

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
MAY 10, 2016**

**PRESENT AND ACTING:**

**MARION "LEE LEE" BROWN, CHAIRMAN  
WOODROW "LEE" SHELTON, VICE-CHAIRMAN  
THOMAS G. FLOWERS  
DENNIS JONES  
DARRELL MCDUGALD**

**MATT FUQUA, ATTORNEY  
CARLA HAND, CLERK OF COURT AND COUNTY COMPTROLLER  
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT  
TAD SCOTT, DEPUTY SHERIFF**

The meeting held in the Regular Meeting Room was called to order by Chairman Brown at 6:00 p.m., CT. Commissioner Jones led the Prayer and Pledge of Allegiance to the Flag.

Chairman Brown reminded everyone to silence their cell phones and reminded those on the agenda they will have three (3) minutes to speak on their topic.

**APPROVAL OF VOUCHER**

- ❖ A motion to approve the minutes and vouchers as published on the agenda (April 26, 2016 Regular Meeting Minutes; vouchers for warrants: 1604-ES, 1605-FPC, 1605-MAY, 1605-1G, 1605-1RD, 1605-1L, 1605-1E, 1605-1MH, 1605-1S, 1605-1W; payroll warrants: PR16-B05 and PR050516) was made by Commissioner McDougald and seconded by Commissioner Flowers. The motion passed unanimously 5-0. (Vouchers are available in the Clerk's Office.)

**JACKIE RITTER – REQUEST TO ABANDON EASEMENT**

Attorney Matt Fuqua stated the Ritter's are going through the process of abandoning their road and should have it resolved in about a month.

**CHARLES FOSTER- FRACKING**

Mr. Foster relayed to the board some concerns with fracking wells leaking. He spoke to the Board of findings from an Engineer of Linear Science of Rock Pressure from Cornell University that 5-7% of all new oil and gas wells leak. The 7% figure does not include leaks that sprout up in stream beds and ponds, often 2,000 feet away from the drill site. From a 2003 court article in Oilfield Review, the publication reported that since the earliest gas wells uncontrolled methane and hydrocarbons leak to the surface where drillers have not properly sealed or cemented their wells in deep shell rock. The gases escape and move through the rock into ground water, stream water, and even basements of homes. He explained fracturing increases the potential pathways to other wells, the atmosphere, and ground water. He expressed his concerns with the damage that could be done to Florida's aquifer, which is one of the largest aquifers in the world. He read a geographic study about a scientist who studied recent research in Florida that said our ground is porous, and pollutants and contaminants can travel through our water system very quickly. It would take scientists decades to even understand the geographic effects of

fracking. He also shared that researchers from the University of Colorado School of Public Health released information in March 2012 that people living within ½ mile of oil and gas fracking operations were exposed to air pollution at a level 5 times higher than normal.

Ms. Linda Lampl with Lampl Herbert Consultants of Tallahassee, represents Cholla Petroleum who will be doing seismic testing in the area. She informed the Board Dawson Geophysical is currently in town. Testing is not scheduled to begin at any particular time, but they are getting ready in terms of figuring out what the timing will be and when the water will be at a depth that is suitable for testing. She states all their permits have gone through challenges and have been approved. All information in terms of applications, requests for additional information, the plans done for cultural resources and the biological, any comments anyone from the agencies had, plus the actual permits with the conditions placed on them, are available on the FDEP website which is open to the public. Commissioner McDougald asked if the company is doing seismic testing and if the soil conditions in Florida are the type of conditions where a well could be fracked? Ms. Lampl responded that they will be doing seismic testing, and that there have been 172 seismic surveys that have been permitted since the mid-1980s. Of these 172 areas, none have ever been fracked. There was discussion about an oil well in Jay, FL and in South Florida, but in both areas the geology was not conducive to fracking according to Ms. Lampl.

Chairman Brown opened the discussion to individuals who filled out Public Comment Forms, and reminded them they will have three minutes to speak on their topic.

Ms. Candace Burgess stated that because of her concerns about fracking she urged Bay County and Gulf County to enact ordinances banning fracking, and the counties passed the ordinance by unanimous vote. She stated Bay County is urging all surrounding counties to enact an ordinance as well.

Mr. William Wallace, a former scientist for the United States Air Force for 20 years, expressed his concerns about the environmental implications of fracking. He stated he worked on many (non-fracking) contaminated sites, and has personal experience in the clean-up of environmental pollution. He specifically spoke of an incident at Warner Robbins Air Force Base in Georgia where chemicals from holding ponds seeped into the ground. Over the years, residents started to notice their water smelled and tasted different, and scientists were brought in to test the water. They found that the chemicals in the water far exceeded normal levels. The distribution well was shut down, and water had to be brought in to the residents. Several hundred homes had to be bulldozed, and families had to be relocated to other areas. His team was brought in to treat the pollution by pumping water from the aquifer and treating it. They discovered the aquifer was too large, and the area is now roped off and is a restricted area. He states the key is pollution prevention, and with fracking dangerous chemicals would be introduced into the environment.

Ms. Diane Foster stated she is hopeful the board will adopt an ordinance against fracking. She has done a lot of research since the December special meeting and has found an overwhelming amount of information against fracking. She expressed concerns with flooding if we have fracking wells in our area, and the damage it could do to the environment.

Ms. Robin Hill expressed her concern for marketing our area if fracking occurs, and is also concerned with our already endangered river system, the amount of water that would have to be used to run fracking wells, and the affect that it could have on our rivers. She asked the board to please consider adopting an ordinance against fracking.

Mr. Juan Lima expressed he and other citizens are extremely determined and deeply committed to responsible and well-reasoned stewardship to all which God has entrusted us. He states reason must be based on facts, and the facts about fracking technology clearly show Florida is geologically unique and fracking poses many dangers to our environment. He stated that our elected officials first and most important duty is to keep our citizens from harm. If fracking and disposal of toxic waste in Calhoun County are allowed, it would violate the elected officials' duty to make decisions which protect the common good, and would violate the public's trust that they have in their government. He asked who will be held accountable, and in what ways will they be held accountable, when our clean water is made irreparably toxic? Who will make our water safe again, if it is even possible? He urged board members to say no to fracking.

Ms. Benda Stoltzfus shared a human interest story from National Geographic magazine addressing fuel production and the scenic consequences to land owners in North Dakota. She has these same concerns locally.

#### **EDWARD DEHN/ ROBERT IHRKE – DRAINAGE ISSUE WITH NEIGHBOR**

Mr. Dehn and Mr. Ihrke displayed a video showing a storm water drainage problem with their neighbor, that is affecting three (3) parcels of land, including their own. Attorney Fuqua stated that their dispute is between two (2) land owners and the county does not have the jurisdiction or authority to resolve the issue. Chairman Brown suggested they go through a legal route and consult an attorney on the issue.

#### **JUDY BISS - FAIRPOINT CONTRACT – INTERNET SERVICES**

Ms. Biss gave an update from the last meeting discussing FairPoint, the Chamber of Commerce, and the Extension Office working on an internet upgrade customer service agreement. Attorney Fuqua has reviewed the agreement and FairPoint has accepted his recommendations. Ms. Biss stated she has the agreement and needs board approval and signature.

- ❖ A motion to execute the contract was made by Commissioner Flowers and was seconded by Commissioner Jones. The motion passed unanimously 5-0.

The Chairman called for a recess. The meeting reconvened.

#### **FRANK SNOWDEN – COUNTY PLANNER**

Mr. Snowden updated the Board on two items.

1. ConnectGIS, is interested in developing an interactive GIS website for Calhoun County and will present a preview by web-ex Wednesday May 18, 2016 at 9:30 A.M. in the Emergency Management Office. The website would be similar to the property appraiser's website and also has potential 911 applications. The public is invited to attend the web-ex in the Emergency Management Office or remotely. The Web-Meeting login link is:  
<https://dudesolutions.zoom.us/my/elaynehudson>
2. The Florida Division of Emergency Management Floodplain Management Office, will visit Calhoun County Monday, May 16, and Mr. Snowden, Calhoun County Planner will accompany the Floodplain Management Team on a field trip throughout the county. On May 24, 2016 at 10:00 A.M. there will be a meeting with the Florida Floodplain Management Office to discuss County policies, practices, and possible entry into the Community Rating System for a potential reduction in flood insurance premiums.

#### **DONALD STANLEY - DEWBERRY ENGINEERS, INC./PREBLE-RISH – COUNTY ENGINEER**

Mr. Stanley gave the board an update on ongoing county projects:

1. Cain Road Small County Outreach Program (SCOP)- The remainder of the sod was put down last week and the contractor, CW Roberts Contracting, Inc. is planning to pave the road this coming week.
2. Mr. Stanley presented the board with a schedule of ongoing FEMA DR 4177 projects and the status of the projects.

Mr. Stanley presented the board with a change order to the contract with North Florida Construction, Inc. for PW #286 McGill, McCoy, Mac's Nursery, Miles & Coley Roads for a time extension of 73 days.

- ❖ Commissioner Flowers made a motion to approve a change order extending the contract for 73 days. Commissioner Shelton seconded the motion. There was no public comment. The motion passed unanimously 5-0.

Mr. Stanley gave an update on DBM Contracting, Inc. (DBM) who was the low bidder on two (2) of the FEMA projects. Mr. Stanley confirmed DBM is no longer in business. Attorney Fuqua recommended the Board award the projects to the next lowest bidder. Attorney Fuqua stated there needs to be a document submitted from DBM stating that they are unable to complete the projects prior to executing the contract to the next lowest bidder. Mr. Stanley stated he will try to have this resolved by the next meeting and bring the new contract to the Board for approval at the next meeting. Attorney Fuqua stated since these projects were less than \$100,000, there was no performance bond and advised the Board to adopt other requirements to prevent this situation from happening in the future.

Commissioner Jones asked why PWs #162 and #182 have not been completed, noting they were awarded almost one year ago. Mr. Stanley stated that the contractors have expressed concerns with getting rock from the mine. There was discussion regarding difficulty contractors are having getting rock from both hi-calcium and low-calcium mines.

Commissioner Shelton inquired about the unclassified fill dirt for dirt roads, Mr. Stanley stated they are still looking for suitable material.

Mr. Stanley stated he advertised six (6) more FEMA projects this week.

Commissioner Flowers inquired about proposals for engineering inspection services that were discussed in a previous meeting. Mr. Stanley stated he is working on locating a Request for Qualifications (RFQ) that will meet both FDOT and Federal Requirements for these continuing services.

#### **JOE WOOD - DIRECTOR OF OPERATIONS**

Chairman Brown asked Mr. Wood to discuss the conversation he had with the owner of Marianna Hi-Cal LLC regarding the limited availability of hi-calcium rock. Equipment breakdowns resulting in a decrease in cash flow is partially the reason there is a limited supply however they should be back in production by the end of the week. Marianna Hi-Cal LLC, the Contractor, and the County have agreed to pay for stock piled rock after it has been delivered to a County site, this is acceptable by FEMA. This will help keep the mine operational and able to supply rock. Mr. Wood noted each contractor has different modes of operation. Some contractors require all materials in advance of starting the project. Commissioner McDougald clarified stockpiling will not involve the Board of County Commissioners or

the Road Department. Commissioner Shelton asked if this plan was for all contractors or just one. Mr. Wood responded saying no other contractors have asked for this arrangement since they do not operate on the same scale or with the same materials as this particular contractor. There was further discussion about stockpiling and contractors having problems getting rock. Commissioner Jones asked Mr. Wood how this alleviates the cash flow problem. Mr. Wood stated when the material is delivered to the stock pile, instead of paying the contractor once a month, the County will pay them twice a month with a joint check payable to the mine owner and the contractor.

Mr. Wood introduced Mr. Travis Coker representing PanCare. Mr. Coker stated he represents PanCare of Florida, which is a 501c, nonprofit primary care operation with twelve (12) locations in six (6) counties, including Calhoun County. PanCare would like to become a provider with Capital Health Plan (CHP) and Mr. Coker asked the Board to provide a letter of support to CHP on behalf of PanCare.

- ❖ A motion was made by Commissioner McDougald for the Board to provide a letter of support to Capital Health Plan requesting they add PanCare to their provider list. The motion was seconded by Commissioner Shelton. The motion passed unanimously 5-0.

Mr. Wood spoke on behalf of Ms. Rita Maupin at the Public Library who has two (2) employees who are asking for approved leave in excess of their (PTO) Paid Time Off balances; this will result in leave without pay. Board Policy requires Board approval in advance of leave without pay.

- ❖ Commissioner McDougald made the motion to approve leave without pay for the two (2) employees of the library. Commissioner Jones seconded the motion. The motion passed unanimously 5-0.

Mr. Wood asked the Board for permission to advertise for a spray truck operator. This would be an employee of the Road Department and they would have other duties in addition to spraying.

- ❖ Commissioner McDougald made a motion to advertise the spray truck operator position with extra duties to be under the umbrella of Mr. Bill Adkins, Road Department Superintendent. The motion was seconded by Commissioner Flowers. Commissioner Jones asked if the spray truck was for mosquitos, and Mr. Wood stated it would be for spraying herbicide to kill weeds and brush on the road side. The motion passed unanimously 5-0.

Mr. Wood stated he has been contacted by Mr. David Benton with a company called Volkert that does bridge inspections in our county. Every bridge is inspected periodically. Mr. Benton notified him there was some scouring under the west abutment on Willis bridge. His suggestion was to put rock in front of the abutment to change how the current flows through it and the dirt would replace itself. Mr. Wood requested permission from the board to allow him to spend some Road Department funds on approximately a dump truck load of large rock when the river is at a level the rock can be placed. Chairman Brown asked if Mr. Benton was an authority on this subject to put in rock, and Mr. Wood responded that he had taken our engineer out to look at the bridge and he agreed that something needs to be done.

Mr. Wood received a request from Ken Sheppard this week. There is a rodeo at the Tri-County Ag Park Arena this weekend and he asked if an inmate crew could mow around the arena. Mr. Wood told Mr. Sheppard the Board needed to approve the inmate work crew doing this. Chairman Brown asked if the County was sponsoring the rodeo or if it was an outside vendor. It was stated by several people the rodeo was being sponsored by Circle D Ranch in Marianna. The Commissioners came to a consensus not to send out a work crew to mow.

Mr. Wood stated Tyco Integrated Security has proposed installing new fire security equipment in the Courthouse to replace our current system at a savings of approximately \$500 dollars a year. The current annual service costs \$5,900. Chairman Brown asked where the money would come from, and Clerk Hand stated there is money budgeted for ongoing fire security. The Board agreed to table the proposal until the next meeting so Attorney Fuqua could review the terms and conditions before a decision was made.

Mr. Wood advised the Board of a septic tank emergency situation that qualifies for State Housing Initiative Program (SHIP) assistance. Ms. Kelly contacted Florida Housing, for permission to perform emergency septic tank repairs without going through the formal bid process and they approved the repairs. Mr. Wood asked the Board to approve emergency septic tank repairs without going through the formal bid process.

- ❖ A motion was made by Commissioner McDougald and was seconded by Commissioner Jones to provide emergency repairs to the septic system. The motion passed unanimously 5-0.

#### **ANGIE SMITH - EMERGENCY MANAGEMENT DIRECTOR**

Commissioner Jones expressed his concerns about hurricane season approaching, and remarked that our Emergency Management Operations Command Center seemed to be lacking incident management technology equipment compared to other Emergency Management Departments. He asked if there were funds available to upgrade our Emergency Command Center. Ms. Smith responded that they are looking into spending some of their grant funds for an upgrade.

#### **CARLA A. HAND – CLERK OF COURT AND COUNTY COMPTROLLER**

Clerk Hand asked the Board for approval of and permission to execute a Match Commitment for In-Kind Donation of Building Space on behalf of the Calhoun County Senior Citizens Association.

- ❖ A motion was made by Commissioner Shelton to execute the Match Commitment for In-Kind Donation of Building Space of behalf of the Calhoun County Senior Citizens Association. The motion was seconded by Commissioner Brown. The motion passed unanimously 5-0.

#### **ATTORNEY FUQUA**

Nothing to report.

#### **COMMISSION TIME**

#### **COMMISSIONER MCDOUGALD**

Nothing to report.

#### **COMMISSIONER JONES**

Commissioner Jones had 2 items to report.

1. Mr. Richard Ramsey on Highway 71 South expressed to Commissioner Jones that he is having a drainage issue. Based on Mr. Wood's research and consultation with the Road Superintendent and Sonny O'Bryan, former Emergency Management Director, the County did not perform the original placement of pipes on Mr. Ramsey's property. Chairman Brown inquired what the best course of action is for Mr. Ramsey and Mr. Wood responded that he would have to hire a private contractor to replace the pipes.
2. Commissioner Jones expressed his concern that our county has not joined the surrounding counties in passing an ordinance against fracking. He asked that everyone go home and pray to seriously consider an ordinance banning fracking.

**COMMISSIONER FLOWERS**

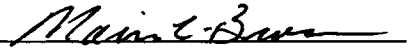
Nothing to report.

**CHAIRMAN BROWN**

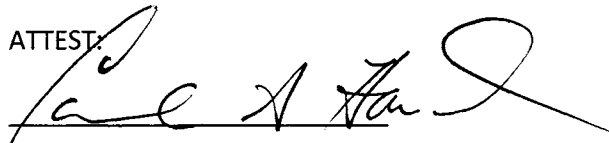
Chairman Brown stated the County is in need of a Grants Administrator stating the County could have compliance issues with grant terms if this position is not filled. Commissioner Shelton stated he is for hiring someone to help with the grants, and that we are setting some of our staff up for failure with the staff shortage. In response to inquiry from Chairman Brown Clerk Hand stated that the County adopted a Grants Administration and Accounting Policy in 2013 delegating responsibility for grants management with the County. The Clerk stated the Board has lost and not replaced three (3) positions that each had some grants management responsibility.

- ❖ A motion was made by Commissioner Shelton to hire a Grants position. Commissioner Jones asked Mrs. Angie Smith and Mr. Wood to explain why there is a need for a Grants position. They both responded there is more work than they are able to keep up with. Chairman Brown seconded the motion made by Commissioner Shelton. Commissioner McDougald commented that he agrees there is a need for a Grants position. The motion was passed to hire a Grants position 4-1. Commissioner Flowers opposed.

There being no further business, the Chairman adjourned the meeting at 8:40 p.m.

  
MARION "LEE LEE" BROWN, CHAIRMAN

ATTEST:



CARLA A. HAND, CLERK