

July 29, 2008
Regular Session
Bonifay, Florida

The Holmes County Board of Commissioners met in a Regular 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.

Mr. Greg Wood, County Administrator, was present.

Mr. Brandon Young, County Attorney, was present.

Angie Jonas, Deputy Clerk, was present and kept the minutes.

Chairman Thomas opened the meeting with the prayer and pledge.

Pursuant to public notice, the Board held a public hearing to consider the adoption of the Planning Commission Guideline ordinance and the G & G Recycling ordinance.

Ms. Michele McDaniel, Planner, presented the Planning Commission Guideline ordinance. She stated that she would like to include the ordinance in the land development code so that it would be easier to find for reference. Chairman Thomas stated that it is not necessary for the guidelines to be referenced in the land development regulations. The Board discussed provisions of the ordinance, specifically the appointment policy for the Planning Commission Board. The Board asked her to revise line 25 on page 3 of the ordinance to be "five members who shall reside in each of the individual districts." She agreed. Commissioner Merchant asked whether the Planning Commission should have some input. Chairman Thomas stated that the few changes being made are that minutes be kept and a quorum is clearly defined as well as the additional parameter that a School Board member must participate. Ms. McDaniel stated that she had devised the ordinance from a prior ordinance and also from the land development code of surrounding Counties. Ms. McDaniel read the ordinance. The Board discussed the section of the ordinance regarding employee participation. Commissioner Williams stated that employees should be able to participate on the Planning Commission Board as long as it is not "on the clock". Ms. McDaniel stated that, in her opinion, employee participation may be a conflict of interest. Citizens speaking regarding this topic were the following:

Mr. Hubert Hendrix, Shop Foreman

Mr. George Curry, Mayor of Ponce de Leon

Attorney Young stated that there is not any notation in Florida statutes that a Planning Commission member cannot be a County Employee, however for reasons of the appearance of impropriety as a paid staff member of the County, at some point wrong doing may be suggested by an outside party. He also

stated that Planning Commission guidelines can be included in the Land Development Regulations. Commissioner Merchant stated that he was unsure whether the first reading for this ordinance had occurred previously. Attorney Brandon Young advised that if there is any confusion over whether a first reading had occurred previously, that the reading tonight could be considered the "first reading". Commissioner Merchant made a motion to consider the reading tonight "the first reading" for the Planning Commission guidelines. Commissioner Music seconded the motion. The motion passed unanimously.

(Draft Ordinance)

The Board conducted the Public Hearing for the G & G Recycling ordinance. Previously, the Board had read the ordinance that would accommodate a small scale amendment so that the land use for the proposed G & G Recycling facility in Ponce de Leon can be changed from Urban mixed use to industrial use. She stated that due to the poor quality of maps available at the time of the application, the business license was issued; and that if better quality maps had been available, the prospective owner of the property could have applied for the land use change on their own. She stated that it was an honest mistake but, the ordinance is necessary to correct the problem. She asked the owners of the property whether storm water permits had been secured. The attorney for the owners stated that the permits had been applied for, and that when the permits come in, copies will be forwarded to the County. Citizens speaking regarding this topic were the following:

Mr. Gary Martin- Owner G & G Recycling

Commissioner Music made a motion to made a motion that the Board adopt an ordinance of Holmes County, Florida, amending Volume III, Map Document, to amend the Year 2010 Future Land Use Map, as amended; amending to include SSA 2008-01 G & G Recycling, and as requested by Michele McDaniel, Planning and Zoning for Holmes County as a legislative future land use amendment, changing the Future Land Use (FLU) of 9.0 (+/-) acres located on Pirate Cove Road just off of Highway 90 in Ponce de Leon, from Urban Mixed-Use (UMU) to Industrial, (IND). Commissioner King seconded the motion. The motion passed unanimously.

(Ordinance 08-04)

Chairman Thomas closed the public hearing.

Chairman Thomas read the Park ordinance. Under this ordinance, the County parks would close to the public at sunset. Previously, the Board had discussed the increase in vandalism that has been taking place at the parks. Commissioner Merchant asked whether it would be allowable for citizens to

use a park that has electricity after dark. Administrator Wood stated that a provision will be added to the ordinance that “all parks will be closed at sunset unless an individual receives prior authorization”. He stated that he will not include it in the ordinance, but instead would include it as a policy. He also stated that he would include an exclusion clause for boat ramps. The Board agreed.

(Draft Park Ordinance)

Commissioner Music made a motion to approve the following consent items:

- June 24, 2008 Regular Session Minutes
- June 24, 2008 Executive Session Minutes
- June 30, 2008 Special Session Minutes
- July 8, 2008 Regular Session Minutes
- July 9, 2008 Special Session minutes
- July 10, 2008 Workshop Minutes
- Solid Waste Franchise Agreement-NW Sanitation
- H.C. Courthouse HVAC- asbestos abatement
- Edward Byrne Memorial Justice Agreement Grant Application
- Deputy Sheriff’s Blanket Bond

Commissioner Williams seconded the motion. The motion passed unanimously.

Mrs. Wanda Stafford presented the Disasters Strategies and Ideas Group Agreement. She stated that Emergency Management has received two federally funded homeland security grants totaling \$44,676.00 that may only be used for planning, training and exercises. The DSI Company was recommended to the County by Washington County for debris removal, planning and homeland security exercises. She stated that there would be no cost to the County to contract with the company unless certain services are requested. Mr. Joe Myers, CEO of DSI, stated that there are benefits in cost sharing under this “piggy back” agreement and stated that it is a good idea to have provisions in place before disasters occur. Chairman Thomas stated that by “piggybacking”, the bid process is not necessary. Commissioner Williams made a motion to sign both contracts. Commissioner Music seconded the motion. The motion passed unanimously.

(Agreements)

Administrator Wood asked the Board whether to approve the overnight State Housing Initiative Program (SHIP) training travel for Ms. Michele McDaniel and Mr. Eddie Whitehurst. Previously, the Board had discussed limiting travel unless grant funded. He stated that the travel would be grant funded.

Commissioner King stated that since Mr. Whitehurst would be learning to inspect the SHIP

houses, he would like to give Mr. Whitehurst a raise. Commissioner King made a motion to give Mr. Eddie Whitehurst a one dollar per hour raise from the SHIP funds. Commissioner Merchant seconded the motion. The motion passed unanimously.

Commissioner King made a motion to allow Mr. Whitehurst and Ms. McDaniel to attend the SHIP training. Commissioner Music seconded the motion. The motion passed unanimously.

Commissioner King asked whether it would be allowable for them to use the Administrator's vehicle for the travel in lieu of paying mileage. Chairman Thomas stated that vehicle arrangements will be worked out between Michele and Eddie.

(Request)

Ms. McDaniel presented the SHIP subordination agreement for Ms. Willie Ruth Pope. She stated that due to an error on the part of the lender, Ms. Pope's property was at risk of foreclosure. She also stated that the borrower has been able to refinance through the Bank of Bonifay at a lower interest rate. Chairman Thomas stated that a letter of support from the Bank of Bonifay had accompanied the subordination, Commissioner King made a motion for the Chairman to sign the agreement. Commissioner Music seconded the motion. The motion passed unanimously.

(Subordination Agreement, Letter)

Ms. McDaniel discussed the Inter-local Agreement with the Town of Westville for the Community Development Block Grant (CDBG) project which includes the use of the County right of way for installation of a larger water main. Administrator Wood stated that the reason for the inter-local agreement is that the utilities are crossing over into an unincorporated part of the County and that the County has to sign off so that the right of way can be accessed. Mr. Nolan Baker, CGD Engineers, stated that in order for the project to move forward, the water service is in need of an upgrade from a three inch water main to a six inch water main and is to include the installation of hydrants. He stated that there is an upcoming August 14, 2008 grant submission deadline for the 2007 fund cycle.

Mr. Bob Jones, Grants Administrator, discussed the job creation requirements within the CDBG grant. He stated that it is required that full time or full time equivalent permanent jobs must be created and that verification is conducted to ensure that the jobs have been created before the close of the grant. He stated that should the jobs not be created, then the applicant would be responsible for repayment of the grant monies, which in this case would be Westville. Citizens speaking regarding this topic were the following:

Mr. Travis Ward

Commissioner Music made a motion to enter into the inter-local agreement with the Town of Westville. Commissioner Merchant seconded the motion. The motion passed with Commissioner King voting no and all others voting yes.

(Agreement)

The Board reviewed the tire replacement request of Mr. Michael Pettis. Mr. Pettis claimed that his tire had been damaged by debris as a result of driving on a County road that had recently had the ditches dragged. Chairman Thomas stated that it has been the Board’s policy in the past not to reimburse citizens for this type of expense. No action was taken on this item.

(Letter of request)

Prior to the meeting, the Board had advertised for proposals for Engineering/Architectural services for an upcoming CDBG fire station project. The firms were ranked as follows:

- Firm #1 Chastain Skillman
- Firm#2 David Melvin, Inc.
- Firm #3 Goodwyn, Mills & Cawood
- Firm #4 North Bay Engineering

Mr. Bob Jones, Grant Administrator, asked the Board to allow him to discuss the project plan with the Board’s first selected firm so that he can bring a proposed contract for services back for Board review in August. He stated that there will be costs for application, drainage permits, site planning and possible road revisions. Commissioner King made a motion to award the bid to Chastain Skillman. The motion died for a lack of a second. Chairman Thomas asked Mr. Jones to bring a proposal back to the next meeting for the Board’s review. The Board agreed.

(Ranking sheet)

The Board discussed the bids which had been opened on June 25, 2008 for the bridge replacements. Chairman Thomas read the following bids:

	Wire Bridge	Parrot Bridge	Shoo Fly (long)	Shoo Fly (short)	Total Bid
F & W Construction	328,000.00	246,000.00	246,000.00	80,000.00	900,000.00
Fairchild-FL Construction	479,942.00	329,858.00	329,858	214,502.00	1,354,160.00
Murphree Bridge	487,780.00	362,240.00	361,860.00	199,880.00	1,411,760.00

Scott Bridge	487,000.00	409,000.00	415,000.00	215,000.00	1,526,000.00
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Administrator Wood stated that Hatch Mott MacDonald had submitted a letter that stated that F & W Construction's submittal is in compliance, however, the bridge does not meet all of the FDOT standards and that it is not necessary for the bridge to meet the standards. He stated that Hatch Mott MacDonald had stated in the letter that the firm did not have the expertise to examine the "add alternative" section regarding financing. Commissioner King made a motion to get money to build Wire Bridge. The motion died for a lack of a second. Chairman Thomas stated that the bridges may cost be significantly more if bridges are selectively repaired. Commissioner Williams asked whether estimates had been gathered to replace the bridges using lumber rather than concrete and also that he is concerned about the costs of the new concrete bridges. Chairman Thomas stated that estimates had been gathered. He relinquished his duty to Vice Chairman Music. Commissioner Thomas made a motion to proceed with the agreement with F & W Construction for the four bridge replacements. Commissioner King seconded the motion. The motion passed with Commissioner Williams voting no and all others voting yes.

(Bid sheet, Letter)

Vice Chairman Music relinquished his duty back to Chairman Thomas.

Administrator Wood stated that there had been a suggestion by a citizen to use funds to adding an area next to the Wire Bridge for canoe launching. He also stated that money is available for such projects in the Boater Improvement Fund. He asked the Board whether to look into discussing this improvement project with the adjoining property owner. The Board agreed.

The Board discussed the fee proposal from Hatch Mott MacDonald for the Son in Law Road project. Chairman Thomas read the proposal letter. Attorney Young asked whether Hatch Mott MacDonald is the County engineer of record. Chairman Thomas stated that Hatch Mott is the consulting engineer, that the amount due would be \$36,342.00 and that the project costs are within the threshold of one million dollars, meaning advertisement for bids is not necessary. Commissioner Music made a motion to approve the proposal and to proceed. Commissioner Williams seconded the motion. The motion passed unanimously.

(Proposal)

The Board discussed the Chipola Workforce Development Board nominations. Previously the Board had discussed a vacancy. Commissioner King made a motion to appoint Kyle Coates to replace Mr. Tom Jenkins on the Workforce Development Board. Commissioner Merchant seconded the motion.

The motion passed unanimously.

(Letter of recommendation)

The Board discussed the proposed millage rate. Commissioner King made a motion to set the proposed millage rate at 9.5. Commissioner Music seconded the motion. The motion passed with Commissioners Merchant and Thomas voting no and all other voting yes.

The Board discussed upcoming Budget Hearing dates. Commissioner Williams made a motion to set hearing dates for September 11th and 22nd after 5:00 p.m. Commissioner Merchant seconded the motion. The motion passed unanimously.

The Board discussed upcoming Budget Workshop dates. The Board agreed to set Workshop dates for August 14th and 21st.

The Board discussed the leave table in the Employee manual. Administrator Wood stated that there had been an oversight in the department head leave and asked the Board to allow the table to be changed, so that department heads would start out at the fourth year rate of 192.00 hours of leave per year. Commissioner Williams made a motion to allow Administrator Wood to add a footnote to the manual to reflect the change. Commissioner Music seconded the motion. The motion passed unanimously.

Administrator Wood stated that Mr. Daniel Smith has provided telephone repairs to the Road Department at no cost for several years. Mr. Hubert Hendrix, Shop Foreman, confirmed that Mr. Smith had conducted the telephone and well pump repairs at little charge, and stated that Mr. Smith has an interest in a front end loader bucket at the shop that doesn't seem to fit any of the County's equipment. He recommended giving Mr. Smith the bucket as in kind payment for his services. Commissioner King made a motion to give Mr. Smith the front end loader bucket as in kind payment for his services on the telephone and the well. Commissioner Music seconded the motion. The motion passed unanimously.

Captain Yancey stated that a repair had been done on the washing machine at the Jail without first obtaining a purchase order, and that the Clerk's Office is unwilling to pay the invoice for \$212.00 without the Board's approval. Commissioner Williams asked whether the washer is the one that the Board had purchased last year. Captain Yancey stated that the washer was an older machine that was purchased several years ago. Commissioner Williams made a motion to pay the invoice. Commissioner Music seconded the motion. The motion passed unanimously.

(Invoice)

Administrator Wood updated the Board regarding the new Emergency Operations Center building. He stated that the contractor for the project had obtained a building permit and that the project should commence. He stated that a ground breaking ceremony should be scheduled soon.

Administrator Wood stated that he had received letters of recommendation for Ron Smith, Jeff Powell, David Fowler, Greg Windham, Greg Barton and Shay McCormick.

(Letters)

Administrator Wood reminded everyone about the Eastern Equine Encephalitis (EEE) outbreak. He stated that there have been eight reported cases in Holmes County. He asked property owners to be sure to take care in removing unnecessary water that may sustain mosquitoes and also that horse owners be sure to vaccinate their horses. He stated that an extra tire amnesty day will also be taking place as a measure to discourage mosquito populations.

Administrator Wood asked the Board to consider signing the Federal Election Activities grant certificate for the fiscal year 2008-2009. He stated that the Supervisor of Elections is requesting \$478.80 in funding that cannot be taken from contingencies, but must be paid by the Board to be reimbursed later by the Supervisor of Elections Office. He also stated that the certificate must be signed in order to meet statutory guidelines. Commissioner Merchant asked whether this application is done each year. Administrator Wood stated that it is a reoccurring grant. Commissioner Merchant made a motion to accept the matching funds grant. Commissioner King seconded the motion. The motion passed unanimously.

(Grant Agreement)

Administrator Wood stated that the Building Department had requested a four day work week. He stated that employees are driving considerable distances to work and that they would like a staggered schedule so that the office is never closed down. He also stated that West Florida Electric Association is already on a four day work week schedule, so no electrical inspections could take place on Fridays anyway. Commissioner King made a motion to go to the four day workweek for the Building Department. Attorney Young asked what the working hours would be for the office. Administrator Wood stated that the department would be opened earlier and closing later. Citizens speaking regarding this topic were the following:

Mrs. Brenda Rodgers

Commissioner Music seconded the motion. The motion passed with Commissioner Williams and

Chairman Thomas voted no, with all others voting yes.

Administrator Wood stated that the Down Home Street Festival agenda item was cancelled.

Mr. Dick Walton, citizen, asked the Board whether it would be allowable for him to paint at Wright's Creek Park. He stated that he would like to be permitted to cover some of the graffiti using County supplied paint. Chairman Thomas stated that the County has a person hired to take care of such instances. No action was taken on this item.

Mr. Richard Gilmore asked when work would begin on "subdivisioning". Chairman Thomas stated that hopefully those meetings will begin soon and that after the budget meetings would be a better time.

Commissioner Music stated that Mr. Jack Locke would like to be removed from the Airport Authority and that Mr. Hal Peterson would like to be appointed. Chairman Thomas stated that the issue of district member appointment needs to be addressed first. No action was taken on this item.

Commissioner Music stated that the water pump at Wright's Creek Park is in need of replacement and that the estimate from Mr. Jimmy Connors for the replacement of the pump, bladder, new fittings, hardware and labor would be \$925.00. Chairman Thomas stated that the estimate is high, and asked that more estimates be gathered. Commissioner Merchant stated that previously the Board had voted to tear it down and asked why more money is being spent to repair the reoccurring problem. Commissioner Music stated that many citizens utilize the park. Attorney Young stated that three estimates must be gathered since the cost is over \$500.00.

Mayor Curry spoke regarding the G & G Recycling business licensing issue and the upcoming Workshop to take place in Ponce de Leon.

Mrs. Susan Harris, citizen, asked for clarification regarding the canoe ramp issue from earlier in the meeting. Chairman Thomas stated that interest will be gauged regarding the installation of a canoe ramp, including that of the private owners of the property surrounding the proposed site.

Commissioner Music made a motion to adjourn the meeting. Commissioner Merchant seconded the motion. The motion passed unanimously.

Clerk

Chairman