

January 11, 2011
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 Ron Monk, Chairman of the Board.

Mr. Jeff Goodman, County Attorney, was present.

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

Chairman Monk opened the meeting with the prayer and pledge.

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

December 14, 2010 Regular Session Minutes

December 29, 2010 Special Session Minutes

Replay Systems 911 Service Contract

Commissioner Williams seconded the motion. The motion passed unanimously.

Mr. Calvin Smith, citizen, was not present to deliver his public apology, so the Board continued with the next item.

The Board discussed the previously opened backhoe bids. The following bids were submitted:

<u>Vendor</u>	<u>Spec # 1 w/o Rake</u>	<u>Spec #2 w/ Rake</u>	<u>With Quick Connect</u>
Flint Equipment			
Purchase Price per piece of Equipment	\$75,550.00	\$85,950.00	
Purchase Price for All Backhoes	302,200.00	343,380.00	
Beard Equipment			
Purchase Price per piece of Equipment	74,810.00	82,110.00	\$86,290.00
Purchase Price for All Backhoes	299,240.00	328,440.00	345,160.00
Thompson CAT			
Purchase Price per piece of Equipment	79,446.00	90,064.00	
Purchase Price for All Backhoes	317,784.00	360,256.00	

Also speaking regarding this topic were the following:

Mr. Bill Murray, of Flint Equipment Company

Mr. Scottie Burch, of Beard Equipment

Commissioner Merchant made a motion to go with the low bid of Beard Equipment for four backhoes without the rake. Commissioner Music seconded the motion. The motion passed unanimously.

(Bid Summary)

Commissioner Williams made a motion to purchase the leased excavator and leased backhoe and also to try to finance all of the equipment under one note. Commissioner Music seconded the motion. The motion passed unanimously.

Mr. Calvin Smith delivered his public apology as part of court ordered retribution for a drug related offense.

(Certification)

The Board discussed the letter of petition from Mr. Charles F. Tadlock, citizen, to lower the speed limit from forty-five to thirty-five miles per hour on Banfill Avenue. Other discussion included speed limits on surrounding streets and Sheriff's Department patrols. Also speaking regarding this topic was the following:

Mr. Jeff Goodman, Attorney

Mr. Ronnie Bennett, of the Sheriff's Department

Commissioner Williams made a motion to lower the speed limit to thirty-five miles per hour. Commissioner Music seconded the motion. The motion passed unanimously.

(Letter of Petition)

The Board discussed the proposed contract with Deanco Auction Company for the sale of three 1999 Caterpillar backhoes. Chairman Monk and Commissioner Merchant stated that a front end loader should also be included in the contract. Commissioner Merchant advised that he had been questioned whether Deanco was the only auction company that could contract for the equipment sale. Also speaking regarding this topic was the following:

Ms. Sherry Snell Fitzpatrick, Administrative Assistant

Commissioner Williams made a motion to allow another equipment sale company to submit a proposal on the equipment and to authorize the Chairman to sign the agreement with whichever equipment sale company that submits the best proposal. Commissioner Music seconded the motion. The motion passed unanimously.

Mrs. Natalie Bomann, 4-H Agent, presented highlights of the 4-H program in 2010.

The Board discussed the bond refinancing item. Mr. Jim Gollahon of Gollahon Financial Services and Mr. Will Weathers and Mr. David Longham of Gardnyr Michael Capital were present and discussed their proposals again. Other discussion included: rate changes, consultant fees and product details. Also speaking regarding this topic were the following:

Mrs. Alice Vickers, Finance Supervisor

Mr. Hilton Meadows, citizen

Attorney Goodman advised that Mr. Cody Taylor, Clerk of Court had recommended that the Board advertise for a financial advisor as Jackson County had done. Commissioners King and Music stated that they would like to follow the recommendation of Mr. Taylor. Commissioner Williams reminded the Board that several factors were pending that could negatively impact the interest rate, so the refinancing should be completed as soon as possible. He also stated that the advertising and selection process would possibly result in a forty-five day delay to this process. Commissioner Williams made a motion to hire Gollahon Financial Services as the financial advisor. Commissioner Merchant seconded the motion. The motion passed; with Commissioners Music and King voting no, and all others voting yes.

Ms. Tasha Martin discussed a dangerous dog issue near her home in the Dogwood Lakes Community. The Board discussed this item. Other discussion included ordinance provisions, statutory “dangerous dog” reference, citizen obligation and Sheriff’s Department action. Also speaking regarding this topic were the following:

Mr. Ronnie Bennett, of the Sheriff’s Department

Mr. Jeff Goodman, Attorney

Mr. Bennie Little, citizen

Mr. Ben Bell, citizen

Attorney Goodman agreed that he would gather more information regarding this subject matter.

Mr. Joel Paul, Jr., of Tri-County Community Council, updated the Board regarding one of the State Housing Initiative Program (SHIP) home renovations in the Gritney Fire District. He advised that one of the program homes was located in a flood zone, and although work had begun on the home, and per the State requirements, the home was no longer eligible for the program. He also advised that work on the project had been stopped. Also speaking regarding this topic were the following:

Mr. Roger Williams, Building Inspector

Mr. Jeff Goodman, Attorney

Other discussion included past Federal Emergency Management Agency (FEMA) property buyouts, permitting, flood plain map conflicts, alternative funding sources for the homeowner and contractor obligation. The Board agreed by consensus for Tri-County Community Council to draft a letter of termination addressed to the contractor, and for Attorney Goodman to review the letter.

Commissioner Williams discussed the use of Mr. Goodman’s legal advisory services by the SHIP Program. He advised that such services have been billed to the Board. Commissioner Merchant asked whether those fees could be paid through the program’s administrative funds. Also speaking regarding this topic was the following:

Mr. Joel Paul Jr., of Tri-County Council

Mr. Jeff Goodman, Attorney

Attorney Goodman advised that he would specify on his billing if services were rendered to assist the SHIP Program. The Board agreed by consensus for the attorney to indicate on his invoices when this occurs.

Ms. Tasha Martin readdressed the dangerous dog item and inquired regarding the Board's action. Chairman Monk advised that the Attorney would be drafting an ordinance and that more information would be available at the next meeting.

Commissioner Williams advised that the town of Esto been awarded a \$500,000.00 housing grant and the Board had previously committed to a SHIP match of \$50,000.00. No action was taken on this item.

Commissioner King advised that he would like to speak to Mr. James Martin to request that he replace Ms. Sheena Hogland on the Development Commission. No action was taken on this item.

Commissioner King advised that Mr. Sasnett of Grant Road was terminally ill and requested permission to repair his driveway since recent rains had damaged it. The Board agreed by consensus for him to make the repair.

Commissioner Merchant updated the Board regarding the District Two Yard water well, which was in disrepair. He advised that representative of Leavins Well Drilling would be at the Yard on Wednesday to inspect the well.

Commissioner Merchant advised that he had posted the Foreman position for District Two and asked the Board if it would be allowable for him to hire someone to fill the position on Thursday. The Board agreed by consensus for him to proceed.

Commissioner Merchant advised that three members of the bridge crew would be retiring soon and asked what the pleasure of the Board would be regarding crew hiring. Also speaking regarding this topic was the following:

Mrs. Alice Vickers, Finance Supervisor

The Board agreed by consensus to post two general bridge crew positions "in house", but not advertise for a Foreman.

Commissioner Monk advised that he had spoken to Mr. Jr. Ellenburg regarding his delinquent Farmers' Market lease. The Board discussed this item. Other discussion included the following: missed payments, future arrangements and the possibility of legal action. Attorney Goodman advised that he had contacted Mr. Ellenburg per the Board's request following the last meeting to remind him that payment was due. He also advised that he had prepared the petition for the Court and had also sent Mr. Ellenburg a copy, but had not received a response. Commissioner Williams advised that he would be in favor of the Ellenburg's paying the entire rent payment for 2011 before leasing the premises that year.

Commissioner Williams made a motion to extend the payment deadline forty-five days and to add an additional fee to the contract of \$500.00. Commissioner Music seconded the motion. The motion passed unanimously.

(Contract)

The Board discussed the project proposals as submitted by C.W. Roberts for Panhandle Lane and Line Road. The Board discussed this item. Other discussion included the following: project specifications, the possibility of Road Department labor and material hauling, utilizing Local Option Gas Tax (LOGT) funds, and bid process. Also speaking regarding this topic were the following:

Mr. John Reynolds, of C.W. Roberts

Mr. Whitney Nelson, Senior Project Engineer of Melvin Engineering

Mr. Ben Bell, of Melvin Engineering

Mr. Ronnie Bell, of C.W. Roberts

Mr. Jeff Goodman, Attorney

Commissioner King made a motion to proceed with Line Road and Panhandle Lane per the proposals. Commissioner Music seconded the motion. The motion passed unanimously.

(Proposals)

Commissioner Williams advised that he would like to pave over a culvert pipe that had been replaced on Highway 177 and that the price would be \$3,125.00 as quoted by C.W. Roberts. Commissioner King seconded the motion. The motion passed unanimously.

(Quote)

The Board discussed the proposed maintenance agreement with the Department of Transportation (DOT) for CR173 North. Commissioner Merchant made a motion to approve the agreement. Commissioner Williams seconded the motion. The motion passed unanimously.

(Contract)

Mr. Jeff Goodman, Attorney, updated the Board regarding the flood damage prevention ordinance. He advised that he would bring a draft for presentation to the Board at the next meeting. No further discussion followed.

Mr. Jeff Goodman, Attorney, updated the Board regarding the Burgess & Benton Lane lawsuit. He advised that an amended complaint had been filed by the Burgesses and that Mr. Baker, Attorney, would answer the complaint.

Mr. Jeff Goodman, Attorney, advised that he had drafted a memo to the Board regarding competitive bid exemption for the Commissioners. No further discussion followed.

(Memo)

The Board discussed the proposed contract with Mr. Hilton Meadows' firm Diversified Environmental Planning (DEP) for consultant services related to the Comprehensive Plan. Mr. Jeff Goodman advised that payment distribution details should be addressed, specifically the retainage withholding section. Commissioner Williams advised that during negotiations it had been agreed upon as 33% and Mr. Meadows was requesting that it should be lowered to 20%. Also speaking regarding this topic were the following:

Mr. Hilton Meadows, of DEP

Commissioner Williams made a motion to approve the contract as negotiated with the retainage at 33%. Commissioner King seconded the motion. The motion failed; with Chairman Monk, Commissioners Merchant and Music voting no and all other voting yes. Commissioner Music made a motion to approve the contract with the retainage at 20%. Commissioner Merchant seconded the motion. The motion passed; with Chairman Monk, Commissioners Merchant and Music voting yes and Commissioners Williams and King voting no.

(Contract)

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