

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
JUNE 27, 2017**

**PRESENT AND ACTING:**

**DANNY RAY WISE, CHAIRMAN  
DARRELL MCDOUGALD  
DENNIS JONES  
JERAL HALL**

**MATT FUQUA, ATTORNEY  
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER  
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

Chairman Wise called the meeting held in the Regular Meeting room to order at 6:00 P.M.; CT. Commissioner McDougald led the Prayer and Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES AND VOUCHERS**

A motion to approve the minutes and vouchers as published on the agenda (the June 13, 2017 Regular Meeting Minutes, and the June 19, 2017 Workshop Minutes; vouchers for warrants: accounts payable warrants –1706-2G, 1706-2RD, 1706-2L, 1706-2E, 1706-2S, 1706-2W, 1706-FPC and payroll warrants - PR17-B16, PR061517) was made by Commissioner McDougald and seconded by Commissioner Hall. The motion passed unanimously 4-0.

**PUBLIC HEARING – AIRPORT ORDINANCE**

Attorney Fuqua stated this ordinance really does not change anything from the previous ordinance, the Department of Transportation (DOT) made some wording changes the county had to comply with, and overall this ordinance is less restrictive than the previous ordinance. Attorney Fuqua stated that he received a letter from Mr. Gary Shuler’s attorney expressing some concerns that Mr. Shuler has about the ordinance. Attorney Fuqua stated that DOT requires the county to adopt an ordinance. Attorney Fuqua stated he is not sure what will happen if the county does not adopt the ordinance, and does not know if it will affect the ability to get grants for the airport. Attorney Fuqua further stated he made the ordinance as unrestrictive as possible, and made sure property owners in the area would be able to build a house if they chose to as long as it did not violate the height restrictions of the ordinance. Attorney Fuqua read the ordinance aloud by title:

**CALHOUN COUNTY AIRPORT ORDINANCE**

An Ordinance to be entitled

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
CALHOUN COUNTY FLORIDA, REGULATING AND RESTRICTING THE**

**HEIGHT OF CERTAIN STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF LAND IN THE VICINITY OF THE CALHOUN COUNTY AIRPORT BY CREATING THE APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING A TITLE, PROVIDING PURPOSE AND INTENT, PROVIDING FOR DEFINITION, PROVIDING FOR REGULATIONS, NOTICE AND PERMIT REQUIRED FOR AIRPORT ZONING, PROVIDING FOR AIRPORT CONSTRUCTION PERMIT PROCEDURE AND CRITERIA FOR APPROVAL OF CERTAIN RUNWAY PROTECTION ZONES, PROVIDING FOR APPEAL PROCESS, PROVIDING FOR AIR RIGHTS, PROVIDING FOR SPECIAL REQUIREMENTS APPLICABLE THROUGHOUT THE COUNTY, PROVIDING FOR NON CONFORMING USES, PROVIDING FOR ENFORCEMENT, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Fuqua stated this ordinance does not restrict Mr. Shuler from growing trees, but will restrict how high they can grow. Attorney Fuqua stated this ordinance would not give the county the power to take someone's property without compensation. Chairman Wise stated he is not for taking anyone's property or limiting them to what they can do with their property. Mr. Shuler stated he built his house before the airport was constructed, and now on Saturday's and Sunday's he can barely go outside and enjoy his property because planes are constantly taking off and landing. Mr. Shuler stated the trees are the best barrier he can get for the noise and the disruption of the airport, and they are also a barrier visibly to the airport. Mr. Shuler stated the property the airport is on was sold to the county for an agricultural park, not an industrial park. Mr. Shuler stated he doubts he could grow his trees to maturity for harvesting before they will be too tall for the flight path. Commissioner McDougald stated when the airport was constructed, the runway should have been planned so the approach would be on the property of the airport instead of the surrounding property owners. Commissioner McDougald stated there was an option discussed at one time to move the markings on the runway further into the airport property so there was room for the approach and trees would not be an issue. Mr. Shuler stated a couple years ago someone from DOT called him several times to tell him that at some point his house would be in the flight path, and would have to be removed. Attorney Fuqua stated this would not happen; the county may have to cut back on the runway length but would not remove a home. Attorney Fuqua stated the trees are the only issue with the height restrictions now, and if the county had to take the trees down they would have to pay Mr. Shuler for them. Mr. Shuler asked how to put worth on taking the trees, when all the privacy is gone and the property is sitting bare. Mr. Shuler asked what his house would then be worth with the trees gone. Attorney Fuqua stated lower growing trees might need to be planted to replace the pine trees. Mr. John Morgan Davis, Chairman of the IDA Board, stated it would be three (3) or four (4) years before the trees on Mr. Shuler's property were too tall for the flight path. Mr. Davis stated there are ways to maintain privacy for Mr. Shuler's property without leaving the property empty of trees. Mr. Davis stated the flight slope must be maintained. Mr. Davis stated if the markings on the runways are moved, the airport loses valuable space that cannot be used. There was further discussion about the runway and the flight path. Attorney Fuqua stated this ordinance would repeal ordinance 1999-06, which is more restrictive than the new ordinance. Mr. Shuler stated during

this time, and knowing the trees would be an issue, no one from the county nor has the IDA Board has ever talked to him about the issue in order to find a resolution. Mr. Davis stated this ordinance is required by the State for the airport. Mr. Shuler asked how many other airports in the state have this ordinance. Attorney Fuqua stated he created the model ordinance, and all counties in the state will be required to adopt the ordinance. Attorney Fuqua stated the ordinance is required to be adopted by June 30. Mr. Shuler stated the ordinance is not mandatory. Attorney Fuqua responded saying the state has said the counties must adopt an ordinance by June 30. Mr. Shuler stated in Apalachicola he spoke with someone who stated they would not be adopting an ordinance for their airport. Attorney Fuqua stated there are not any penalties, but he is not sure what will happen with FDOT funding if an ordinance is not adopted. Attorney Fuqua stated if the Board does not pass this ordinance, the previous ordinance is still in effect which is more restrictive than this ordinance. Mr. Shuler stated he was not aware there was another ordinance that restricted the height of structures and growth around the airport. Mr. Shuler asked how the county could restrict what is already there. Attorney Fuqua stated by restricting the height trees can grow around the airport. Attorney Fuqua stated the county would have to bring some sort of action against Mr. Shuler in order to take his trees down, and would have to acquire the trees through eminent domain where Mr. Shuler would get compensation for his trees. There was further discussion about the ordinance and the airport. Mr. Davis stated he would be willing to sit down with Mr. Shuler and work out a solution. Mr. Shuler stated he would be open to negotiating in good faith with Mr. Davis. There was further discussion about this negotiation.

- ❖ Chairman Wise made a motion to table the ordinance until the next meeting. Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

#### **VIRGIE BOWEN, FLORIDA DEPARTMENT OF TRANSPORTATION – FIVE-YEAR WORK PLAN**

Ms. Bowen presented the Board with a handout of the five (5) year work program for the county with FDOT. Ms. Bowen stated FDOT is required by the legislature to have a five (5) year fiscally balanced program plan, and every year they must add a new fifth year to the plan. Ms. Bowen stated the new fiscal year begins on July 1, so the new fifth year will be for 2022 and 2023. Ms. Bowen asked the Board if they have any questions or issues that need to be addressed. Ms. Bowen stated she met with Mr. Clifford Edenfield, Mr. Joe Wood, and Ms. Angie Smith on May 8 to discuss any issues the county has. Ms. Bowen stated there was a question about a \$10,000 research job being done on the highway 20 Apalachicola Bridge. Ms. Bowen stated this is a study to determine the life span of the paint on the bridge. Ms. Bowen stated there was another question about \$40,000 for emergency operations. Ms. Bowen stated these funds were for debris removal from Hurricane Hermine. Commissioner McDougald asked when the next phase of Highway 69A is scheduled to begin. Ms. Bowen stated she was not sure, and would find an answer and let the Board know. Chairman Wise asked if the funding has already been set aside for the projects listed. Ms. Bowen stated if the project is in the five (5) year plan the funding has been allocated for the project, unless there is a change in the revenue estimating process requiring a project to be moved. Ms. Bowen stated the first two (2) years of the five (5) year plan are not as susceptible to change as years three (3) through five (5). Ms. Bowen stated there will be a meeting with their production office around mid-July to discuss what the rural local governments have requested. Ms. Bowen stated there is still time for the Board to ask for another project, and could make further comments to Mr. Wood or Mr. Edenfield who could relay the information to her.

#### **RECOGNITION OF MOSSY POND VOLUNTEER FIRE DEPARTMENT NEEDS ASSESSMENT**

Clerk Hand stated this was placed on the agenda after the last Volunteer Fire Department Workshop. Clerk Hand stated the needs assessment was turned in to her because the Board stated they wanted to see what the needs of the fire departments were. Clerk Hand stated the information was sent in all the Commissioner's agenda packets. Commissioner McDougald asked if this information is filed with the State Fire Marshal and used when applying for grants. Ms. Snowden stated the information is entered online on the State Fire Marshal's website. Commissioner McDougald stated in the workshop the representative from the State Fire Marshal's office emphasized filling out documents completely, and he noticed there was an FDID number not filled out on the needs assessment. There was further discussion about the needs assessment.

#### **PROPERTY APPRAISER PRICE QUOTATION FOR PROFESSIONAL SERVICES**

Clerk Hand stated there was an invoice in the Commissioner's agenda packet for \$3,243.80, the cost to process the 2017 TRIM notices, which will be mailed shortly. Clerk Hand stated this cost is budgeted for each year, and each year the Board votes to accept the price quote and give the Chairman permission to execute.

- ❖ Commissioner McDougald made a motion to approve the price quote for the Property Appraiser's office. Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

#### **BOARD'S DESIGNEE FOR THE SMALL COUNTY COALITION**

Clerk Hand stated she received an email recently from the Small County Coalition asking if the current designees would remain or be replaced. The current designees are Commissioner McDougald and Commissioner Jones with Joe Wood as the Staff Liaison. Commissioner McDougald stated he does not mind serving again, but thought Commissioner Bailey may want to serve on the Committee. Commissioner McDougald requested to table the issue until the next meeting. Clerk Hand stated she would place it back on the agenda for the next meeting.

#### **ADDITIONAL TRANE QUOTE – ADD ON FOR SPARE PARTS**

Clerk Hand stated at the last meeting Commissioner Bailey asked Mr. Hightower from TRANE for an add on quote for spare parts and for a service contract. Mr. Hightower provided these items for the Board's consideration, and these were included in the agenda packets. Clerk Hand stated Mr. Hightower called today and let her know he can always provide a revised quote based on which HVAC option the Board chooses. Commissioner McDougald asked if the U.S. Communities network TRANE priced their quote through was determined to be an allowable option for accepting the bid. Attorney Fuqua stated it is a publicly bid project through the U.S. Communities network, and the Board would just need to direct the Clerk to include it in the purchasing policy.

- ❖ Commissioner McDougald made a motion for the U.S. Communities network to be added to the purchasing policy. Commissioner Jones seconded the motion. The motion passed unanimously 4-0.

#### **JOHN MORGAN DAVIS- IDA BOARD CHAIRMAN**

Mr. Davis stated they spoke with FDOT last night on their five (5) year plan, and put in a request for an extension of the south runway. Mr. Davis stated they should know within two (2) or three (3) years if the

project is approved. Mr. Davis stated there are probably some federal funds available to relocate Magnolia Church Road and tie Maxie Waldorff Road into Whitfield Road, and make sure traffic can move without hardship to citizens. Mr. Davis stated the north taxiway construction should start around October 1, with construction completed approximately four (4) months after the start date. Commissioner McDougald asked if the IDA Board has the land they need to extend the taxiway to the south. Mr. Davis stated the IDA Board owns about 120 acres to the south of the airport and should have all the land they need for the extension.

**CHELSEA SNOWDEN – PROJECTS AND GRANTS COORDINATOR**

Ms. Snowden stated at the preconstruction meeting for Matthew Wood/Charlie Wood Road last week the notice to proceed was set for July 26.

Ms. Snowden stated the preconstruction meeting for Roy Golden and Musgrove/Buddy Johnson Road would be held on July 11 at 2:00 and 3:00 pm.

Ms. Snowden stated a historic grant was submitted for Clay Mary Park, Ms. Geraldine Sheard has a home she would like relocated to the park. Ms. Snowden stated a grant application for \$50,000 was submitted to move the home and do some renovations to the home once at the park. Ms. Snowden stated she hopes to have an answer by the beginning of October.

Ms. Snowden stated Coy Lindsey Road and Amaziah Peacock Road will begin to be advertised in the newspaper tomorrow, and the opening bid date will be July 26. Ms. Snowden stated the Catalyst Site Tank bid, the request for proposals for CEI for the Chipola Road Sidewalk project, and notice to receive sealed bids on the Chipola Road Sidewalk project will be opened on July 26 as well.

Ms. Snowden presented change order number one (1) for Musgrove/Buddy Johnson Road for approval and execution. Ms. Snowden stated this road came in over budget, and there have been some items removed in order to get the project within budget, including some sod and additional lime rock. Ms. Snowden stated the change order is decreasing the contract by \$84,058.82.

- ❖ Commissioner McDougald made a motion to approve change order number one (1) for Musgrove/Buddy Johnson Road. Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

**CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER**

Clerk Hand requested the Board declare obsolete and junk asset numbers 1294, 1470, 1622, and 978.

- ❖ Commissioner McDougald made a motion to declare the assets obsolete and junk. Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

Clerk Hand stated in the agenda packet there were two (2) invoices for Ramsey's Cash Saver to reimburse the Sheriff's Office for expenditures of the Teen Driver Class, which are funded from traffic fines and are restricted funds.

- ❖ Commissioner McDougald made a motion to approve the reimbursement to the Sheriff's Office for the invoices. Commissioner Jones seconded the motion. The motion passed unanimously 4-0.

Clerk Hand presented to the Board budget amendment five (5) for the Waste Management fund. Clerk Hand stated there was some lightening damage to the scales at the Recycling Center, and funds in the amount of \$5,000 need to be moved to repair and maintenance. This amount is the insurance deductible to repair the equipment. Commissioner McDougald asked if there was lightening damage to the scales a few years ago. Clerk Hand stated there has previously been lightening damage.

**BA # 5**

**Calhoun County  
Board of County Commissioners  
Budget Amendment  
Fiscal Year 2016/2017**

**Amendment to 2016-2017 budget, reallocating funds from Waste Management Fund's Reserve for Contingencies to Waste Management Fund's - Non-grant expenditures.**

**General Fund**

<u>account #</u>	<u>Description</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<b>Expenditures</b>					
Physical Environment:					
Non-Grant Expenditures					
5153900-46000	Repairs and Maintenance	4,500	5,000	-	9,500
Reserves:					
51984-95000	Reserve for Contingencies	52,866	-	(5,000)	47,866
Expenditure total		<u>\$57,366</u>	<u>\$5,000</u>	<u>(5,000)</u>	<u>\$57,366</u>

This Budget Amendment duly approved and adopted by the Calhoun County Board of County Commissioners at their regular meeting this 27th day of June 2017.

- ❖ Commissioner McDougald made a motion to approve budget amendment five (5).  
Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

Ms. Carrie Baker asked who makes the decision to move a house into Clay Mary Park, and if the community has any input. Ms. Baker asked if the new pavilion in the park would eliminate the county from getting the historical grant because there is something from present times in the park. Chairman Wise asked Ms. Baker if she has spoken with Ms. Sheard about the historical grant. Ms. Baker stated she had not spoken with Ms. Sheard. Ms. Baker asked Commissioner Jones if there was a committee who makes decisions about what homes are selected for a historical grant. Commissioner Jones directed Ms.

Baker to Ms. Snowden. Ms. Snowden stated Ms. Sheard personally approached her about the historical grant. Ms. Snowden stated by state standards if a home is 50 years or older it is eligible for a historical grant, and Ms. Sheard's house was built in 1948. Ms. Snowden stated Ms. Sheard asked her for help on the grant application, so as the grant coordinator she gladly assisted Ms. Sheard. Chairman Wise suggested Ms. Baker speak with Ms. Sheard about any further questions she had about the grant.

**ATTORNEY TIME**

Attorney Fuqua stated if the Board were comfortable with the suggested Building Department fees and Planning Department fees, he would like to go ahead and set a date to advertise the ordinance for the fees. Attorney Fuqua stated the Building Department fees filled in some gaps where there should have been fees before, and clarified some fees. Mr. Snowden, County Planner, stated some of the planning fees would be associated with the cost of the project. Mr. Snowden stated there is a lot of time involved with the technical review meetings, and Attorney Fuqua makes time to come from Marianna to discuss the projects at the meetings, so \$300 is not covering the expenses. Mr. Parrish, County Building Official, stated he believes the Board should put some restrictions on mobile homes, and require the inspection of mobile homes over ten (10) years old before they can be hooked to power to make sure they are structurally and electrically sound. Mr. Parrish stated Gulf County has a \$25 fee for inspection of a mobile home that has been moved. Attorney Fuqua stated he could add this to the fee schedule. Chairman Wise asked if Attorney Fuqua could bring the issue back up at the next meeting. Attorney Fuqua stated he would bring the fees up again at the second meeting in July and give the Board plenty of time to make sure they are comfortable with the fees suggested.

Attorney Fuqua stated the Sheriff's Office Transportation Plan would need to be approved by the Board. The plan pertains to transporting people under the Marchman Act, Baker Act, and other similar circumstances.

- ❖ Commissioner McDougald made a motion to approve the Sheriff's Office Transportation Plan. Commissioner Hall seconded the motion. The motion passed unanimously 4-0.

**COMMISSIONER TIME**

**COMMISSIONER MCDUGALD**

Nothing to report.

**COMMISSIONER JONES**

Nothing to report.

**COMMISSIONER HALL**

Nothing to report.

**CHAIRMAN WISE**

Nothing to report.

There being no further business, the meeting adjourned at 7:02 p.m., CT.

  
DANNY RAY WISE, CHAIRMAN

ATTEST:

  
CARLA A. HAND, CLERK



Calhoun County  
Board of County Commissioners  
Budget Amendment  
Fiscal Year 2016/2017

Amendment to 2016-2017 budget, reallocating funds from Waste Management Fund's Reserve for Contingencies to Waste Management Fund's - Non-grant expenditures.


**General Fund**


<u>account #</u>	<u>Description</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<b>Expenditures</b>					
Physical Environment:					
Non-Grant Expenditures					
5153900-46000	Repairs and Maintenance	\$ 4,500	5,000	-	9,500
Reserves:					
51984-95000	Reserve for Contingencies	52,866	-	(5,000)	47,866
	Expenditure total	\$ 57,366	\$ 5,000	\$ (5,000)	\$ 57,366

This Budget Amendment duly approved and adopted by the Calhoun County Board of County Commissioners at their regular meeting this 27th day of June 2017.

Board of County Commissioners  
Calhoun County, Florida:

ATTEST:

  
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Danny Ray Wise  
Chairman

  
\_\_\_\_\_  
Carla A. Hand  
Clerk to the Board of County Commissioners  
Calhoun County, Florida