

MINUTES OF SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
HELD DECEMBER 16, 2010  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(8:22 a.m. – 8:32 a.m.)

Present: Commissioner Kevin W. White, Chairman, District 5  
Commissioner Wilson B. Robertson, Vice Chairman, District 1  
Commissioner Grover C. Robinson, IV, District 4  
Commissioner Gene M. Valentino, District 2  
Mr. Charles R. "Randy" Oliver, County Administrator  
Mrs. Alison Rogers, County Attorney  
Mrs. Patricia L. Sheldon, Clerk's Administrator of Financial Services  
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office  
Mrs. Doris Harris, Deputy Clerk to the Board

Absent: Commissioner Marie K. Young, District 3

AGENDA NUMBER

1. Call to Order

Chairman White called the Special Meeting of the Board of County Commissioners to order at 8:22 a.m.

2. Was the Meeting Properly Advertised?

The Board was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on December 11, 2010, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule December 13, 2010 – December 17, 2010, Legal No. 1500351*.

MINUTES OF THE SPECIAL BCC MEETING – Continued

AGENDA NUMBER – Continued

3. County Road 99 Bridge Repair

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Young absent, taking the following action concerning bridge repair on County Road 99 at Pine Barren Creek Road (Funding Source: Fund 352, "Local Option Sales Tax III," Account Code 210107/56301):

- A. Approving to transfer \$100,000 from the Highway 297A Widening Project, Account Code 210107/56301, Project #08EN0105, to Bridge Renovations, Account 210107/56301, Project #09EN0235; and
- B. Authorizing the issuance of a Purchase Order to DKE Marine Services, Inc., in an amount not to exceed \$100,000, to repair Bridge #480098, located on County Road 99 at Pine Barren Creek Road.

4. Eminent Domain – Choctaw Avenue Drainage Project

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Young absent, taking the following action concerning the acquisition of two Drainage Easements, totaling approximately 0.36 acre, for drainage structures and improvements on Choctaw Avenue (Funding Source: Fund 352 "Local Option Sales Tax III," Account 210107/56101/56301):

- A. Adopting a Resolution (*R2010-231*) containing the following findings, declaring a public necessity, setting forth a public purpose, and acknowledging the appraised fair market value for property, totaling approximately 0.36 acre, for two Drainage Easements for the Choctaw Avenue Drainage Project, and authorizing the Easements to be acquired by exercise of the County's power of eminent domain:
  - (1) The Choctaw Avenue Drainage Project accomplishes a legitimate public purpose of constructing drainage structures and improvements that will reduce flooding of the road and residences along Choctaw Avenue;
  - (2) Acquisition of Easements from the current record owner of the property, Robert Chapman Enterprises, Inc., is necessary to complete the Project;
  - (3) Exhibit "A," incorporated by reference, describes the location of the Easements;

(Continued on Page 3)

MINUTES OF THE SPECIAL BCC MEETING – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

- (4) The appraised fair market value of the Easements over the property is \$27,900;
- (5) All conditions precedent to acquire the Easements have been satisfied; and
- (6) It is in the best interest of the health, safety, and welfare of the citizens of Escambia County, Florida, that Escambia County acquire Easements over the property by exercise of its power of eminent domain;

B. Authorizing an offer of 10% above the appraised value as an incentive for the owner to agree to voluntarily convey the Easements, and, if the owner rejects the offer, authorizing the County Attorney to initiate and undertake legal action to acquire, by eminent domain, the Easements over the property owned by Robert Chapman Enterprises, Inc., as described on Exhibit "A" of the Resolution;

C. Authorizing the payment of incidental expenditures associated with the acquisition of the Easements; and

D. Authorizing the Chairman or Vice Chairman to sign all documents required to implement these actions.

5. Partial Release and Resolution Concerning BP

The Board was advised by Chairman White that discussion regarding the Partial Release and Resolution Concerning BP was dropped.

MINUTES OF THE SPECIAL BCC MEETING – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Partial Release of Lien

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Young absent, approving Items A and C; thus, re-lettering the recommendation, and taking the following action concerning the Environmental Enforcement Lien against Glenn Dorsey, associated with (*property located at*) 301 Brandywine, as amended to reflect that the Partial Release is at the County's expense:

A. Authorizing a Partial Release of the Environmental Enforcement Lien (*created by Order of the Environmental Enforcement Special Magistrate*) filed against Glenn Dorsey, associated with property located at 301 Brandywine, recorded in Official Records Book 6148, Page 568, of the Public Records; and

B. Authorizing the Chairman to execute the Release, at County expense.

ADJOURNMENT

There being no further business to come before the Board, Chairman White declared the Special Meeting of the Board of County Commissioners adjourned at 8:32 a.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Kevin W. White, Chairman



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Deputy Clerk

Approved: January 6, 2011