

minutes031689
BOARD MINUTES FOR 03/16/89

MARCH 16, 1989

THE BOARD OF COUNTY COMMISSIONERS IN AND FOR WASHINGTON COUNTY, FLORIDA, MET ON THE ABOVE DATE AT 9:00 A. M., IN THEIR REGULAR MEETING PLACE IN THE COUNTY ADMINISTRATIVE BUILDING IN CHIPLEY, FLORIDA, WITH ALL MEMBERS PRESENT. THE ATTORNEY AND DEPUTY CLERK, MELISSA ALFORD, WERE ALSO IN ATTENDANCE.

THE MEETING WAS PROCLAIMED BY SHERIFF FRED PEEL. THE CHAIRMAN CALLED THE MEETING TO ORDER AND LED THE PLEDGE OF ALLEGIANCE TO THE FLAG. PRAYER WAS OFFERED BY REVEREND PRICE WILSON.

COMMISSIONER CORBIN OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD TO ADOPT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 16, 1989, THE SPECIAL MEETING OF MARCH 2, 1989, AND THE RECESSED MEETING OF MARCH 7, 1989.

DEBORAH SASSER, REPRESENTING FLORIDA JOB SERVICES, ADDRESSED THE BOARD CONCERNING THE JOB TRAINING PARTERSHIP ACT - SUMMER YOUTH PROGRAM AND REQUESTED THAT THE BOARD CONSIDER UTILIZING SAID PROGRAM TO EMPLOY YOUTH THROUGH THE SUMMER.

AUBREY DAVIS ADDRESSED THE BOARD TO VOICE HIS CONCERN AND ADDRESS SOME QUESTIONS CONCERNING THE RECENTLY IMPOSED SOLID WASTE COLLECTION SERVICE AND CONTRACT BETWEEN THE BOARD AND WEST TRACO, INCORPORATED.

PAT BLACKSHEAR OF THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ADDRESSED THE BOARD TO INFORM OF THEIR RECENT ACTIVITIES AND PROGRAMS IN THIS AREA AND REQUESTED RESPONSE FROM THE BOARD CONCERNING SAID ACTIVITIES AND PROGRAMS. MS. BLACKSHEAR INTRODUCED GREG DAVIS WHO WORKS WITH THE LAND MANAGEMENT PROGRAM OF SAID WATER MANAGEMENT DISTRICT.

ROBERT SIMMONS, A RESIDENT OF THE QUAIL HOLLOW AREA, INFORMED THE BOARD THAT HE AND HIS FAMILY ARE EXPERIENCING PROBLEMS WITH STRAY DOGS IN HIS AREA AND REQUESTED THE BOARD'S ASSISTANCE WITH THIS PROBLEM. AFTER SOME DISCUSSION BETWEEN THE BOARD AND MR. SIMMONS, THE CHAIRMAN INFORMED MR. SIMMONS THAT THIS MATTER WOULD BE STUDIED, BY THE BOARD, AT A SPECIAL WORKSHOP.

AT THIS TIME, DAMON JONES ADDRESSED THE BOARD TO VOICE HIS CONCERNS OVER THE RECENTLY IMPOSED SOLID WASTE DISPOSAL PROGRAM IN THE COUNTY AND THE CONTRACT BETWEEN THE BOARD AND WEST TRACO, INCORPORATED FOR SAID SOLID WASTE DISPOSAL.

OWEN POWELL, SPEAKING AS ATTORNEY FOR FERRIS STEWART, OWNER OF COUNTRY ROAD SANITATION, ADDRESSED THE BOARD TO REQUEST, ON BEHALF OF HIS CLIENT, THAT THE BOARD CONSIDER AN ALTERNATIVE TO THE EXCLUSIVE FRANCHISE HELD BY WEST TRACO, INCORPORATED FOR SOLID WASTE COLLECTION, WHICH WOULD ALLOW OTHER SMALL SOLID WASTE COLLECTORS TO CONTINUE TO SERVICE AREAS IN WHICH THEY HAD PROVIDED SOLID WASTE COLLECTION SERVICE.

MR. POWELL WAS INFORMED BY THE BOARD THAT ALL OF THESE SOLID WASTE COLLECTORS HAD BEEN GIVEN THE OPPORTUNITY AND ENCOURAGED TO BID FOR THE SOLID WASTE COLLECTION SERVICE AND THAT THERE HAD BEEN SOME DISCUSSION WITH WEST TRACO, INCORPORATED CONCERNING POSSIBLE SUB-CONTRACTING WITH THESE SAID SOLID WASTE COLLECTORS AND THAT THIS POSSIBILITY WAS BEING FURTHER INVESTIGATED.

PURSUANT TO A PUBLIC NOTICE FOR A HEARING TO CONSIDER THE ADOPTION OF A PROPOSED ORDINANCE RELATING TO CABLE TELEVISION SERVICE IN WASHINGTON COUNTY AND AMENDING PRIOR COUNTY ORDINANCE 87-3, AS ADVERTISED IN THE WASHINGTON COUNTY NEWS, A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY, SAID HEARING WAS HELD AND COMMENTS WERE HEARD FROM CHARLES A. HERMANOWSKI, JR., REPRESENTING AMERICABLE INTERNATIONAL, INCORPORATED AND BILL LEE, AND AFTER SOME DISCUSSION COMMISSIONER ALBERT DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND UNANIMOUSLY PASSED BY THE BOARD TO ADOPT THE PROPOSED ORDINANCE AS WASHINGTON COUNTY ORDINANCE 89-1, WHICH AMENDS WASHINGTON COUNTY ORDINANCE 87-3 TO ENLARGE THE CABLE TELEVISION FRANCHSIE AREA.

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PROOF, ORD WITH ATTACHMENTS, LETTER

JIM ACKERMAN, CHAIRMAN OF THE CHIPLEY REDEVELOPMENT AGENCY, ADDRESSED THE BOARD TO REQUEST THAT THE BOARD ALLOCATE ONE THOUSAND DOLLARS (\$1,000.00) TO HELP DEFRAY THE EXPENSES OF OPENING THE CHIPLEY FARMERS MARKET COMPLEX AND MR. ACKERMAN WAS INFORMED BY THE BOARD THAT THE BOARD WOULD HAVE TO INVESTIGATE THE ABAILABILITY OF FUNDS BEFORE BOARD ACTION COULD BE TAKEN ON SAID REQUEST.

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LETTER

AT THIS TIME, ROGER D. HAGAN, BOARD ADMINISTRATOR, PRESENTED THE ADMINISTRATIVE REPORT.

COMMISSIONER CORBIN OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND UNANIMOUSLY PASSED BY THE BOARD, TO ACCEPT THE MINUTES AND RECOMMENDATIONS OF THE FEBRUARY 2, 1989, MEETING OF THE WASHINGTON COUNTY PLANNING COMMISSION.

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MINUTES

IT WAS THE CONCENSUS OF THE BOARD TO ALLOW ROGER D. HAGAN, BOARD ADMINISTRATOR, TO WORK WITH WEST TRACO, INCORPORATED, IN DEVELOPING A NOTICE THAT WILL BE INCLUDED IN WEST TRACO, INCORPORATED'S APRIL BILLING, TO ANSWER MANY OF THE QUESTIONS FROM THE PUBLIC CONCERNING THE SOLID WASTE DISPOSAL PROGRAM IN WASHINGTON COUNTY, OPERATED BY WEST TRACO, INCORPORATED.

COMMISSIONER JOSH DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND UNANIMOUSLY PASSED BY THE BOARD, APPROVING THE EXECUTION OF THE AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS AND WASHINGTON COUNTY FOR AN EMERGENCY MANAGEMENT GRANT IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED NINETY-THREE DOLLARS AND THIRTY-FIVE CENTS (\$7,593.35)

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AGREEMENT

PURSUANT TO THE ACCEPTANCE OF PROPOSALS FROM BCM CONVERSE, INCORPORATED, FOR ENGINEERING CONSULTING SERVICES FOR THE CLOSURE OF THE WASHINGTON COUNTY LANDFILL AND FOR ENGINEERING CONSULTING SERVICES TO COMPLY WITH THE 1988 SOLID WASTE ACT, COMMISSIONER ALBERT DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD, AUTHORIZING THE CHAIRMAN AND THE CLERK TO EXECUTE THE CONTRACT WITH BCM CONVERSE, INCORPORATED, FOR ENGINEERING CONSULTANT SERVICES FOR CLOSURE OF THE WASHINGTON COUNTY LANDFILLS AND FURTHER AUTHORIZING THE CHAIRMAN AND THE CLERK TO EXECUTE THE CONTRACT WITH BCM CONVERSE, INCORPORATED FOR ENGINEERING CONSULTANT SERVICES FOR WASHINGTON COUNTY'S COMPLIANCE WITH THE 1988 SOLID WASTE DISPOSAL ACT.

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CONTRACTS

COMMISSIONER JOSH DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER CORBIN AND UNANIMOUSLY PASSED BY THE BOARD APPROVING AN OPERATING SCHEDULE FOR A "CONSTRUCTION AND DEMOLITION DISPOSAL FACILITY" AT THE MUD HILL SITE WITH SAID FACILITY TO BE OPEN TUESDAY, WEDNESDAY, THURSDAY, FRIDAY AND SATURDAY FROM 9:00 A. M., TO 5:30 P. M. WITH NO TIPPING FEES.

PURSUANT TO THE REVIEW OF PLANS AND THE RECOMMENDATION OF COMMISSIONER COOK, COMMISSIONER ALBERT DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD, TO ALLOW THE DELTONA CORPORATION TO PAVE A PORTION OF COUNTY GRADED ROAD IN THE WHITE OAK CHURCH AREA.

COMMISSIONER CORBIN OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD, TO ADVERTISE FOR A PUBLIC HEARING TO CONSIDER THE REPEAL OF WASHINGTON COUNTY ORDINANCE 87-8 WHICH CREATED A MUNICIPAL SERVICE TAXING UNIT.

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ON A MOTION OFFERED BY COMMISSIONER JOSH DAVIS, SECONDED BY COMMISSIONER CORBIN AND UNANIMOUSLY PASSED BY THE BOARD, THE BOARD TABLED ACTION TO ADVERTISE FOR A PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE CONCERNING A MUNICIPAL SERVICE TAXING UNIT.

PURSUANT TO THE PENDING LAW SUIT FILED AGAINST THE COUNTY AND THE CLERK BY JIMMY MCCULLOUGH, GERALD HOLLEY, COUNTY ATTORNEY, INFORMED THE BOARD THAT THERE HAD BEEN A PROPOSED SETTLEMENT BY MR. MCCULLOUGH, THROUGH HIS ATTORNEY, WHICH, IF ACCEPTED BY THE COUNTY AND THE CLERK, WOULD, IN NO WAY, BE AN ADMISSION BY THE COUNTY AND CLERK OF ANY LIABILITY IN SAID LITIGATION. MR. HOLLEY INFORMED THAT ALL POINTS OF SAID SETTLEMENT HAD BEEN OR WERE ALREADY BEING MET EXCEPT FOR THE REQUEST OF ASSISTANCE WITH PLAINTIFF ATTORNEY FEES. HE FURTHER INFORMED THAT EVEN IF THE COUNTY AND THE CLERK PREVAILED IN SAID LITIGATION, THE ATTORNEY FEES FOR COUNTY AND CLERK WOULD EXCEED THE AMOUNT THAT WAS BEING REQUESTED IN SAID SETTLEMENT. ACTING UPON SAID INFORMATION FROM THE COUNTY ATTORNEY, COMMISSIONER CORBIN OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD, TO

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AUTHORIZE GERALD HOLLEY, COUNTY ATTORNEY, TO ACT, ON BEHALF OF THE COUNTY, IN SAID SETTLEMENT OFFER IN THE BEST INTEREST OF THE COUNTY, WITH THE COUNTY'S ASSISTANCE IN PLAINTIFF ATTORNEY FEES NOT TO EXCEED \$4,000.00.

BUDDY TODD, A RESIDENT OF THE FIVE-POINTS AREA, ADDRESSED THE BOARD AND INFORMED THAT A GRANT HAD BEEN APPROVED BY THE FLORIDA DEPARTMENT OF NATURAL RESOURCES FOR A COMMUNITY CENTER AND RECREATION COMPLEX FOR THE FIVE-POINTS COMMUNITY AND ONE OF THE STIPULATIONS FOR THEIR RECEIPT OF SAID GRANT WAS THAT THE PROPERTY MUST BE DEEDED TO WASHINGTON COUNTY AND AFTER DISCUSSION BETWEEN THE BOARD, MR. TODD AND THE ATTORNEY, CONCERNING THE COUNTY'S OBLIGATION TO INSURE SAID PROPERTY IF SAID DEED WAS TRANSFERRED TO THE COUNTY, COMMISSIONER JOSH DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER ALBERT DAVIS AND UNANIMOUSLY PASSED BY THE BOARD, TO PURSUE ASSISTING THE FIVE-POINTS COMMUNITY IN RECEIVING SAID GRANT.

AT THIS TIME, DANNY RUDD ADDRESSED THE BOARD CONCERNING THE LITIGATION BETWEEN THE COUNTY AND JIMMY MCCULLOUGH AND LARRY DOLAN, ANN WORLEY, FRED WATSON AND ROBIN KNIGHT ADDRESSED THE BOARD CONCERNING THE SOLID WASTE DISPOSAL SYSTEM OPERATED BY WEST TRACO, INCORPORATED.

VOUCHERS SIGNED AND WARRANTS ISSUED IN THE FOLLOWING FUND AND AMOUNT: (INCLUDES AMOUNT JANUARY 20 THROUGH MARCH 16, 1989).

GENERAL FUND \$1,098,914.35

THERE BEING NO FURTHER BUSINESS AT THIS TIME, COMMISSIONER ALBERT DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER JOSH DAVIS AND UNANIMOUSLY PASSED BY THE BOARD TO ADJOURN THE MEETING. ATTEST:_____ ATTEST:_____

CLERK
DEPUTY CLERK

CHAIRMAN ATTEST:_____

END OF MINUTES FOR 03/16/89