

minutes061892
BOARD MINUTES FOR 06/18/92

JUNE 18, 1992

THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY, MET ON THE ABOVE DATE AT 9:00 A. M. AT THE WASHINGTON COUNTY ADMINISTRATIVE BUILDING, 201 WEST CYPRESS AVENUE, CHIPLEY, FLORIDA, WITH COMMISSIONERS CORBIN, COOK, TAYLOR, DAVIS AND TRACY PRESENT. ATTORNEY HOLLEY, CLERK EARNESTINE MILLER AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

ADMINISTRATOR HAGAN PROCLAIMED THE MEETING WITH ATTORNEY HOLLEY OFFERING PRAYER. CHAIRMAN CORBIN LED IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER DAVIS AND CARRIED TO ADOPT THE MAY 21, 1992 MINUTES WITH THE FOLLOWING AMENDMENTS:

1. THE MINUTES SHOULD REFLECT CHAIRMAN CORBIN APPOINTED COMMISSIONER TRACY TO WORK WITH GETTING RECYCLING OFF TO A GOOD START AT THE NEW RECYCLING CENTER AS THE CENTER IS LOCATED IN TRACY'S DISTRICT.
2. THE MINUTES SHOULD REFLECT COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER DAVIS AND CARRIED TO ASSIST JACKSON COUNTY WITH THEIR SUIT AGAINST DER ON STORMWATER RUN OFF ANY WAY EXCEPT FINANCIALLY.

DR. FRASIER BINGHAM ADDRESSED THE BOARD ON AN UPDATE OF THE RECYCLING PROGRAM CONCERNING JOE GEREN. DR. BINGHAM REQUESTED THE BOARD SETTLE WITH MR. GEREN FOR \$3,000.00. THIS AMOUNT REPRESENTS FOUR (4) MONTHS MANAGEMENT FEES AS SPECIFIED IN MR. GEREN'S CONTRACT AT \$750.00 PER MONTH. DR. BINGHAM STATED THAT A BILL FROM BARNES TIRE COMPANY TOTALLING \$66.62 AND BILLS FROM U. S. TANK COMPANY TOTALLING \$322.50 WOULD BE DEDUCTED FROM THE \$3,000.00 AND PAID DIRECTLY TO THEM LEAVING A BALANCE OF \$2,610.88 TO BE PAID TO MR. GEREN. DR. BINGHAM ADVISED THE \$3,000 WOULD BE PAID OUT OF THE RECYCLING GRANTS. COMMISSIONER TAYLOR OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO SETTLE WITH MR. JOE GEREN FOR \$3,000.00, DEDUCT \$322.50 TO BE PAID TO U. S. TANK COMPANY AND \$66.62 TO BE PAID TO BARNES TIRE COMPANY, LEAVING \$2,610.88 TO BE PAID TO MR. GEREN, WITH THE TOTAL AMOUNT BEING PAID OUT OF GRANT FUNDS. COMMISSIONER TRACY OPPOSED.

2 PAGE INSERT

LETTER TO JOE GEREN AND HIS ACCEPTANCE OF MONIES

DR. BINGHAM ADVISED THE BOARD MR. HARRY CUMBAA WAS INTERESTED IN COMPRESSING WHITE GOODS AND TIRES AND POSSIBLE OTHER RECYCLABLES.

MR. C. E. YATES ADDRESSED THE BOARD REQUESTING INFORMATION ON WHAT AUTHORIZATION WAS GIVEN FOR COUNTY EQUIPMENT AND PERSONNEL TO DO WORK AT THE FIRST BAPTIST CHURCH OF CHIPLEY AT THE END OF APRIL. MR. YATES GAVE EACH OF THE COMMISSIONERS A COPY OF ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THE STATE OF FLORIDA REFERENCING RELIGIOUS FREEDOM WHICH STATED NO REVENUE OF THE STATE OF ANY POLITICAL SUB-DIVISION OR AGENCY THEREOF SHALL EVER BE TAKEN FROM THE PUBLIC TREASURY DIRECTLY OR INDIRECTLY IN AID OF ANY CHURCH, SECT, OR RELIGIOUS DENOMINATION OR IN AID OF ANY SECTARIAN INSTITUTION. COMMISSIONER TAYLOR ADVISED HE WAS AWARE OF THE WORK BEING DONE.

1 PAGE INSERT

CONSTITUTION OF STATE OF FLORIDA

MR. YATES REQUESTED INFORMATION ON WHY COUNTY EQUIPMENT, PERSONNEL AND PRISONERS ARE WORKING IN AMBUS CARTER'S PASTURE. COMMISSIONER TRACY EXPLAINED THE WORK WAS BEING DONE FOR STORM WATER RUN OFF. CHAIRMAN CORBIN REQUESTED INFORMATION ON A SIMILAR SITUATION AT DONALD NELSON'S PROPERTY. ATTORNEY HOLLEY EXPLAINED AS LONG AS THE BOARD COULD JUSTIFY IT WAS COUNTY WATER OR WATER WAS DAMAGING COUNTY PROPERTY, THEY SHOULD HAVE A VALID REASON TO DO THE WORK BUT THEY NEEDED AN EASEMENT IN PLACE. MR. YATES AGREED TO GO WITH CHAIRMAN CORBIN TO CLARIFY IF IT IS COUNTY WATER THAT IS THE PROBLEM AT MR. NELSON'S PROPERTY.

MR. YATES THEN ADDRESSED THE BOARD CONCERNING THE NEW RECYCLING PLANT ON HIGHWAY 77, ADVISING THEM IT HAS THE POTENTIAL TO BE AN ENVIRONMENTAL NIGHTMARE. HE STATED THE BOARD NEEDS TO GET AN ORDINANCE OR POLICY IN PLACE WITH TEETH IN IT TO CONTROL THE MAINTENANCE OF THE MATERIALS ON SITE TO KEEP THE RECYCLING PLANT FROM

BECOMING AN EYE SORE.

CLAY ROOKS, COUNTY AUDITOR, ADDRESSED THE BOARD ON HIRING GRIMSLEY AND CAVIN ACCOUNTING FIRM TO DO THE AUDIT FOR FISCAL YEAR 1991-92. HE ADVISED THE BOARD THEIR PRESENT CONTRACT WAS A THREE YEAR CONTRACT WITH A CONTINUING CLAUSE FOR DOING THE AUDIT WORK FOR THE COUNTY AND THE THREE YEAR AUDITING PERIOD WAS UP. MR. ROOKS STATED THEY WERE ALMOST FINISHED WITH THE 1990-91 AUDIT AND IT APPEARED THE COUNTY WAS DOING MUCH BETTER ON BUDGETING, BILLS ARE BEING PAID CURRENT AND THE COUNTY IS IN BETTER SHAPE THAN TWO YEARS AGO. HE STATED THE DELTONA SITUATION WAS A PROBLEM WITH THE COUNTY AS THEY HAD NOT PAID THEIR TAXES. ADMINISTRATOR HAGAN RECOMMENDED THE BOARD RETAIN THE FIRM OF GRIMSLEY AND CAVIN AS AUDITORS FOR FISCAL YEAR 1991-92.

COMMISSIONER COOK OFFERED A MOTION, SECONDED BY COMMISSIONER TRACY AND CARRIED UPON THE RECOMMENDATION OF ADMINISTRATOR HAGAN TO RETAIN THE FIRM OF GRIMSLEY AND CAVIN TO DO THE COUNTY AUDIT FOR FISCAL YEAR 1991-92 FOR THE SAME CONTRACT PRICE OF \$20,000.00. CHAIRMAN CORBIN ADVISED THE AUDIT LIASON COMMITTEE HE WANTED A REPORT WITHIN TWO WEEKS.

ADMINISTRATOR HAGAN ADVISED THE BOARD CHRIS STAPLER OF THE DELTONA CORPORATION HAD CONTACTED HIM STATING DELTONA WAS GOING TO PAY A PORTION OF THEIR TAXES WITHIN THE NEXT TWO WEEKS AND THE REMAINDER BY THE END OF AUGUST.

CHAIRMAN CORBIN CALLED FOR A TEN MINUTE RECESS.

CHAIRMAN CORBIN CALLED THE MEETING BACK TO ORDER AT 10:00 A. M. PURSUANT TO A NOTICE OF HEARING AS ADVERTISED IN THE WASHINGTON COUNTY NEWS, A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY, A PUBLIC HEARING WAS HELD ON ORDINANCE #92-6 RELATING TO CERTAIN REAL PROPERTY LEASED BY WASHINGTON COUNTY FROM ROSEWOOD RESOURCES, FORMERLY PROSPER ENERGY CORPORATION; AMENDING PRIOR COUNTY ORDINANCE 81-3; ADDING A PROHIBITION AGAINST THE POSSESSION OR USE OF ALCOHOLIC BEVERAGES; PROVIDING AN EFFECTIVE DATE. CHAIRMAN CORBIN STATED HE HAD BEEN CONTACTED BY PERSONS CONCERNED THAT IF SOMEONE HAD UNOPENED CONTAINERS OF ALCOHOLIC BEVERAGES WHICH WERE LEFT OVER FROM THEIR LAST PARTY AND THEY GOT OFF THE COUNTY ROAD, WOULD THEY BE PROSECUTED. ATTORNEY HOLLEY STATED THEY WOULD BE IN VIOLATION OF THE COUNTY ORDINANCE. MR. C. E. YATES STATED HE FELT IT WAS A GREAT IDEA TO PROHIBIT ALCOHOLIC BEVERAGES ON THESE PREMISES. COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO ADOPT ORDINANCE #92-6.

2 PAGE INSERT

92-6 ORDINANCE

ATTORNEY HOLLEY BRIEFED THE BOARD ON AN OCCUPATIONAL LICENSE TAX ADVISING THEM THE FIRST STEP WOULD BE TO CLASSIFY THE BUSINESSES, SET TAX IMPOSED ON EACH CLASSIFICATION, DRAW UP AN ORDINANCE, READ IT AT A BOARD MEETING, ADVERTISE THE ORDINANCE FOR 15 DAYS AND HAVE A PUBLIC HEARING. CHAIRMAN CORBIN APPOINTED COMMISSIONER TAYLOR TO WORK WITH ADMINISTRATOR HAGAN ON THE OCCUPATIONAL LICENSE TAX AND BRING A RECOMMENDATION BACK TO THE BOARD.

ATTORNEY HOLLEY BRIEFED THE BOARD ON COUNTY HELD CERTIFICATES ADVISING THEM THEY COULD FORECLOSE ON CERTIFICATES THAT ARE TWO YEARS OLD OR OLDER.

ATTORNEY HOLLEY BRIEFED THE BOARD ON THE HOSPITAL LAWSUIT STATING THE COUNTY'S OFFER TO SETTLE FOR \$150,000.00 TO BE PAID IN FIVE ANNUAL INSTALLMENTS OF \$30,000.00 EACH HAD BEEN PRESENTED TO NHI AND NHI MADE A COUNTER OFFER OF \$150,000 TO BEAR INTEREST AT 10% ANNUM TO BE PAID IN FIVE ANNUAL INSTALLMENTS WITH A SECOND NOTE FOR \$50,000.00 ALSO BEARING 10% DURING THE FIFTH YEAR, STATING THE INTEREST PORTION OF THE MONEY WILL BE REIMBURSABLE THROUGH MEDICARE. ATTORNEY HOLLEY SUGGESTED THE BOARD MAY WANT TO PAY THE SECOND NOTE OF \$50,000.00 THE SIXTH YEAR RATHER THAN THE FIFTH YEAR. HE ALSO ADVISED THE BOARD THE ATTORNEY REPRESENTING THEM IN THIS LAWSUIT, LAUGHLIN WALDOCK, RECOMMENDED THE BOARD ACCEPT THIS COUNTER OFFER. COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO ACCEPT THE RECOMMENDATION OF THE ATTORNEY AND ACCEPT THE COUNTER OFFER OF \$150,000.00 AT 10% INTEREST TO BE PAID IN FIVE ANNUAL INSTALLMENTS WITH A SECOND NOTE OF \$50,000.00 ALSO BEARING 10% INTEREST TO BE PAID IN THE SIXTH YEAR CONTINGENT UPON ALL INTEREST BEING REIMBURSABLE THROUGH MEDICARE. (CHAIRMAN CORBIN STATED THE MINUTES OF MAY 21, 1992 PERTAINING TO THE HOSPITAL LAWSUIT NEEDED TO BE REWORDED TO STATE: ATTORNEY HOLLEY BRIEFED THE BOARD ON THE HOSPITAL LAWSUIT AS THE BOARD HAD AGREED TO SETTLE FOR \$150,000 TO BE PAID IN FIVE ANNUAL PAYMENTS OF \$30,000 BEGINNING WITH FISCAL YEAR 1992-93. HE ADVISED THE BOARD THERE HAD BEEN A COUNTER OFFER TO ACCEPT THE \$150,000 AS A HARD NOTE PLUS \$175,000 AS A SOFT NOTE. COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER TAYLOR AND CARRIED TO AUTHORIZE ATTORNEY HOLLEY TO DENY THE COUNTER OFFER.)

COMMISSIONER TAYLOR OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO AUTHORIZE ATTORNEY HOLLEY TO PREPARE THE PROPER WORDING TO GO ON THE BALLOT AND INSTRUCT THE SUPERVISOR OF ELECTIONS TO PLACE ON THE SEPTEMBER BALLOT THE ISSUE OF COUNTY COMMISSIONERS BEING ELECTED BY SINGLE MEMBER DISTRICT OR COUNTY WIDE AT LARGE.

ATTORNEY HOLLEY ADVISED THE BOARD THE HEARING ON THE WINDHAM ROAD LAWSUIT FOR A MOTION TO DISMISS WOULD BE HELD WHILE THEY WERE GONE TO THE FAC ANNUAL CONFERENCE.

ADMINISTRATOR HAGAN ADVISED THE BOARD THE SCHOOL BOARD HAD NO WRITTEN POLICIES ON SCHOOL BUS PARKING PLACES AND BUS TURN AROUNDS; HOWEVER, THE SUPERVISOR OF THE BUS ROUTES DESIGNATED THESE AREAS. HE ASKED THE BOARD IF THEY WOULD WANT TO ADOPT A POLICY RELATING TO THE COUNTY DOING SCHOOL BUS DRIVEWAY MAINTENANCE AND MAINTENANCE ON SCHOOL BUS TURN AROUNDS OR IF THEY WANTED TO CONTINUE WITH THEIR PRACTICE OF MAINTAINING THESE AREAS. NO ACTION WAS TAKEN BY THE BOARD.

COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER DAVIS AND CARRIED TO TRANSFER \$13,839.25 FROM THE LAW ENFORCEMENT TRUST FUND AS MATCHING FUNDS FOR THE ANTI-DRUG ABUSE GRANT FUND PER THE REQUEST OF SHERIFF PEEL.

1 PAGE INSERT

LETTER REQUESTING TRANSFER FROM LETF

COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO AUTHORIZE CHAIRMAN CORBIN TO SIGN THE CONTRACT WITH THE DEPARTMENT OF HRS FOR SHERIFF SERVICE OF PROCESS ON TITLE IV-D CHILD SUPPORT ENFORCEMENT ACTIONS FOR FISCAL YEAR 92-93.

13 PAGE INSERT

HRS CONTRACT

COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO AUTHORIZE CHAIRMAN CORBIN TO SIGN MODIFICATION TWO OF THE LEASE NUMBER 700-0385 WITH THE DEPARTMENT OF CORRECTIONS WHICH INCREASES SPACE BY 251 SQUARE FEET AND INCREASES RENT MONIES FROM \$999.00 MONTHLY TO \$1,124.50 MONTHLY.

3 PAGE INSERT

DOC LEASE AGREEMENT

COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO AUTHORIZE CHAIRMAN CORBIN TO MAKE AN APPOINTMENT TO THE HRS QUALIFICATION REVIEW COMMITTEE. CHAIRMAN CORBIN APPOINTED JACKIE HARDIN CONTINGENT UPON HER ACCEPTING THE APPOINTMENT.

COMMISSIONER COOK OFFERED A MOTION, SECONDED BY COMMISSIONER TRACY AND CARRIED TO ACCEPT AN EASEMENT FROM ONEIDA LEE IN ORDER TO CORRECT AN EROSION PROBLEM.

2 PAGE INSERT

EASEMENT ONEIDA LEE

COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO ACCEPT THE MINUTES AND APPROVE THE RECOMMENDATIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION FOR THEIR MAY 7, 1992 MEETING.

10 PAGE INSERT

WC PLANNING COMMISSION FOR MAY 7, 1992.

COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER TRACY AND CARRIED TO ACCEPT THE ADMINISTRATOR'S RECOMMENDATION TO OFFER TO SETTLE WITH FIREMENS FUND INSURANCE CO. ON A PAST DUE BILL FOR \$34,431.00 WITH THE COUNTY AGREEING TO PAY \$7,949.00 NOW, WHICH WAS THE AMOUNT OF A REFUND THE COUNTY RECEIVED FROM THEIR PRESENT CARRIER RECENTLY, AND BUDGET TO PAY THE REMAINING BALANCE BEGINNING JANUARY OF 1993.

4 PAGE INSERT

FIREMENS FUND

COMMISSIONER COOK OFFERED A MOTION, SECONDED BY COMMISSIONER TRACY AND CARRIED TO AUTHORIZE CHAIRMAN CORBIN TO SIGN THE CLERK'S MODIFIED CONTRACT FOR COMPUTER SERVICES WITH THE ONLY CHANGE BEING OMITTING THE PORTION OF THE SPECIAL CONDITIONS REFERRING TO THE EMPLOYEE INSURANCE.

2 PAGE INSERT

CLERKS CONTRACT

THE BOARD AGREED THEY WANTED TO RETAIN OWNERSHIP OF THE VERNON EMERGENCY CENTER AND ITS CONTENTS AND WOULD CARRY INSURANCE ON THE BUILDING; HOWEVER, THE NORTHWEST FLORIDA COMMUNITY HOSPITAL WOULD BE RESPONSIBLE FOR THE UTILITIES, PHONE BILLS, ETC.

ADMINISTRATOR HAGAN GAVE A BRIEF REPORT ON THE ACTIVITIES UNDERWAY AT THE NEW RECYCLING LOCATION.

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COMMISSIONER COOK UPDATED THE BOARD ON THE LOAN MONIES FROM SUN BANK FOR THE AG CENTER RENOVATION STATING THE MONEY SHOULD BE AVAILABLE BY AUGUST 1, 1992. COMMISSIONER COOK OFFERED A MOTION, SECONDED BY COMMISSIONER DAVIS AND CARRIED TO AWARD THE CONTRACT ON THE AG CENTER RENOVATIONS TO THE LOW BIDDER WHICH WAS LEWIS AND ASSOCIATES FROM DOTHAN, ALABAMA.

COMMISSIONER COOK OFFERED A MOTION, SECONDED BY COMMISSIONER TAYLOR AND CARRIED TO TABLE ACTION ON THE RE-ORGANIZATION OF ROAD AND BRIDGE PERSONNEL UNTIL IT IS BUDGETED FOR. COMMISSIONER COOK, TAYLOR AND CORBIN FOR WITH COMMISSIONER DAVIS AND TRACY OPPOSED.

COMMISSIONER DAVIS OFFERED A MOTION, SECONDED BY COMMISSIONER COOK AND CARRIED TO APPROVE OF VOUCHERS SIGNED AND WARRANTS ISSUED TOTALLING \$430,896.62.

1 PAGE INSERT

CLERK EARNESTINE MILLER ADVISED THE BOARD THEY NEEDED TO STOP ALL SPENDING EXCEPT FOR OBLIGATED EXPENDITURES AS IT APPEARED THEY WERE GOING TO BE SHORT ON FUNDING DUE TO DELTONA TAXES AND THE MONIES THEY BUDGETED FOR SURPLUS LAND SALES AND THE REVENUE FROM DELINQUENT ADVERTISING FEES.

2 PAGE INSERT

CLERKS LETTER

COMMISSIONER TRACY OFFERED A MOTION, SECONDED BY COMMISSIONER DAVIS AND CARRIED TO RECESS THIS MEETING UNTIL 10:00 A. M. ON JUNE 19, 1992 AT THE WASHINGTON COUNTY ADMINISTRATIVE BUILDING. ATTEST: _____

CLERK

CHAIRMAN

ATTEST: _____

DEPUTY CLERK

END OF MINUTES FOR 06/18/92