SONNY" O'BRYAN REPORTED TO THE BOARD THAT FOLLOWING THE JANUARY 16, 1997 TORNADO THAT ONE SHELTER OPENED AND HOUSED 2 PEOPLE. THE SHELTER REMAINED OPEN UNTIL SATURDAY AFTERNOON.

MR. O'BRYAN FURTHER REPORTED THAT THE DECLARATION OF EMERGENCY RESOLUTION NEEDED TO BE EXTENDED.

COMMISSIONER CAPPS MADE THE MOTION TO EXTEND THE EMERGENCY DECLARATION SEVEN DAYS, SECONDED BY COMMISSIONER GRANT. MOTION CARRIED 4-0.

MR. O'BRYAN INFORMED THE BCC THAT THE DAMAGE SUSTAINED BY THE COUNTY FROM THE TORNADO ON JANUARY 16, 1997 DOES NOT MEET THE CRITERIA REQUIRED TO RECEIVE A PRESIDENTIAL DECLARATION. ALSO, THE SBA DECLARATION CAN NOT BE OBTAINED DUE TO THE REQUIREMENT OF A MINIMUM OF TWENTY-FIVE AREAS WITH DAMAGES.

MR. BRIGHAM SHULER CAME BEFORE THE BOARD TO EXPLAIN THE DELEGATION OF AUTHORITY GIVEN TO HIM AT THE CALHOUN COUNTY PUBLIC HEALTH UNIT. MR. SHULER EXPLAINED TO THE BCC THAT THIS DELEGATION OF AUTHORITY IS BETWEEN HIMSELF AND THE SECRETARY OF HEALTH. THIS WILL ENABLE MR. SHULER TO CARRY OUT SOME ADDITIONAL DUTIES REQUIRED AT THE PUBLIC HEALTH UNIT.

MR. O'BRYAN REPORTED BACK TO THE BOARD REGARDING CALHOUN COUNTY HAZARD MITIGATION CDBG PROGRAM BIDS OPENED EARLIER IN THE MEETING.

SKINNER GRAIN & FERTILIZER COMPANY OF HARTFORD, AL IS THE APPARENT LOW BIDDER AND MEET ALL SPECIFICATIONS AS REQUIRED.

FOLLOWING DISCUSSION IT WAS DETERMINED THAT THESE BIDS WILL BE TABLED UNTIL THE JANUARY 28, 1997 SPECIAL MEETING AS RECOMMENDED BY MR. O'BRYAN, GRANT ADMINISTRATOR.

MR. ED GREEN REPRESENTING MRS. GAIL O'BRYAN ON HER WORKER'S COMPENSATION CLAIM GAVE THE BOARD A SHORT BRIEFING ON MRS. O'BRYAN'S PROBLEM.

(COMMISSIONER ATTAWAY ARRIVED AT THIS TIME.)

MR. GREEN READ PART OF A LETTER HE HAD SENT TO KEN MEARS, WORKER'S COMP ADMINISTRATOR, IN NOVEMBER 1996. MR. GREEN QUESTIONED THE BCC IF THEY WERE AWARE THAT THE COUNTY'S CARRIER IS REQUIRING THE CLAIMANT TO RESIGN, (UNWRITTEN POLICY OF THE CARRIER), IN ORDER TO SETTLE HER CASE. MR. GREEN ALSO QUESTIONED MR. MEARS IF HE WAS AWARE OF THIS UNWRITTEN POLICY.

MRS. O'BRYAN GAVE THE BOARD A SHORT DESCRIPTION OF WHAT HAPPENED WHEN SHE SUFFERED HER REACTIONS WHILE ON THE JOB IN MAY 1995. MRS. O'BRYAN WAS OUT OF WORK FOR SIX WEEKS PER DOCTOR'S ORDERS.

FOLLOWING DISCUSSION, IT WAS DETERMINED THAT MR. MEARS WOULD DRAFT A LETTER TO THE CARRIER THAT REQUIRING A CLAIMANT TO RESIGN IS NOT A POLICY OF THE CALHOUN COUNTY BOARD OF COMMISSIONERS. MR. MEARS WILL ALSO SEND A COPY OF THIS LETTER TO MRS. O'BRYAN'S ATTORNEY.

COUNTY ATTORNEY MATTHEW FUQUA REPORTED ON THE OVERBID ON SALE FOR TAXES ON PROPERTY. THE SALE BROUGHT IN MORE THAN THE DUE TAXES RESULTING IN AN OVERBID OF \$3,257.00. MR. FUTURES RECOMMENDATION TO THE BOARD WAS TO PAY THE OVERBID

THE BOARD TABLED THIS MATTER UNTIL THE JANUARY 28, 1997 SPECIAL MEETING.

MR. ROY WOOD INQUIRED ABOUT THE BIDS ON THE SURPLUS VOTING HOUSE. MR. WOOD WAS ASSURED THAT ALL BIDS WERE THROWN OUT DUE TO THE CONFUSION WITH THE INVITATION TO BID AND THE BID OPENING TIME. THIS ITEM IS TO BE READVERTISED AND ALL SPECIFICATIONS AND INSTRUCTIONS WILL BE FOLLOWED BY THE BIDDERS. IF THE BIDS DO NOT MEET THE SPECIFICATIONS OR ARE NOT LABELED AS INSTRUCTED IN THE INVITATION TO BID, THEY WILL BE DECLARED INVALID BIDS AND THROWN OUT.

DISCUSSION WAS HELD REGARDING THE DRAINAGE PROBLEM ON CHIPOLA ROAD.

MR. LLOYD TATUM, TATUM'S HARDWARE ADDRESSED THE BOARD REGARDING THE OUTSTANDING BILL STILL OWED TO HIM BY THE MAGNOLIA DISASTER SERVICES

WHO WAS CONTRACTED BY THE CORPS OF ENGINEERS TO SET UP TEMPORARY HOUSING AT CLAY MARY PARK FOR THE FLOOD VICTIMS.

MR. TATUM INFORMED THE BOARD HE HAS CONTACTED SEVERAL PEOPLE ON DIFFERENT LEVELS OF THE GOVERNMENT TO TRY TO RECTIFY THIS PROBLEM.

CHAIRMAN WHITFIELD STATED TO MR. TATUM THAT THE BCC WOULD KNOW MORE ON HOW MUCH OF THE FEMA FUNDING WILL BE LEFT ONCE CLAY MARY PARK RESTORATION IS COMPLETED AROUND APRIL 1997.

COMMISSIONER CAPPS REPORTED TO THE BCC HE HAD BEEN CONTACTED BY SEVERAL CONTRACTORS REGARDING THE OBTAINING OF LICENSE FROM GULF COUNTY. MR. CAPPS FURTHER REPORTED GULF COUNTY HAS STATED TO HIM THAT THEY WOULD BE WILLING TO OPEN THE LICENSE TO CALHOUN COUNTY CONTRACTORS FOR TEN DAYS IS CALHOUN COUNTY WOULD DO THE SAME FOR GULF COUNTY CONTRACTORS.

COMMISSIONER CAPPS MADE THE MOTION TO EXTEND THE INTER-LOCAL AGREEMENT WITH GULF COUNTY TO ALLOW EACH COUNTY'S CONTRACTORS TO OBTAIN LICENSE FROM THE OTHER COUNTY.

MOTION DIES FOR LACK OF SECOND.

COMMISSIONER ATTAWAY ASKED THE BOARD IF THE BCC COVERED PIPES/CULVERTS ON STATE RIGHT OF WAYS.

CHAIRMAN WHITFIELD RESPONDED THAT THE COUNTY HAS BEEN DOING THIS FOR NUMBER OF YEARS.

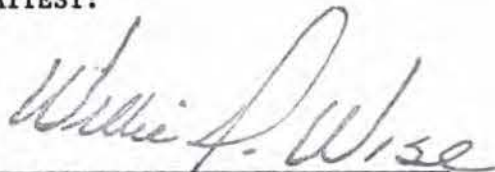
CHAIRMAN WHITFIELD RELINQUISHED THE CHAIR TO VICE-CHAIRMAN CAPPS.

COMMISSIONER WHITFIELD MADE THE MOTION THAT THE CALHOUN COUNTY ROAD DEPARTMENT DO NOT PLACE DIRT ANYWHERE BUT ON COUNTY RIGHT OF WAYS. COMMISSIONER ATTAWAY SECONDED THE MOTION. MOTION CARRIED 3-2.

COMMISSIONER BOWDEN AND COMMISSIONER CAPPS VOTING AGAINST.

THERE BEING NO FURTHER BUSINESS, THE BOARD DID ADJOURN.

ATTEST:

  
WILLIE D. WISE, CLERK

CALHOUN COUNTY BOARD OF  
COMMISSIONERS:

  
S. DONNELL WHITFIELD, CHAIRMAN