

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 23, 2016**

PRESENT AND ACTING:

**MARION "LEE LEE" BROWN, CHAIRMAN
WOODROW "LEE" SHELTON, VICE-CHAIRMAN
DARRELL MCDUGALD
DENNIS JONES**

**MATT FUQUA, ATTORNEY
CARLA HAND, CLERK OF COURT AND COUNTY COMPTROLLER
JOE WOOD, DIRECTOR OF OPERATIONS
ANGIE SMITH, EMERGENCY MANAGEMENT DIRECTOR
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 McDougald 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 (August 9, 2016 Regular Board Meeting Minutes, and August 16, 2016 Special Board Meeting Minutes; vouchers for warrants: accounts payable warrants – 1608-2G, 1608-2RD, 1608-2L, 1608-2E, 1608-2ES, 1608-GS, 1608-2GS, 1608-Gen; payroll warrants – PR16-B14, PR081116) was made by Commissioner McDougald and seconded by Commissioner Jones. The motion passed unanimously 4-0. (Vouchers are available in the Clerk's Office.)

OPENING OF PROPOSALS FOR LAP- CR 69A PAVED SHOULDER PROJECT PHASE 1 AND PHASE II

Attorney Fuqua opened the sealed proposals for administration and construction engineering inspection (CEI) services on the LAP-CR 69A Paved Shoulder Project Phase I and Phase II and provided each Board member with a copy of each proposal and scoring sheets. The Commissioners will bring back their completed scoring sheets to the next meeting; the scores will be tabulated during the September 13, 2016 meeting.

Proposals received:

LAP CR 69A Paved Shoulder Project Phase I and Phase II

1. Alday-Howell Engineering and Inspection, Inc.
2. Anchor Consulting Engineering and Inspection, Inc.
3. DRMP, Inc.
4. Panhandle Engineering, Inc.

LINDA WILLIAMS – Calhoun County Citizens Against Fracking (CCCAF) FRACKING BAN

Ms. Williams presented to the Commissioners a handout regarding the definition of fracking. Ms. Williams stated she was told the definition of fracking was the only thing standing in the way of an adopted ordinance against fracking for Calhoun County. Ms. Williams asked the Board where they are with an ordinance against fracking. Attorney Fuqua stated he could draft an ordinance with the definition Ms. Williams has given the Board, but the oil companies are not going to agree with the definition. Chairman Brown stated the Board has looked over several different ordinances and needs a definition that suits both sides of the fracking issue. Commissioner McDougald stated after the June 28, 2016 Board Meeting it seemed it was going to be impossible to find a definition which would suit both parties. Commissioner McDougald stated the definition Ms. Williams has given is vague, and encompasses practices used in conventional oil drilling. Commissioner McDougald stated he understood a definition for hydraulically fracturing shale is what is needed. It is his understanding there is no shale in Florida. Ms. Williams agreed there is no shale in Florida. Ms. Williams stated fracking has been attempted anyway in Florida in 1907 but did not yield any results. Chairman Brown stated he has previously gone on record and stated he will not sign an anti-fracking ordinance because he feels it is a moot point in Florida. Commissioner McDougald stated the Board has been over this issue many times and it is his opinion fracking is not conducive to our geological make-up in Florida and he does not see the need for an ordinance. Ms. Williams stated the people in this County who are concerned about the water being contaminated could rest easy with an ordinance assuring them fracking will not be permitted in Calhoun County. Ms. Williams stated she does not want the oil companies to be able to decide at some point of their production to try to hydraulically frack an oil well to increase production. Chairman Brown stated the issue will not be able to be resolved tonight. Ms. Williams stated if fracking cannot be done here, why not pass an ordinance to make the citizens who are concerned feel secure. Commissioner McDougald stated he is not sure why an ordinance is needed when everyone has agreed we have porous lime-rock which is not fractured to increase oil and natural gas production. Ms. Williams stated the concerned citizens want an ordinance in case someone decides to try hydraulic fracturing of a conventional oil well at some point in time. Commissioner Shelton stated the Board would need to be in agreement for Attorney Fuqua and the consulting firm, Lampl Herbert Consulting, to work together on an ordinance which would satisfy everyone. Commissioner McDougald stated he does not see a clear path for coming up with any sort of resolution to the issue. Commissioner Jones stated he supports the need for a resolution. He stated it is his understanding the area being investigated for drilling currently is in the flood plain and cannot be drilled either way. Commissioner Shelton stated the issue cannot be resolved tonight. Ms. Williams asked the Board why the definition she has found could not be used on the previous resolution which was brought before the Board for approval. Commissioner Shelton stated the oil company and consultants would not agree with the definition she has given. Chairman Brown suggested Ms. Williams reach out to the other Commissioners before the next meeting to see where they all stand on the issue and bring it back at the next Board Meeting.

TERESA BOYD – BASKETBALL COURTS AT COOPERS PARK

Ms. Boyd informed the Board the covered basketball court at Cooper's Park is slippery and the kids are sliding around when they are playing basketball. She asked if the court could be resurfaced so it would not be so slick. Chairman Brown stated there is a product which can be painted on the surface to make it less slick. Mr. Joe Wood stated the covered building was not originally designed to be a basketball court,

so the surface is finely finished concrete. Commissioner Jones asked Mr. Wood to have Mr. Tim Jenks look at the basketball court and the Board would decide from there.

KRISTY TERRY – GRANT APPLICATION REQUEST/APPROVAL

Ms. Terry stated she has been looking around the County for qualifying recreational opportunities and needs official Board approval to explore different options. Ms. Terry asked for approval to explore options to assist in the development of qualifying properties in the County. Any efforts would be for the purpose of redeveloping the properties into recreational areas to promote redevelopment, job creation, and strengthen the community.

- ❖ Commissioner McDougald made a motion to approve Ms. Terry's request. Chairman Brown seconded the motion. The motion passed unanimously 4-0.

Ms. Terry informed the Board the Rural Economic Development Summit will be held September 18th through 20th in Orlando, and Opportunity Florida is offering to cover expenses for any Commissioner who would like to attend. Ms. Terry passed out packets and information for the event to the Commissioners. Chairman Brown asked how many Commissioners could go. Ms. Terry stated they will pay for all who would like to attend.

LINDA SMITH, PANHANDLE PIONEER SETTLEMENT

Ms. Smith was not in attendance.

CLARISSA MEDINA

Ms. Medina requested the use of the Scout House on the corner of Pear Street and Azalea Street as a Girl Scout meeting location. Commissioner Jones stated he asked Mr. Jenks about getting the building opened again, but it was going to cost a lot of money to repair the building. Chairman Brown stated the last he heard there was a lot of termite damage and the building did not pass inspection for a voting precinct because of the damage to the floor. Ms. Medina thanked the Board for their time.

JOE CROZIER – APALACHEE REGIONAL PLANNING COUNCIL – RIPARIAN STAKEHOLDER 2016-2017 BUDGET REQUEST

Mr. Crozier stated he is an Environmental Planner with the Apalachee Regional Planning Council. Mr. Crozier gave the Board an overview of what the Council has been working on. Recently they have been working on a regional program to dispose of extra materials after a big storm comes through, such as buildings which have blown down, trees and other debris. They also provide technical assistance to the County whenever needed. Mr. Crozier stated he is the coordinator for the Riparian County Stakeholder Coalition (RCSC). The RCSC is composed of the six (6) counties which border the Apalachicola River. The group advises and works for the counties to negotiate with Atlanta for the water supply for our Rivers and industry in North Florida. Funds provided last year by the different counties helped pay for the Sustainable Water Management Plan. Mr. Crozier stated they need another member on their Board to represent Calhoun County, if there is anyone who would be interested. Mr. Crozier stated he and some other members of the Coalition are working to draft a Comprehensive Restoration Plan which would affect the whole basin area. Mr. Crozier stated one of his duties at the Apalachee Regional Planning Council is grant writing. In the meantime, Mr. Crozier is rewriting the Surface Water Management Plan for the district and will use that time to get some strong local opinions. On September 14th there will be

a meeting to try to establish a Regional Basin-wide Estuary Program. This program would be a public and private partnership to try to bring everyone together as one to move in the same direction to make the basin the best it can be. Commissioner McDougald asked what the Coalition is asking water users upstream to do. Mr. Crozier stated they are trying to make a negotiation for big releases throughout the year from the dams which will flood the floodplain and allow all the different species of plants and wildlife the water they need. There was further discussion of the negotiation. Chairman Brown asked about a grant he had heard about a couple years ago to remove snags from the river. Chad Taylor, RCSC representative, stated there was a special piece of equipment designed by the Corp of Engineers to remove the snags such that they would be safe and not a hazard to navigation. Rather than pull the trees from the bank, they clipped off all the snags and left them on the bottom of the river. Mr. Crozier stated the Riparian County Stakeholders Coalition would be very appreciative of a letter of support again this year from the Board, and will continue their efforts in the basin area. Mr. Taylor stated all the other counties in the surrounding area have contributed to the Riparian County Stakeholders Coalition.

GENE BAILEY – AMBULANCE SERVICE

Mr. Bailey expressed his concern to the Board about the ambulance service refusing to take their transport patients to the hospital of their choice. He stated he has been informed by three (3) different citizens when EMS determined there was a need to transport them, and the citizens requested to be taken to Bay County or Gulf County, EMS told them it was not possible. Mr. Bailey has requested a copy of the contract with the ambulance service and asked the Board to give assurance to the citizens of Calhoun County they can be transported to the hospital of their choice if they have a medical emergency. Commissioner McDougald stated the Director of the ambulance service, the hospital Director, and the hospital Board should be informed of the complaints so they can make the necessary changes. Commissioner Shelton stated this is not the first time there have been complaints, and nothing has been done. Chairman Brown stated if all the medical needs or doctors of the patient are in another County, they should be able to request to be transported there. Commissioner McDougald suggested the Chairman talk to the Director of the hospital and investigate the matter further. Commissioner Shelton stated the issue lies in if there is already one ambulance out of the County, and the second ambulance responds to someone who requests to be taken elsewhere, this would leave the County uncovered for any other calls. Commissioner Shelton stated this is why he believes the County should have three (3) ambulances running so in these cases, the patients would be able to go where they request. There are too many calls in the County to only run two (2) ambulances. Commissioner McDougald stated EMS and the hospital should look into the cost of running a third ambulance. Chairman Brown stated he would talk to the Director of the hospital tomorrow if he is available.

BOB FLECK – IDA BOARD CHAIRMAN

Mr. Fleck stated the tree thinning has been started and is going well. There have been about 52 truckloads hauled out to date. If the weather cooperates they should be done in the next few weeks.

Mr. Fleck reported the taxiway is complete, but there are a couple items remaining having to do with drainage. They are hoping the drainage issue will be corrected in the next month, \$180,000 in retainage is being held to ensure the work will be completed.

Mr. Fleck stated there have been two (2) sprayings of the wetlands at Sam Atkins Park, and there is one (1) final spraying of the weeds scheduled tentatively for this Friday. There will be an assessment in October on the eradication of the weeds, and hopefully this will be the last spraying which will need to be done.

Mr. Fleck stated AVCON submitted an invoice on task order number two (2) for the taxiway development. In their contract there are four (4) line items, of which each say not to exceed (NTE) a certain dollar amount, and the contract itself states not to exceed a certain dollar amount. The latest invoice received shows one-line item over the not to exceed amount, and one-line item under the not the exceed amount, so when added up the total contract was not exceeded. Because each line item states "not to exceed" Mr. Fleck requested the Board's approval to pay the line item which is over the designated amount, and the line item which is under the designated amount. Mr. Wood stated he believes there was a clerical error in the contract, and the intent was for the contract to not exceed a certain amount, not each line item. Commissioner Shelton stated there is sometimes a reason why each line item should not exceed a certain amount. He inquired why one-line item was over spent. Mr. Fleck responded there were additional inspection fees. Commissioner McDougald asked if this inspection was for paving of the taxiway and if this is something which happens frequently. Mr. Wood responded the engineering company talked like they had made a mistake on the contract when it was written. There was further discussion about the contract. The Board came to a consensus for the IDA Board to go over the contract and bring the issue back before the Board after the next IDA Board meeting.

Mr. Fleck stated all hangars and buildings are leased, and all payments are up to date. Commissioner Shelton asked if the trees which are in the flight path of the runway have been taken care of. Attorney Fuqua responded they are still working on the issue, and it was discussed at the IDA Board meeting last night. Mr. Fleck stated all options are being carefully evaluated and the IDA Board has come to a consensus to find a permanent solution to the problem.

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

Mr. Stanley presented to the Commissioners an update on all the ongoing FEMA projects. Mr. Stanley stated the contractors are making progress on the projects, and the majority are 100% complete or actively under construction. Mr. Stanley suggested the Board consider bidding out more projects in a couple weeks. Commissioner Shelton requested Porter Grade Road be added to the list of projects to be bid out, the road is holding water after rains. Chairman Brown inquired about the Willard Smith Road project. Mr. Wood stated the contractor has agreed to hold off on adding more lime rock to the road until the County has finished clearing the road side to prepare for paving. Chairman Brown asked if the asphalt is still scheduled to be completed next year. Mr. Stanley stated the project is scheduled for next year, but he is not sure of the dates. The agreements have been sent to DOT for review and they expect to have the agreements back possibly by January, and bid the job by this time next year. The Board came to a consensus for more projects to be advertised.

Mr. Stanley presented to the Board a change order for DR4177 PW #341 CJ Roberts, Charlie Skipper, Charlie Wood, Eddie Faircloth, Hill Brogden, O'Neal, and Woodrow Smith Roads. The County made some improvements to Woodrow Smith Road after the project worksheet was written, and improved the road beyond the original state of the road. Commissioner McDougald asked why this was done. Mr. Wood

stated the road was not in very good shape and had high clay content, and they were able to add some lime rock to the road. Mr. Stanley stated the FEMA contract was only for dirt (the road was dirt when the storm damage occurred.) and FEMA will not pay for improvements. The change order is a deduction of \$8,223.10.

- ❖ A motion was made by Commissioner Shelton to approve the change order. The motion was seconded by Chairman Brown. Commissioner McDougald asked if the deductive amount was about what the County spent to improve the road. Mr. Wood stated he did not think they spent that much to put the lime rock down. Ms. Angie Smith stated once the County shows they have done improvements themselves on the road, if there is another disaster FEMA would allow the County to put lime rock on the road again. The motion passed unanimously 4-0.

Mr. Stanley stated the Water Management grant for the Catalyst site, Airport, and Ag Park area has been awarded to the County. Mr. Stanley presented to the Board the task order which will allow him to start with the design process and get permits in place so the project can be bid for construction. The total amount of the task order is \$18,963.00.

- ❖ A motion was made by Commissioner McDougald to approve the task order. The motion was seconded by Chairman Brown. The motion passed unanimously 4-0.

Mr. Stanley stated since Preble-Rish merged with Dewberry Engineers, Inc. in April, he drafted a letter acknowledging the task orders for the ongoing projects Preble-Rish was working on prior to the merger which are still being worked on, to reassign the task order to Dewberry/Preble-Rish.

- ❖ Chairman Brown made a motion to approve the letter. Commissioner McDougald seconded the motion. The motion passed unanimously 4-0.

ANGIE SMITH, EMERGENCY MANAGEMENT DIRECTOR

Ms. Smith reported to the Board she has been working on requesting FEMA funds to keep the flow of projects going. Ms. Smith stated she has been working with Ms. Snowden (Grants Coordinator) on LAP training. Ms. Smith stated there is a storm developing which may be approaching Florida by the weekend, so they will be closely monitoring the weather system.

JOE WOOD, DIRECTOR OF OPERATIONS

Mr. Wood informed the Board the Kinard Volunteer Fire Department is requesting reimbursement for a 50/50 grant to buy new bunker gear. The grant match is approximately \$7,500(\$15,000 grant). The Commissioners discussed the needs of all of the Volunteer Fire Departments and asked Mr. Wood look into the matter and report back.

Mr. Wood requested the Board's permission to obtain described easements from Sherry Swindle and Durham Woodlands concerning the potential Southern Link Tower site off Jim Durham Road which the County owns. The County has an easement to the property, but in order for the tower to be constructed the company will need more entry points. The descriptive easements have been written and the two (2) property owners have agreed to sign them, but Mr. Wood needs the Board's approval first to move forward. This is the last link before a contract can be brought before the Board regarding the installation of the cell tower.

- ❖ Commissioner McDougald made a motion to approve Mr. Wood's request. Chairman Brown seconded the motion. The motion passed unanimously 4-0.

Mr. Wood requested the Board's permission to purchase 12.5 acres off Martin Sewell Road from Ms. Kelly Shelton to start a dirt pit. The purchase price of the land is \$25,000. Mr. Wood looked at another parcel of land nearby and the owners wanted \$30,000 for 10 acres. Mr. Wood and Mr. Atkins dug a dirt sample from the property and Mr. Atkins stated the dirt was perfect. Chairman Brown asked if there were any harvestable trees on the property. Mr. Wood responded there are some pines planted and he will have a timber consultant look at them to see if they are harvestable. Mr. Wood stated a title search was performed on the property and no encumbrances were noted.

- ❖ Commissioner McDougald made a motion to approve the purchase of the 12.5 acres for \$25,000. Chairman Brown seconded the motion. There was no public comment. The motion passed unanimously 4-0.

Mr. Wood requested the Board's permission to transfer the old 911 Mapping and Addressing 97 Ford truck to the Road Department. The truck has been deemed unfixable after the transmission went out, but Mr. Atkins thinks he may be able to repair the truck. Mr. Wood asked the Sheriff if he wanted the truck back since the County acquired the truck from him, and he said he has no need for it. At best Mr. Atkins can get the truck running, and if not the truck will be sold at the next auction. The Board came to a consensus to let Mr. Atkins try to fix the vehicle.

Mr. Wood informed the Board a generator for the Fuel Depot has been selected and payment will be sent tomorrow with the order. Mr. Wood stated the generator is a little larger than the one they were originally looking for, but the company was overstocked and this generator is less expensive.

Mr. Wood informed the Board the County is still picking up cardboard for Liberty County, as Liberty County Recycling is still not operational. The County is managing to get our cardboard picked up and Liberty County's picked up, but hopefully they will be running again soon. Chairman Brown asked if the County is keeping the cardboard picked up in Liberty County. Mr. Wood responded yes, we keep the cardboard.

CLERK HAND – CLERK OF COURT AND COUNTY COMPTROLLER

Clerk Hand requested the Board's permission to declare obsolete and dispose of asset #1067 2005 Ford with knuckle boom loader 3FRXF75545V173621, which was deemed totaled by the insurance company. The insurance proceeds to be received are \$54,425.

- ❖ Commissioner McDougald made a motion to approve disposing of asset #1067. Chairman Brown seconded the motion. Chairman Brown asked if the County keeps the truck or if the insurance company would take it. Mr. Wood responded the truck was of no value to the County so the insurance company would be taking it. The motion passed unanimously 4-0.

ATTORNEY FUQUA

Attorney Fuqua stated he emailed the Commissioners the final version of the ambulance contract agreed upon by the hospital. Attorney Fuqua stated the contract meets all his conditions and he also

spoke with the Emergency Management Department in Tallahassee and they have assured him the ambulance service can be taken over by the County if the contract is not followed.

- ❖ Commissioner McDougald made a motion to approve the ambulance contract with the hospital. Chairman Brown seconded the motion. The motion passed 3-1. Commissioner Shelton opposed.

COMMISSIONER TIME

COMMISSIONER MCDOUGALD

Nothing to report.

COMMISSIONER JONES

Nothing to report.

COMMISSIONER SHELTON

Commissioner Shelton stated he was contacted one day recently about fixing a driveway, and he asked Mr. Atkins if he had any milling left he could use. He had a small amount left for Commissioner Shelton to use, but that was the last milling from the County stockpile. Commissioner Shelton stated the company he works for, Anderson Columbia, will be starting a project on Highway 73 North soon. He talked to the Vice President of the company today and he told him if the County brings their trucks to the milling machine they can have the milling for \$150 per truckload. Commissioner Shelton asked if the Board was interested in doing this. Commissioner Shelton stated also, the 12.5 acres being purchased for the new dirt pit is only 4 or 5 miles from the construction area, so the material could be stockpiled there and not hauled a long distance. Commissioner Shelton stated this is a good deal, and these situations of receiving milling from a State Road project is rare because the contractors usually keep the milling for themselves. In this instance the company already has all the milling they need right now. There was further discussion about milling. Mr. Wood stated the Board would need to figure out where the funds to pay for the milling would come from. Commissioner McDougald stated the County definitely needs to look into getting the milling. Chairman Brown asked how many loads the County would be able to buy. Commissioner Shelton responded the County could probably get as many loads as they wanted, there is about 16 miles of road being repaved. There was further discussion about milling and how to pay for the milling. Mr. Wood stated between now and the next meeting they could look into funding to pay for the milling. Mr. Wood asked how much would be an optimal amount. Commissioner Shelton stated the County got about 200 loads from Roberts and Roberts, Inc. which has lasted about 2 years. Mr. Wood stated he would look and see if he could find up to \$30,000 to spend on the milling.

CHAIRMAN BROWN

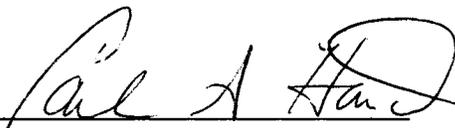
Chairman Brown requested permission to execute the Application for Funding Assistance for the Florida Department of Law Enforcement Justice Assistance Grant – Countywide.

- ❖ Commissioner McDougald made a motion to approve the application. Commissioner Jones seconded the motion. The motion passed unanimously 4-0.

There being no further business, the meeting adjourned at 7:29pm.


MARION "LEE LEE" BROWN, CHAIRMAN

ATTEST:


CARLA A. HAND, CLERK