

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS  
MINUTES  
DECEMBER 2, 2008**

**PRESENT AND ACTING:**

**DAN WYRICK, CHAIRMAN  
DANNY RAY WISE, VICE-CHAIRMAN  
WILLIE T. GRANT  
DON MILLER  
HAROLD PICKRON**

**ROMAN WOOD, DEPUTY  
DON A. O'BRYAN, COUNTY ADMINISTRATOR  
RUTH W. ATTAWAY, CLERK  
JANICE HOLLEY, DEPUTY CLERK**

**RE-ORGANIZATION OF THE BOARD**

The meeting was called to order by Chairman Grant. Prayer and pledge of allegiance to the flag was led by Clerk Attaway.

Chairman Grant relinquished the Chair to Attorney Fuqua and a motion was made by Commissioner Grant, seconded by Commissioner Pickron and carried to appoint Commissioner Dan Wyrick as Chairman for the 2008-2009 Fiscal Year. A motion was made by Commissioner Grant, seconded by Commissioner Miller and carried to appoint Commissioner Danny Ray Wise as Vice-Chairman for Fiscal Year 2008-2009.

**BILL ADKINS, ROAD DEPARTMENT UPDATE**

Mr. Adkins stated that his department is fixing driveways, hauling dirt and working throughout the County.

**DON A. O'BRYAN, COUNTY ADMINISTRATOR**

Mr. O'Bryan presented to the Board for approval and execution the United States Department of Agriculture Natural Resources Conservation Service (NRCS) Project Agreement. The following described works of improvement are to be constructed at an estimated cost of \$1,126,500.00.

<b><u>LOCATION</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>DSR NO.</u></b>
Camp Head Road at Pippin Branch	Stabilize road drainage outlet to prevent erosion and protect road.	CA0809-002

OR BOOK 13 PAGE 825

Turkey Pen Pond Road	Stabilize road drainage to prevent erosion and protect road	CA0809-003
Flanders Grade	Stabilize road drainage and outlet and to prevent erosion and protect Road.	CA0809-004
11 <sup>th</sup> Street at Sutton Creek	Stabilize road drainage outlet to protect road	CA0809-006

After discussion, a motion was made by Commissioner Miller, seconded by Commissioner Grant and carried to approve and execute said Project Agreement.

Mr. O'Bryan discussed with the Board the 2008 Calhoun County EWP-Group 5 Project. He stated the project was awarded to Bailey and Son's Diversified, Inc. Mr. O'Bryan stated that he received a protest letter from North Florida Construction stating that Bailey and Son's Diversified has been administratively dissolved at the time of the award thereby clearly showing that Bailey and Sons was not a responsible bidder. Attorney Fuqua stated that he had researched this at Mr. O'Bryan's request. He found that Bailey and Son's could contact the State to be reinstated and that they have done so. After discussion, Mr. O'Bryan recommended and a motion was made by Commissioner Wise, seconded by Commissioner Miller and carried to deny the protest and award the EWP-Group 5 bid to Bailey and Son's Diversified, Inc. for \$291,607.68.

Mr. O'Bryan informed the Board that Bailey and Son's had listed the bond and insurance line item at a higher amount than the 2% limit listed in the Calhoun County EWP-Group 5 bid packet. Mr. O'Bryan presented to the Board for approval and execution Contract Change Order #1 for Calhoun County EWP-Group 5 to Bailey and Son's Diversified, Inc. for a decrease of \$1,492.83 to bring the bid in line with the 2% limit. After discussion, a motion was made by Commissioner Pickron, seconded by Commissioner Wise and carried to table the above Change Order until Mr. Pickron could review Calhoun County specifications pertaining to such change order.

Mr. O'Bryan discussed with the Board the 2008 Calhoun County EWP-Group 4. He stated that he received an e-mail from Sandy Means, Area Engineer with USDA, NRCS. She stated that they will pay for the pipe and inlets, but not the inverted pavement for this project. Mr. O'Bryan stated that the County would be responsible for the design changes and pavement. After discussion, Mr. O'Bryan recommended to the Board and a motion was made by Commissioner Miller, seconded by Commissioner Wise and carried not to continue with the EWP-Group 4 Project.

Mr. O'Bryan stated that the County Extension has a 94 Dodge 350 Van that they had ceased to use which could be donated to Calhoun Corrections. Mr. Savell representing Calhoun Correction stated that they could use the van and asked that the Board send a letter to Warden Mary Ellen Dayan-Varnum donating the van to Calhoun Corrections for

work squad use. After discussion, a motion was made by Commissioner Pickron, seconded by Commissioner Miller and carried to donate the van to Calhoun Corrections.

#### **MIKE WILLS**

Mike Willis welcomed Commissioner Don Miller and Harold Pickron. He discussed with the Board the drainage problem on Chipola Road. He asked if one Commissioner would represent him at a City Council meeting. No action was taken. After discussion, Commissioner Pickron asked the Board to table the above request until he had time to discuss the problem with the City. The board agreed to table this matter.

#### **MEGAN AND JAMIE STONE**

Megan and Jamie Stone informed the Board that approximately 20' of their property on Lee Farm Road had been taken by the County without permission. They stated that no easement had been acquired and their fence and some trees had been cut. The Stone's asked the Board to pay them \$20,000.00 for the easement, dirt, trees, and fence. No action was taken. Commissioner Wise stated that there are three ways to take land, pay for it; acquire an easement or eminent domain.

Commissioner Wise stated that the prior Board did not direct Mr. O'Bryan or the Road Department to take their property. After discussion, a motion was made by Commissioner Wise to stop the project until the issue is resolved. Motion dies from lack of a second. After more discussion, the Board tabled the above discussion until the next Board Meeting so the new Commissioners could look at the project.

The November 18, 2008 minutes were approved as presented.

#### **CLERK ATTAWAY**

Clerk Attaway stated she will attend the Florida Association of Counties Trust (FACT) annual member meeting, Friday, December 5, 2008. She asked if any Board member could attend the meeting. After discussion, the Board appointed Clerk Attaway as their designee to represent them at the meeting.

Clerk Attaway asked the Board if they wanted to give the County employees the annual \$50.00 Christmas certificate to the Piggly Wiggly. A motion was made by Commissioner Grant, seconded by Commissioner Wise and carried to give a \$50.00 gift certificate to all Board employees.

#### **COMMISSIONER PICKRON**

Commissioner Pickron asked the Board to withdraw the motion to table Contract Change Order # 1 for the 2008 Calhoun County EWP-Group 5 and a motion was made by Commissioner Miller, seconded by Commissioner Grant and carried to withdraw the

motion. A motion was made by Commissioner Miller, seconded by Commissioner Grant and carried to approve Contract Change Order #1 for the 2008 Calhoun County EWP-Group 5.

**COMMISSIONER WISE**

Commissioner Wise stated that he did not promote stealing property from citizens of Calhoun County. Commissioner Wise stated he would like to correct the wrong that was done and give Megan and Jamie Stone the \$20,000.00 requested to compensate them for their land. Commissioner Pickron and Miller stated that they did not steal any land and did not appreciate being accused of doing so. Commissioner Wise apologized if he had offended anyone. After discussion, the above was tabled for review.

**CHAIRMAN WYRICK**

Chairman Wyrick asked if the Road Department could be off with pay December 24-26-2008. A motion was made by Commissioner Wise, seconded by Commissioner Miller and carried for the County employees to be off December 24-26, 2008 with pay.

Mr. O'Bryan recommended to the Board to hold a Comprehensive Plan Workshop and they agreed to December 4, 2008 in the Emergency Management Operations Center (EOC) at 3:00 p.m.

The Board will hold a Workshop on January 13, 2008 at 4:00 p.m. in the Emergency Management Operations Center (EOC) to discuss goals and objectives for the coming year.

There being no further business, the Board did adjourn.

ATTEST:

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RUTH W. ATTAWAY, CLERK

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DAN WYRICK, CHAIRMAN