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BOARD MINUTES FOR 01/26/93

JANUARY 26, 1993

PURSUANT TO A RECESS FROM THE JANUARY 21, 1993 MEETING, THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY, MET ON THE ABOVE DATE AT 3:00 P. M. AT THE WASHINGTON COUNTY ADMINISTRATIVE BUILDING, 201 WEST CYPRESS AVENUE, CHIPLEY, FLORIDA, WITH COMMISSIONERS CORBIN, CARTER, BROCK, MORRIS AND TAYLOR PRESENT. ATTORNEY HOWELL, CLERK EARNESTINE MILLER AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

CHAIRMAN CORBIN CALLED THE RECESSED MEETING TO ORDER.

MS. BETTY SLAY, REPRESENTING TRI-COUNTY COMMUNITY COUNCIL, ADDRESSED THE BOARD STATING ALL SECTION 8 FUNDING MUST BE ADMINISTERED THROUGH WASHINGTON COUNTY. MS. SLAY WAS REQUESTING THE BOARD SUB- CONTRACT WITH TRI-COUNTY TO ADMINISTER THE GRANT AUTHORIZING MS. SLAY TO SIGN ALL REPORTS ON THE SECTION 8 FUNDING. MS. SLAY STATED SHE WOULD SUBMIT A REQUISITION FOR THE FUNDS TO WASHINGTON COUNTY, ALONG WITH A COPY OF ALL INVOICES WHICH SHE WOULD BE REQUESTING FUNDS FOR. SHE ADVISED ALL WASHINGTON COUNTY WOULD HAVE TO DO IS SUBMIT ONE CHECK PER REQUISITION TO TRI-COUNTY AND SHE WOULD PAY ALL INVOICES REQUISITIONED. AFTER DISCUSSION ON THE ISSUE, COMMISSIONER MORRIS OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO TABLE MS. SLAY'S REQUEST UNTIL CLERK EARNESTINE MILLER HAS TIME TO RESEARCH THE ADMINISTRATION OF THE GRANT.

COMMISSIONER MORRIS QUESTIONED MS. SLAY ON BIDS TRI-COUNTY RECEIVED FOR MECHANICAL WORK. HE STATED IT WAS HIS UNDERSTANDING THERE HAD BEEN SOME PERSONS WHO HAD BEEN UNABLE TO GET A COPY OF THE BID TABULATION. MS. SLAY ADVISED COMMISSIONER MORRIS SHE WAS NOT REQUIRED TO DO THIS. UPON THE REQUEST OF COMMISSIONER MORRIS, MS. SLAY AGREED TO GET HIM A COPY OF THE BID TABULATION ON THE MECHANICAL WORK.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER MORRIS AND CARRIED TO AUTHORIZE CHAIRMAN CORBIN TO SIGN THE REPLACEMENT CONTRACT ON SECTION 8 FUNDS WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

RANDY VANLANDINGHAM, REPRESENTING PETERMAN AND ASSOCIATES, ADDRESSED THE BOARD GIVING THEM AN UPDATE ON ST. MARY'S ROAD IN CARYVILLE. HE ADVISED HE HAD REQUESTS TO RELOCATE SOME PARTS OF THE ROAD IN ORDER TO MEET THE DEPARTMENT OF TRANSPORTATION'S REQUIREMENTS FOR 50 MPH SPEED LIMIT CRITERIA. HE STATED THE SPEED LIMIT COULD BE REDUCED TO 35 MPH AND THE ALIGNMENT COULD BE CHANGED TO KEEP IT WITHIN THE EXISTING RIGHT OF WAY. HE ALSO STATED THE BOARD COULD GO AHEAD AND BID THE BRIDGES. COMMISSIONER CARTER STATED HE FELT THE BOARD SHOULD PURSUE THE RIGHT OF WAYS BEFORE BIDDING THE BRIDGES. RANDY AGREED TO GET COMMISSIONER MORRIS A LIST OF NAMES AND ADDRESSES OF THE PROPERTY OWNERS HE IS HAVING PROBLEMS WITH AND MORRIS WOULD TRY AND WORK WITH THEM TO OBTAIN THE RIGHT OF WAY NEEDED. AS FAR AS THE GRANT MONEY, RANDY STATED THEY WOULD GO WITH THE ROAD AS FAR AS THE MONEY WILL GO AND THEN STOP.

WAYNE CARTER, REPRESENTING CUMBAA ENTERPRISES, ADDRESSED THE BOARD STATING HE HAD BEEN BACK TO THE LANDFILL SITES WITH THREE OTHER PROFESSIONALS; ANOTHER ENGINEER, A GRASS & SEED PERSON AND AN EROSION CONTROL SALES REPRESENTATIVE. MR. CARTER ASKED FOR A CONTINUOUS 90 DAYS TO TRY DIFFERENT EROSION CONTROL METHODS AND REPLANT THE GRASS. COMMISSIONER MORRIS SAID THE BOARD SHOULD ISSUE A STOP ORDER AND TURN IT OVER TO THE BONDING COMPANY TO GET THE JOB COMPLETED. THE BOARD WAS CONCERNED THEY MAY JEOPARDIZE THEIR CASE WITH THE BONDING COMPANY IF THEY GRANTED MR. CARTER AN ADDITIONAL NINETY DAYS. COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO AUTHORIZE COMMISSIONER MORRIS AND ADMINISTRATOR HAGAN TO WORK WITH ATTORNEY HOWELL TO RESEARCH THIS ISSUE AND REPORT BACK TO THE BOARD AT 4:00 P. M. ON FEBRUARY 2ND ON HOW THE BOARD SHOULD PROCEED ON THIS ISSUE.

COMMISSIONER MORRIS OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER AND CARRIED TO ADVERTISE FOR ONE PROVIDER FOR COMMUNICATIONS EQUIPMENT MAINTENANCE SERVICES FOR WASHINGTON COUNTY.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER AND CARRIED TO ACCEPT FOR THE MINUTES THE ANNUAL REPORT FROM THE CLERKS OFFICE FOR FISCAL YEAR ENDING SEPTEMBER 30, 1992.

COMMISSIONER MORRIS OFFERED A MOTION, SECONDED BY COMMISSIONER TAYLOR AND CARRIED TO AUTHORIZE THE CHAIRMAN AND THE CLERK TO SIGN THE FIRE DEPARTMENT AGREEMENT FROM FIVE POINTS VOLUNTEER FIRE DEPARTMENT.

COMMISSIONER MORRIS OFFERED A MOTION, SECONDED BY COMMISSIONER TAYLOR AND CARRIED TO AUTHORIZE THE CHAIRMAN AND CLERK TO SIGN ALL FIRE DEPARTMENT AGREEMENTS AS THEY COME IN IF THERE ARE NO CHANGES.

COMMISSIONER CARTER ADVISED THE BOARD THE AG CENTER PROJECT IS AT A STAND STILL WITH THE MECHANICAL CONTRACTOR, ARCHITECT AND ENGINEER. THE MECHANICAL CONTRACTOR SAYS THE PLANS DID NOT CALL FOR FIRE CONTROL DAMPERS AND HE IS REFUSING TO CONTINUE TO WORK UNTIL HE GETS PAID FOR THE DAMPERS. COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER MORRIS AND CARRIED TO AUTHORIZE COMMISSIONER CARTER AND ADMINISTRATOR HAGAN TO TAKE CARE OF THIS MATTER.

COMMISSIONER CARTER ADVISED THE BOARD LARRY HAYES AND BOB BOOTH IS WORKING ON A PARKING LOT DESIGN FOR THE ADMINISTRATIVE BUILDING AT NO CHARGE.

COMMISSIONER CARTER ADVISED THE BOARD HE HAD MET WITH ROSEWOOD TIMPER COMPANY PERSONS, GEORGE EUBANKS AND JERRY BROOKS, AND THEY SAID THE COUNTY HAD NOT PROVIDED SIGNS AS THEY AGREED NOR HAVE THEY PROVIDED ENFORCEMENT AS THEY AGREED. CHAIRMAN CORBIN APPOINTED COMMISSIONER CARTER TO WORK WITH ROSEWOOD ON ENFORCEMENT WITH THE SHERIFFS DEPARTMENT AND COME BACK WITH A REPORT NEXT TUESDAY AT 4:00 P. M. TO WORK ON WHAT TYPE OF BUDGET AMENDMENT IS NEEDED.

CHAIRMAN CORBIN ASKED ATTORNEY HOWELL TO STRESS WHAT SERVICES THE BOARD CAN EXPECT FOR HIS \$500 PER MONTH RETAINER FEE AND HIS \$70 PER HOUR FEE. ATTORNEY HOWELL STATED REGULAR BOARD MEETINGS, DAY TO DAY CONFERENCING WITH THE ADMINISTRATOR, ETC. WOULD BE INCLUDED IN THE RETAINER WITH ALL LITIGATIONS AND LAWSUITS BEING CHARGED AT THE HOURLY RATE OF \$70.00. ATTORNEY HOWELL ALSO ADVISED HE WAS GOING TO GET WITH THE CLERK ON LAST YEARS INVOICES TO SEE WHAT ATTORNEY HOLLEY HAS BEEN BILLING THE COUNTY FOR. HE ADVISED THE BOARD IF THEY DISAGREED WITH SOMETHING HE BILLED THEM FOR, HE WOULD PROBABLY JUST STICK IT UNDER HIS RETAINER FEE.

CHAIRMAN CORBIN EXPRESSED AN OPINION THAT THE BOARD MAY NEED TO ADOPT A RESOLUTION IN ORDER TO HOLD ONTO OUR ASCS OFFICE IN WASHINGTON COUNTY. THE BOARD AGREED FOR ATTORNEY HOWELL TO PREPARE A RESOLUTION STATING THEY SUPPORT MAINTAINING THE ASCS OFFICE IN WASHINGTON COUNTY AND STATING REASONS WHY THE OFFICE NEEDS TO STAY IN WASHINGTON COUNTY. ATTORNEY HOWELL IS TO BRING THE RESOLUTION BACK AT NEXT TUESDAY'S RECESSED MEETING.

LARRY ACOSTA ADDRESSED THE BOARD STATING A PROBLEM HE HAD WITH PROPERTY HE PURCHASED LOCATED AT TEAPOND ROAD. MR. ACOSTA STATED HE HAS ONE ACRE THAT IS PRESENTLY LANDLOCKED, EVEN THOUGH HE HAS AN EASEMENT TO THE ACRE, BECAUSE IT IS IMPASSABLE. HE EXPLAINED HIS ACRE IS SURROUNDED BY THE PERSONS PROPERTY THAT SOLD HIM HIS PROPERTY. HE ASKED WHAT RECOURSE HE HAD WITH ATTORNEY HOWELL ADVISING HIM TO SEE A PRIVATE ATTORNEY. COMMISSIONER CARTER IS TO GO LOOK OVER THE SITUATION TO SEE IF THE COUNTY COULD HELP.

CHAIRMAN CORBIN CALLED FOR A RECESS.

PURSUANT TO A RECESS, THE BOARD WENT INTO A WORKSHOP ON THE JOB DESCRIPTIONS FOR ROAD AND BRIDGE GENERAL SUPERINTENDENT AND THE COUNTY ADMINISTRATOR. COMMISSIONER MORRIS REFERENCED COUNTY ORDINANCE 91-11, SECTION 5 J, K, AND L, WHICH DEALS WITH THE DUTIES OF THE COUNTY ADMINISTRATOR STATING HE WOULD LIKE SOME OF THE ITEMS LISTED TAKEN AWAY. ADMINISTRATOR HAGAN ADVISED THE BOARD HE IS NOT DOING ANYTHING HE HASN'T BEEN DOING FOR THE PAST SIXTEEN YEARS. HE STATED HE DIDN'T SUPERVISE DEPARTMENT HEADS AS FAR AS DAY TO DAY OPERATIONS BUT ONLY AS IT REFERS TO THE BUDGET IN EACH DEPARTMENT. COMMISSIONER MORRIS STATED HE FELT LIKE ADMINISTRATOR HAGAN WOULD BE OF MORE VALUE TO THE BOARD IN ADMINISTRATION, RATHER THAN BEING BOGGED DOWN WITH ON HANDS SUPERVISION.

SOME OF THE ITEMS DISCUSSED WERE:

1. ADMINISTRATOR HAGAN HAVE HIS SECRETARY GIVE PERSONS THE ROAD AND BRIDGE PHONE NUMBER WHEN THEY HAVE A ROAD PROBLEM.
2. COMMISSIONERS SHOULD TAKE THEIR PROBLEMS TO THE FOREMAN AT ROAD AND BRIDGE AND IF THE FOREMAN HAS A PROBLEM, HE SHOULD GO TO THE GENERAL SUPERINTENDANT, GEORGE ROGERS.
3. GENERAL SUPERINTENDANT SHOULD SCHEDULE CALLS WITHIN THE DISTRICTS AND THEN GIVE IT TO THE FOREMAN FOR HIM TO SCHEDULE THE WORK. GEORGE COULD CONTACT ALL PERSONS SOUTH OF ST. MARYS ROAD CONCERNING THE DETOUR. GEORGE COULD ALSO IDENTIFY ALL AREAS THAT NEED

ADDITIONAL WORK IN EACH DISTRICT FOR THE NEXT YEARS  
BUDGET WORK.

COMMISSIONER MORRIS STATED WHEN THE BOARD MOVED GEORGE ROGERS UP TO GENERAL SUPERINTENDENT THEY MOVED HIM INTO AN ADMINISTRATIVE POSITION. COMMISSIONER TAYLOR STATED HE FELT ONE MAN NEEDED TO WORK WITH ROAD AND BRIDGE AS HE DIDN'T THINK GEORGE COULD BE EFFECTIVE HAVING FIVE PERSONS TELLING HIM WHAT TO DO.

COMMISSIONER MORRIS HAD WRITTEN NOTES ON SOME CHANGES HE WOULD LIKE TO SEE MADE TO THE COUNTY ADMINISTRATORS JOB DESCRIPTION. THEY REFERENCED THE ADMINISTRATOR NEEDED TO BE AN OFFICE MANAGER, FAMILIARIZE HIMSELF WITH ALL GRANT PROGRAMS AND EVENTUALLY ADMINISTER GRANTS IN-HOUSE, CURTAIL INVOLVEMENT WITH DAILY OPERATIONS OF ROAD AND BRIDGE, PROVIDE PUBLIC INFORMATION AND BE A CONTACT POINT FOR THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AND REFER ALL MEDIA INTERVIEWS TO THE CHAIRMAN OR THE APPROPRIATE BOARD MEMBER. COMMISSIONER MORRIS STATED THESE ADDITIONAL COMMENTS COULD BE USED AS A DIRECTIVE INSTEAD OF AMENDING ORDINANCE 91-11. ATTORNEY HOWELL STATED THE BOARD NEEDED TO GO AHEAD AND AMEND ORDINANCE 91-11 MAKING THE CHANGES TO SECTION 5J, 5K AND 5L DISCUSSED EARLIER WHICH WERE:

1. SECTION 5 J. SHOULD READ: REVIEW THE DEPARTMENTS, ADMINISTRATION AND OPERATION OF THE COUNTY AND MAKE RECOMMENDATIONS PERTAINING THERETO FOR REORGANIZING BY THE BOARD;
2. SECTION 5 K. SHOULD READ: RECOMMEND FOR EMPLOYMENT TO FILL ALL VACANT POSITIONS BASED ON THE RECOMMENDATIONS OF THE DEPARTMENT HEADS WHERE A VACANCY OCCURS EXCEPT THE COUNTY ATTORNEY.
3. SECTION 5 L. SHOULD READ: DISCIPLINE OR SUSPEND ANY EMPLOYEE UNDER THE JURISDICTION OF THE BOARD PURSUANT TO PROCEDURES ADOPTED BY THE BOARD; EITHER UNION CONTRACT FOR THE BARGAINING UNIT OR PERSONNEL POLICY.

THE BOARD AGREED FOR ATTORNEY HOWELL TO DRAFT AN ORDINANCE SHOWING THE CHANGES REFERENCED AND BRING IT BACK TO THE NEXT MEETING.

GENERAL SUPERINTENDENT ROGERS QUESTIONED WOULD HE HAVE AN INCREASED AMOUNT OVER THE \$2,000 HE IS ALLOWED TO SPEND WITHOUT COMING BEFORE THE BOARD. COMMISSIONERS MORRIS, CORBIN AND CARTER SAID HE COULD STILL BRING THESE EXPENSES TO THE BOARD OR ADVISE THE ADMINISTRATOR.

COMMISSIONER CARTER REQUESTED GENERAL SUPERINTENDENT ROGERS TO WRITE A JOB DESCRIPTION FOR A LEAD MECHANIC AT ROAD AND BRIDGE.

THE BOARD ADVISED THE ROAD AND BRIDGE FOREMANS, SAM KENT AND ROBERT HARCUS, THEY DESIRED THE MOTOR GRADER OPERATORS WHEN GRADING A ROAD TO SLOW DOWN AND GRADE THE ROAD RATHER THAN JUST BRUSHING IT.

SAM KENT ADVISED THE BOARD OF A LETTER FROM THE DEPARTMENT OF ENVIRONMENTAL REGULATIONS GIVING THE COUNTY THIRTY DAYS TO CORRECT THE PROBLEM OF DIRT OFF OF CARTER BROTHERS ROAD FILLING UP A DRAINAGE DITCH LOCATED AT BEN GILBERTS PROPERTY.

CHAIRMAN CORBIN STATED THIS EMERGENCY WORK SHOULD NOT BE CHARGED TO THAT DISTRICT.

CHAIRMAN CORBIN CALLED FOR A RECESS.

PURSUANT TO A RECESS, ATTORNEY HOWELL BRIEFED THE BOARD ON WEST TRACO SAYING HE HAD BEEN IN CONTACT WITH CHUCK DANIELS, TRACO'S ATTORNEY. DANIELS HAD FILED A CONTEMPT ORDER AGAINST THE BOARD FOR THEIR FAILING TO ABIDE BY THE COURTS ORDER. HOWELL STATED HE HAD FILED A MOTION FOR CONTINUANCE AND DANIELS AGREED FOR A CONTINUANCE WITH A HEARING TO BE HELD ON THE 4TH OF FEBRUARY AT 3:30 P. M.

KATHY FOSTER QUESTIONED THE APPOINTING OF ONE PERSON OR ELECTED OFFICIAL TO BE INTERVIEWED SAYING THE BOARD MAY WANT TO LIMIT INTERVIEWS BUT NOT LIMIT INFORMATION.

FOSTER QUESTIONED WHO WOULD THE GENERAL PUBLIC CONTACT IF THEY HAD A ROAD PROBLEM. SHE WAS ADVISED TO CONTACT ROAD AND BRIDGE. FOSTER WAS ADVISED ROBERT HARCUS WAS FOREMAN ON THE WEST SIDE COVERING DISTRICTS 1 AND 3 AND PART OF 5 AND SAM KENT WAS FOREMAN ON THE EAST SIDE COVERING DISTRICTS 2, 4 AND PART OF 5. FOSTER QUESTIONED WHO THE GENERAL SUPERINTENDENT ANSWERED TO. SHE WAS ADVISED HE ANSWERS DIRECTLY TO THE BOARD. FOSTER QUESTIONED IF THE COUNTY HAS A GRIEVANCE PROCEDURE IN PLACE. SHE WAS ADVISED THEY DO.

FRANK CORSO QUESTIONED DOES THE GENERAL SUPERINTENDENT ANSWER TO THE BOARD. HE WAS ADVISED HE DOES. CORSO ASKED IF THE GENERAL SUPERINTENDENT NOW HAS FIVE BOSSES. HE WAS ADVISED HE DOES. CORSO ASKED IF THE BOARD HAD DECIDED ANYTHING ON THE COUNTY WIDE VOTING. HE WAS ADVISED IT WOULD BE BROUGHT UP AT THE NEXT MEETING.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER MORRIS AND CARRIED TO

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RECESS UNTIL 4:00 P. M. FEBRUARY 2, 1993. ATTEST: \_\_\_\_\_

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CLERK

CHAIRMAN

ATTEST: \_\_\_\_\_

DEPUTY CLERK

\*END OF MINUTES\* FOR 01/26/93