

June 21, 2007
Special Session
Bonifay, Florida

The Holmes County Board of Commissioners met in Special Session on the above date with the following members present: Commissioner Kenneth Williams, Commissioner Monty Merchant, Commissioner Jim King, Commissioner Phillip Music, and Commissioner Raymon Thomas, Chairman of the Board.

Greg Wood, County Administrator, was present.

Alice Vickers, Deputy Clerk, was present and kept the minutes.

Chairman Thomas opened the meeting with prayer and led the pledge.

Chairman Thomas advised the public that the Board was meeting to discuss the "County Certified Road Map". He informed the Board that before adoption of the "County Certified Road Map", a public hearing should have been held, the map should have been advertised, and letters should have been sent twenty (20) days before the hearing. He advised that since this procedure had not been followed, he was recommending that the map be declared void. Commissioner Williams asked if the Board was legally obligated to have a "County Certified Road Map" with Chairman Thomas responding no. Commissioner Merchant asked if there would be a problem with FEMA if the County does not have a "Certified Map". Chairman Thomas responded that the only required map was a 911 map that had to include every road in the County, whether maintained by the County or not. He stated that Florida Statute defines a "County Road" as a road that has been maintained by the County for four (4) years or a road that was not built by the County which has been maintained for seven (7) years. Commissioner King offered a motion to declare the "County Certified Road Map" as void with Commissioner Merchant offering a second. Mr. Hal Kirk stated that he was in a court battle over the road "Gap Lane". He stated that it was on the "Certified Map" and had been maintained by the County to a certain extent including the County putting rock on it. He stated that closing the road would prevent his step son from getting to his home and that the County had sold him a permit to build a home on this road. Commissioner King stated that "Gap Lane" has never been a County road because it has a cattle gap at the beginning of the road on Mr. Baker's property. Commissioner Merchant stated that he has talked with the commissioners who served for the last thirty (30) years and each have assured him that this road was not a "County Maintained Road". He also informed the Board that "Gap Lane" was not the only road in question, that he had found a total of nine in his district that should not have been included on the "Certified Map". Greg Wood, County Administrator, clarified that this action would not change the status of any road that has been maintained by the County. He further clarified that if the Board chooses to adopt a "Certified County Road Map" in the future, proper procedure would be followed.

Brandon Young, Attorney, stated that he represents the Bakers in the law suit pertaining to “Gap Lane”. He advised that the suit was actually over whether Mr. Kirk and his step son had an easement to cross Mr. Baker’s property to get to their property and that this issue had nothing to do with whether this road was on the “County Certified Road Map”. The motion passed unanimously.

Wanda Stafford, Emergency Management, advised the Board that the State burn ban has been lifted and recommended that the Board lift the ban for Holmes County as well. Chairman Thomas stated that since this item was not on the advertised agenda, action should not be taken. Further discussion indicated that Forestry was issuing burning permits in the County so action was necessary. Chairman Music offered a motion to suspend the rules and to discuss this item with Commissioner King offering a second. The motion passed unanimously. Commissioner King offered a motion to cancel the burn ban with Commissioner Music offering a second. The motion passed unanimously.

Commissioner Music offered a motion to adjourn with Commissioner Merchant offering a second. The motion passed unanimously.

Clerk

Chairman