

November 10, 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.

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

Chairman Merchant opened the meeting with the prayer and pledge.

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

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Commissioner Monk seconded the motion. The motion passed unanimously.

The Board discussed the Jail Fire Alarm System item. Previously, the Board had discussed this item. Attorney Young advised that he had been unable to contact Mr. Daniels' attorney to discuss his concerns regarding the contract details in the indemnity and insurance sections, but that he would like to add this item to the upcoming special session agenda. Also speaking regarding this topic was the following:

Mr. Jay Felsburg, of the Holmes County Advertiser

Commissioner King made a motion to add this item to the agenda for Friday, November 13th. Commissioner Music seconded the motion. The motion passed unanimously.

The Board discussed the proposed contract with Melvin Engineering for the Small County Outreach Program (SCOP) funded CR162 project. Mr. Whitney Nelson, of Melvin Engineering, advised that the fee for engineering services would be \$74,720.68 or 14.5% of the total \$515,315.00 grant amount. Also speaking regarding this topic was the following:

Mr. Brandon Young, Attorney

Commissioner Williams made a motion to approve the engineering contract. Commissioner Music seconded the motion. The motion passed unanimously.

The Board discussed the proposed contract with Greenhorne and O'Mara for the SCOP funded Sandpath Road project. Mr. Brian Lemieux, Senior Project Manager of Greenhorne and O'Mara, discussed the contract provisions which included engineering fees of \$136,604.20 or 20% of the total \$683,021.00 grant amount. He advised that the schedule for the project was thirty-five days and discussed the following clause: "any hours above the estimated lump sum construction time will be negotiated on a time basis amendment". Commissioner Williams expressed concern regarding this provision. Commissioner King expressed concern regarding the engineering percentage fee. Also speaking regarding this topic were the following:

Mr. Brandon Young, Attorney

Mr. Edward Prescott, of Greenhorne and O'Mara

Mr. Cody Taylor, Clerk of Court

Commissioner Williams made a motion to approve the contract with the removal of the provision regarding negotiations beyond the thirty-five day completion date. Commissioner Music seconded the motion. The motion passed; with Chairman Merchant, Commissioners Monk, Williams and Music voting yes, and Commissioner King voting no.

(Contract)

Mr. Mike Alvis, of Performance Realty, discussed the availability of the Western Auto building for purchase. He advised that the property was available for the price of \$350,000.00. No action was taken on this item.

(Handouts)

The Board discussed the upcoming meeting schedule for December. Commissioner King advised that in prior years, the Board had held a single meeting for that month. Commissioner King made a motion to hold a single meeting for December, on the morning of the 8th. Commissioner Music seconded the motion. The motion passed unanimously.

Chairman Merchant advised that he had signed a Department of Forestry Cogon grass spraying agreement for the property of Ms. Cora Hicks. He explained that it was likely that there would be more of these agreements and asked the Board whether he should be authorized to sign them, or if each Commissioner would like to sign for their individual District. The Board agreed by consensus to authorize the Chairman to sign the agreements.

(Agreement)

Mr. Allen Thompson, of CDG Engineers, discussed the Recycling Department containment tank site testing and the letter that had been received from of The Department of Environmental Protection (DEP). Mr. Brandon Young, Attorney, asked Mr. Thompson if he would arrange a conference call with DEP to discuss this matter. The Board agreed by consensus for Commissioner King to participate in the conference call as well.

Mrs. Sherry Fitzpatrick, Administrative Assistant, discussed the State Housing Initiative Program (SHIP) annual report that had been previously discussed and presented supporting documentation to the Board.

(Report, Letter)

Commissioner Williams advised that the Department of Transportation (DOT) had offered approximately \$467,000.00 in overrun monies to the County for CR173. He explained that since CR173 was next on the Small County Road Assistance Program (SCRAP) list of paving projects, the funding could be utilized for needed culvert repairs in preparation for future funding that may become available. He stated that the funding was a significant amount, but would not be enough pave the entire roadway. He also explained that DOT would like the County to begin working on this project with the funding, and that the project would not be removed from the list. Also speaking regarding this topic was the following:

Mr. Brandon Young, County Attorney

Commissioner Williams made a motion to accept the funds from DOT and to utilize the funding for this scope of work. Commissioner Music seconded the motion. The motion passed unanimously.

Chairman Merchant asked the Board if it would be allowable for him to hire a temporary worker for his district, and suggested Mr. Brandon Newsom. Commissioner King made a motion to hire Mr. Brandon Newsom as a temporary “operator” at a rate of \$10.00 per hour. Commissioner Music seconded the motion. The motion passed unanimously.

Chairman Merchant reminded the Board about the upcoming Board reorganization meeting.

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

Clerk

Chairman