

April 28, 2009
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 Ron Monk, Commissioner Jim King, Commissioner Phillip Music and Commissioner Monty Merchant, Chairman of the Board.

Mr. Brandon Young, County Attorney, was present.

Administrator Wood was present.

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

Chairman Merchant opened the meeting with the prayer and pledge.

Pursuant to public notice, the Board held a Public Hearing to discuss the possible revocation of the garbage franchise agreement with Family Refuse. No representatives of Family Refuse were present. Administrator Wood stated that a certified letter to the company had been mailed, but was returned as unclaimed to his office. Attorney Young advised that it was his understanding because of recent court testimony that the company was under new ownership. Attorney Young advised that it is a requirement of the franchise agreement that litter haulers must have covered loads. Mr. Al Vetzal, Litter Control Officer, stated that he had brought this matter to the attention of this hauler, but had not seen any change in their hauling practices. Administrator Wood stated that he received a resident complaint that Family Refuse had not picked up their trash for two weeks. Attorney Young clarified that should there be a new owner, they should sign a new franchise agreement with the County. Chairman Merchant stated that he was in favor of the Sheriff's Department being contacted when this activity is occurring. Commissioner King made a motion to revoke the franchise agreement. Commissioner Williams seconded the motion. The motion passed unanimously.

(Letter)

Commissioner King made a motion to close the Public Hearing. Commissioner Music seconded the motion. The motion passed unanimously.

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

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Edward Byrne Memorial Justice Assistance Grant

State Housing Initiative Program (SHIP) Funding discrepancy for

Bryan & Pamela Bush

Commissioner King asked for clarification regarding the SHIP audit discrepancy. Administrator Wood stated that an income calculation error had occurred on one of the SHIP loans that closed in July of 2008, which resulted in award of \$10,000.00 rather than the allowed \$7,500.00. He asked the Board whether to approve the additional funding of \$2,500.00. Commissioner Williams seconded the motion. The motion passed unanimously.

The Board discussed the Federal Reserve Transparency Act and proposed resolution as submitted by Mr. John Little. This resolution was supportive of the proposed bill known as H.R.1207 titled the Federal Reserve Transparency Act which would require an audit and report of the Federal Reserve System and subject it to the Freedom of Information Act. Chairman Merchant read the resolution and supplemental documentation. Citizens speaking regarding this topic were the following:

Mr. John Little

Dr. Jesse Mills

Commissioner King made a motion to adopt Resolution #09-06. Commissioner Music seconded the motion. The motion passed unanimously.

(Resolution #09-06, Article)

The Board discussed the construction engineering and inspection (CEI) proposal from Hatch Mott MacDonald for projected engineering work for anticipated stimulus funded striping and improvement projects. Administrator Wood clarified that the funding may be utilized for a limited amount of patching improvement as well. Chairman Merchant stated that he had discussed the uses of the funds for improvements and the Department of Transportation (DOT) was agreeable to working with the County on improvements, since some of the roads were in need of repairs and are unable to be striped. He clarified that the use of the funds must be DOT certified. Administrator Wood stated that Hatch Mott MacDonald was requesting a fee of ten percent or \$45,000.00 of the projected stimulus funding of \$450,000.00. Commissioner King made a motion to negotiate the engineering fees with Hatch Mott MacDonald. Commissioner Music seconded the motion. The motion passed unanimously.

The Board discussed the insurance settlement for the District Five flood damaged 2001 excavator. Administrator Wood stated that the Board needed to decide whether to buy back the equipment from the insurance company or to purchase another excavator. Mr. Hubert Hendrix, Shop Foreman, stated that if the County were to buy back the excavator, the cost of the machine itself would be \$7,015.00 and wiring repairs would be an additional expense. He presented the following quotes for wiring repairs:

Beard Equipment

\$16,741.05

Tractor & Equipment Company

13,356.18

He stated that there should be warranty on the electrical portion of the repairs, but that there would not necessarily be a guarantee for the mechanical portion of the repair. He stated that it is the opinion of the Shop that the mechanical system of the excavator is in good condition. Mr. Tim McClain, Equipment Operator, stated that the excavator had approximately 4800 hours of operation on it. He also stated that the machine had been operational enough to drive onto the equipment trailer, although he suspected that the computer may have sustained some damage during flooding. Commissioner Williams made a motion to accept the insurance payout of \$42,100. Commissioner King seconded the motion. The motion passed unanimously.

(Insurance Settlement Comparison, Quote)

The Board discussed the proposals for the County Engineer of record. Administrator Wood stated that twelve firms had submitted proposals, and asked how the Board would like to make their selection. Chairman Merchant suggested that the Board rank their top five firms and submit them to the Administrator's Office, so that those top firms can be interviewed further and ranked again after the interview process is completed. The Board agreed by consensus.

The Board discussed the upcoming bridge replacement projects for Corinth and Bonifay-Chipley Roads occurring in 2012 and 2013 respectively. Administrator Wood stated that the project managers have requested road closures during those projects. He asked the Board to allow him to write a letter of authorization for the closures. Commissioner King made a motion to authorize the road closures. Commissioner Music seconded the motion. The motion passed unanimously.

(Letter)

Administrator Wood stated that he had requested additional State SHIP disaster funds. He asked the Board if it would be allowable for him to utilize the disaster funds for home elevations in flood prone areas. He clarified that per the Local Housing Initiative Plan (LHAP) guidelines, disaster funds may be utilized for projects that are beyond normal SHIP Projects. He stated that he had discussed this issue with Ms. Hawthorne, SHIP/AHAC Committee Chairperson, and she was agreeable to this. Commissioner Williams made a motion to approve that disaster funds may be utilized for home elevations. Commissioner Music seconded the motion. The motion passed unanimously.

Administrator Wood advised that since the County had been declared a disaster, the Board may waive procurement rules should they choose to do so. He asked the Board whether to apply the standard procurement rules, or if they should be waived. Commissioner Williams stated that he would like the

policy to stay as it is. The Board agreed by consensus.

Administrator Wood asked if the Board would like him to request a waiver of the local 12 1/2% match from the Federal Emergency Management Agency (FEMA). Commissioner Williams made a motion to authorize the Administrator to request that the local match be waived. Commissioner King seconded the motion. The motion passed unanimously.

Administrator Wood updated the Board regarding the Arthropod program. He stated that it may be helpful for the program to purchase a utility vehicle for use in hard to reach larvicide application areas. He also stated that funds for the purchase are available and the vehicle could also be utilized by the Parks and Recreation Department as well. He advised that the purchase may be partially reimbursable by FEMA. Commissioner King stated that he was not agreeable to this. Commissioner Monk stated that he would like to see other equipment upgraded, rather than the purchase of the utility vehicle. No action was taken on the vehicle purchase item. Administrator Wood discussed the possibility of training Road Foremen and purchasing spraying equipment for them to apply mosquito deterrent solutions. He stated that Walton County has been assisting with spraying duties while the Arthropod Department sprayer had been in for repairs. He also stated that aerial mosquito spraying may not be available at this time, but that the repairs to the sprayer should be completed by Thursday or Friday.

Administrator Wood updated the Board regarding meetings that he had recently attended. He stated that Opportunity Florida is looking for ideas for projects for regional economic development and asked the Board to submit their suggestions. He also stated that he had attended a funding workshop with Rural Development and that additional funds may be available soon for community projects. He advised that he had received a request from Mr. Harold Smith to rebuild the Council on Aging building. He stated that although the United States Department of Agriculture (USDA) does not normally provide complete funding for projects such as this, it may be a possibility to receive funding on certain aspects of the project. He asked the Board if it would be allowable for him to apply for the funding. Commissioner Williams made a motion for Administrator Wood to apply for the grant funding. Commissioner Monk seconded the motion. The motion passed unanimously.

Administrator Wood stated that there had been significant storm damage to Rum Road, Roping Road and North CR 173. He explained that Mrs. Wanda Stafford had stated that it would be helpful for the County engineer, Hatch Mott MacDonald, to assess the projects and give recommendations and cost estimates. He asked the Board if this would be allowable for him to look into the estimate for the engineering work. Mrs. Stafford, Emergency Management Director, stated that the work would be a preliminary estimate so that there would be a comparable cost estimate for when the project worksheets are written by FEMA and the State. Commissioner King made a motion to authorize Administrator Wood to look into the engineering costs. Commissioner Music seconded the motion. The motion passed

unanimously.

Administrator Wood presented his annual report to the Board. No further discussion followed.

The Board discussed the County Administrator's contract renewal. The contract is subject to renewal annually. The following citizens spoke regarding this topic:

Mr. Bennie Little

Mr. Ryan Helms

Mrs. Tink Brown

Mr. Eddie Whitehurst

Mr. Scott Prescott

Ms. Linda Christie

Mr. Ray Boswell

Mr. Al Vetzal

Mr. Shep Eubanks

Commissioner King asked whether the Board would be required to pay Administrator Wood a ninety day severance should the Board vote to terminate him from the position early. Attorney Young confirmed that the severance would be due should there be a termination before the contract's expiration on May 21, 2009. He advised the Board not to terminate the contract as there was less than a month remaining in its term. He also advised that the Board had four options which included: 1. Renewal of the contract exactly as it was written. 2. "Do nothing" and let the contract expire on May 21st. 3. Acknowledge that changes are needed in the contract, but let the Administrator know that he will be given the right of first refusal on the new contract. 4. Acknowledge that changes are needed, and let the Administrator know that he would not be given first right of refusal and that the position will be advertised. Commissioner Williams stated that he would like the contract to be revised. Attorney Young agreed that contract revisions are needed regarding salary, effective term and dismissal procedure. Commissioner Williams made a motion to revise the contract and to offer Mr. Wood first right of refusal. The motion died for lack of a second. Commissioner King made a motion for Administrator Wood to work the rest of his term. Attorney Young advised that the current contract is good through May 21st, and that a motion was not necessary. Commissioner King withdrew his motion. No action was taken on this item.

Administrator Wood stated that the Arthropod Program will cease to exist as of May 22nd, as he held the certification for the program.

Administrator Wood updated the Board regarding the Swine Flu and stated that Ms. Holly

Segers of the Health Department is tracking health information for illnesses treated at the Department. He also stated that Mrs. Wanda Stafford will be responsible for the Strategic National Stockpile Plan which addresses action for outbreak situations.

Administrator Wood presented the following quotes for installation of three hundred and twenty seven feet of 4" conduit piping which was to be installed for the new Emergency Operations Center telephone lines:

Walton Construction Services, Inc.	\$2,000.00
Joey Middlebrooks Electric	2,500.00
Lazer-Tek Communications, Inc.	2,500.00

He noted that Mrs. Stafford's husband is affiliated with Walton Construction Services, Inc. and that the bids were faxed directly to the Administrator's Office. Mrs. Stafford confirmed that she had not seen any of the bids and also that this cost was reimbursable through grant funding. Commissioner Williams made a motion to approve the low bid. Commissioner Music seconded the motion. The motion passed unanimously.

Mrs. Wanda Stafford stated that the County had been approved for individual assistance for citizens who had sustained personal damages to their property during the recent storms. She advised that she and a FEMA representative would be visiting the New Hope Fire Station Wednesday to determine if it may be utilized as a disaster recovery center for this event.

Mr. Bennie Little and Mr. Ryan Helms revisited the Administrator Contract renewal item. No action was taken.

Mr. John Little asked if it would be allowable for him to mail a copy of Resolution #09-06 to representatives in Washington. Attorney Young advised that this would be allowable as the resolution is a public record.

Since there was no further business, the meeting was adjourned.

Clerk

Chairman