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BOARD MINUTES FOR 03/24/94

MARCH 24, 1994

PURSUANT TO A RECESS FROM THE MARCH 22, 1994 MEETING, THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY, MET ON THE ABOVE DATE AT 6:00 P. M. AT THE WASHINGTON COUNTY ADMINISTRATIVE BUILDING, 711 THIRD STREET, CHIPLEY, FLORIDA WITH COMMISSIONERS BROCK, CARTER, CORBIN, MORRIS AND TAYLOR PRESENT. ATTORNEY BILL HOWELL AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

CHAIRMAN MORRIS CALLED THE MEETING TO ORDER. THE PURPOSE OF THE MEETING WAS TO VOTE ON THE SOLID WASTE CONTRACT. CHAIRMAN MORRIS ADVISED THOSE PRESENT THE CONTRACT WAS NOT PREPARED AT THIS TIME.

COMMISSIONER CORBIN HAD PREPARED AND GIVEN THE BOARD A COPY OF A PROPOSAL ON USING THE BAG SYSTEM. HE BRIEFED THOSE PRESENT ON THE PROPOSAL.

AUBREY DAVIS QUESTIONED IF THIS WOULD BE MANDATORY AND EXCLUSIVE; WOULD OTHER PEOPLE BE ALLOWED TO PICK UP THE GARBAGE. HE WAS ADVISED THE COUNTY WOULD BE THE ONLY ONE TO PICK UP THE GARBAGE IF THEY WENT WITH THE BAG SYSTEM. DAVIS STATED WITH THIS SYSTEM YOU PAY FOR WHAT YOU USE.

CHAIRMAN MORRIS STATED THAT COMMISSIONER CORBIN HAD BASED HIS PROPOSAL ON 100% PARTICIPATION AND IF THE BAG SYSTEM IS NOT MANDATORY, THE BUDGET HE HAD PREPARED WAS USELESS.

COMMISSIONER CORBIN SAID HE FELT LIKE THE PEOPLE WOULD BE WILLING TO PAY \$1.00 A BAG FOR GARBAGE PICKUP.

COMMISSIONER CORBIN SAID HE WOULD RECOMMEND THE BOARD MAKE FINES THE HIGHEST ALLOWED BY LAW FOR ANYONE CAUGHT LITTERING.

COMMISSIONER TAYLOR REFERENCED UNDER COMMISSIONER CORBIN'S PROPOSAL, SOME HOUSEHOLDS WOULD ACTUALLY BE PAYING MORE THAN THEY ARE CURRENTLY PAYING. COMMISSIONER CORBIN RESPONDED BY SAYING PEOPLE WOULD BE PAYING ACCORDING TO THE AMOUNT OF GARBAGE THEY USE.

AUBREY DAVIS SAID UNDER THE PRESENT SYSTEM THE PEOPLE USING LESS GARBAGE ARE SUBSIDIZING THOSE WHO USE A LOT.

DON SPIKER OF SUNNY HILLS ADDRESSED THE BOARD STATING HIS OPPOSITION TO THE BAG SYSTEM. SPIKER SAID THERE WAS NO ACCOUNTABILITY OF THE BAGS BEFORE WHEN THE COUNTY USED THE BAG SYSTEM. HE ALSO DIDN'T FEEL THE COUNTY COULD BE COVERED ADEQUATELY PICKING UP GARBAGE ONCE A WEEK WITH TWO TRUCKS.

COMMISSIONER CORBIN SAID THERE WAS ACCOUNTABILITY OF THE BAGS WHEN THE COUNTY USED THE SYSTEM BEFORE. HE STATED THE MONEY HAD TO MATCH THE NUMBER OF BAGS SOLD.

R. J. PADGETT ADDRESSED THE BOARD STATING HE WAS GOING TO PAY FOR WHAT HE USED. HE SAID HE DIDN'T WANT TO HAVE TO CALL THE GARBAGE PEOPLE TO PICK UP HIS GARBAGE AND THEN THEY GO ON DOWN THE ROAD.

CHAIRMAN MORRIS EXPLAINED THAT THE BOARD WAS NOT INTERESTED IN SIGNING THE PRESENT CONTRACT THEY HAVE NOW; EMPHASIZING THE NEW CONTRACT WILL BE MUCH BETTER.

AUBREY DAVIS ADDRESSED THE BOARD TO RESPOND TO DON SPIKER'S COMMENTS. DAVIS STATED THE LARGER PORTION OF SUNNY HILLS WAS NOT THE TYPICAL RURAL PART OF WASHINGTON COUNTY. HE SAID THE SYSTEM THE COUNTY IS TRYING TO FIX UP IS TO PROVIDE SOLID WASTE FOR THE RURAL AREAS OF WASHINGTON COUNTY. DAVIS SAID IF PEOPLE WANTED TO LIVE IN AN URBAN COUNTY, NOT TO CRAM THEIR REQUIREMENTS ON THOSE PERSONS THAT LIVE IN THE RURAL PART OF THE COUNTY.

COMMISSIONER CORBIN REFERENCED BEFORE THE COUNTY WENT INTO THE BAG SYSTEM, SUNNY HILLS WAS USING WEST TRACO. HE SAID THE COUNTY WOULD GET CALLS FROM SUNNY HILLS ASKING THE COUNTY TO MAKE TRACO COME PICK UP THEIR GARBAGE.

ROBERT CHESSEY ADDRESSED THE BOARD STATING HE WAS IN FAVOR OF THE BAG SYSTEM.

CHAIRMAN MORRIS STATED HE COULD DRAW UP A PROPOSAL THAT EVERYONE WOULD LIKE. HE REFERENCED CORBIN'S PROPOSAL STATING THERE WOULD BE 10% TO 15% OF PERSONS WHO WOULD NOT USE THE SYSTEM; THEREFORE, HIS PROPOSAL WOULDN'T WORK.

COMMISSIONER CORBIN SAID WITH ANY BUDGET EVERYTHING HAS TO FALL INTO PLACE IF YOU MAKE MONEY. HE SAID THERE WERE CHANCES WITH THIS PROPOSAL.

WALLACE PETERSON ADDRESSED THE BOARD SAYING HE WAS IN FAVOR OF THE BAG SYSTEM.

JAMES LOTT OF ORANGE HILL ADDRESSED THE BOARD STATING HIS OBJECTION TO ANY CONTRACT THAT IS MANDATORY AND EXCLUSIVE. HE SAID HE WOULD PROBABLY USE TRACO IF IT WEREN'T CRAMMED DOWN HIS THROAT. HE ADDED THAT HE HAD NEVER USED TRACO NOR NEVER PAID THEM A DIME.

M. C. WOODBURY ADDRESSED THE BOARD QUESTIONING THE DISTRIBUTION SYSTEM THAT WOULD BE USED IF THE COUNTY WENT WITH THE BAG SYSTEM. COMMISSIONER CORBIN SAID HE HOPED AS A COURTESY TO WASHINGTON COUNTY CUSTOMERS, ANY STORE IN WASHINGTON COUNTY WOULD HANDLE THE BAGS FOR THE COUNTY.

COMMISSIONER TAYLOR STATED FOR THE FIGURES TO WORK IN COMMISSIONER CORBIN'S PROPOSAL, CORBIN IS ASSUMING 100% PARTICIPATION IN THE BAG SYSTEM PROGRAM. TAYLOR SAYS THE BOARD KNOWS THERE WON'T BE 100% PARTICIPATION. TAYLOR SAID UNDER CORBIN'S PROPOSAL, THERE WOULD BE AN INCREASE IN GARBAGE FEES FOR 40% OF THE PEOPLE.

COMMISSIONER CARTER SAID A LOT OF LARGE GENERATORS OF GARBAGE ARE NOT ABLE TO PAY A LARGE GARBAGE BILL.

ANDREW ELLIS ADDRESSED THE BOARD STATING THE BAG SYSTEM PROPOSAL WAS THE ONLY FAIR PROPOSITION THAT HAD BEEN PRESENTED TO THE PEOPLE. HE STATED THE BAG SYSTEM HAS WORKED AND HE HASN'T FOUND A PERSON HE HAD SPOKEN TO WHO WAS OPPOSED TO THE BAG SYSTEM.

MATTIE GREEN ADDRESSED THE BOARD STATING SHE WAS IN FAVOR OF THE BAG SYSTEM AS IT WAS THE ONLY FAIR PROPOSAL THAT HAD BEEN GIVEN TO THE PEOPLE.

STACY HARTZOG ADDRESSED THE BOARD FAVORING THE BAG SYSTEM.

CHAIRMAN MORRIS QUESTIONED WHO WOULD PAY THE LAWSUIT IF THE COUNTY LOSES.

JIMMY WILSON ADDRESSED THE BOARD ASKING THE BOARD NOT TO MAKE THE CITY OF CHIPLEY PAY FOR WHAT THE COUNTY IS DOING. HE STATED IF THE COUNTY LOSES THEIR LAWSUIT WITH TRACO, THEY WOULD BE MAKING THE CITY OF CHIPLEY PAY ALSO. THE CITY OF CHIPLEY, AS WELL AS OTHER MUNICIPALITIES IN THE COUNTY, HAVE THEIR OWN GARBAGE SYSTEM AND ARE PAYING THEIR GARBAGE BILLS.

COMMISSIONER CORBIN ASKED ATTORNEY HOWELL TO EXPLAIN THE JUDGE'S RULING THAT THE BOARD WOULD HAVE TO UPFRONT THE MONEY FOR TRACO'S FEES FOR FILING SMALL CLAIMS. ATTORNEY HOWELL SAID THE JUDGE FELT THE BOARD SHOULD HAVE BEEN MORE UPFRONT IN COLLECTIONS OF MONEY FOR TRACO, BECAUSE THE CONTRACT SAYS WASHINGTON COUNTY WOULD ASSIST WEST TRACO WITH COLLECTIONS.

CHAIRMAN MORRIS SAID THE BOARD COULD END UP IN ANOTHER LAWSUIT FOR DAMAGES WITH WEST TRACO.

COMMISSIONER CORBIN STATED THE COUNTY HAS BEEN IN A LAWSUIT EVER SINCE THEY HAD THE CONTRACT WITH WEST TRACO.

V. J. COLLINS ADDRESSED THE BOARD STATING HE WAS IN FAVOR OF THE BAG SYSTEM.

J. R. FOXWORTH ADDRESSED THE BOARD SAYING HE HAD HEARD NOTHING FROM COMMISSIONER MORRIS AND TAYLOR BUT COMMENTS DISCREDITING THE BAG SYSTEM. HE ASKED IF THEY HAD A BETTER PROPOSAL TO TELL THE PEOPLE ABOUT IT. HE SAID THE BAG SYSTEM WOULD WORK.

BILL ACUFF ADDRESSED THE BOARD STATING IF THE BOARD WOULD LISTEN TO WHAT THE PEOPLE HAVE TO SAY, THE PEOPLE WILL GIVE THEM PLENTY OF REASONS NOT TO RENEW THE CONTRACT WITH WEST TRACO. HE HAD A COPY OF THE NEW CONTRACT AND WENT OVER CONCERNS HE HAD. HE READ THE DEFINITION OF CURB SERVICE WHERE IT REFERENCED THIS WOULD BE FIVE FEET OFF OF THE PUBLIC ROADWAY, AFTER THAT IT WOULD BE PRIVATE PROPERTY. HE STATED HE LIVED ONE-HALF MILE FROM THE PUBLIC ROAD AND HIS NEIGHBOR OWNS THE LAND UP TO THE PUBLIC ROAD. HE WAS TALKING OF THE DIFFERENT ANIMALS THAT WOULD GET INTO HIS GARBAGE AND STREW IT ON THE PUBLIC ROAD. HE SAID HE HAD A NEIGHBOR WHO HAD A NICE FANCY GARBAGE CAN WITH A LID BUT DOGS STILL GOT INTO IT. HE SAID THE DEPARTMENT OF ENVIRONMENTAL REGULATIONS BROUGHT THE GARBAGE ISSUE AROUND TO CLEAN UP THE STATE AND WASHINGTON COUNTY IS GOING TO CREATE A SITUATION TO MESS IT UP AGAIN. COMMISSIONER CORBIN SAID THE DEFINITION OF CURB SIDE HAS BEEN REVISED TO 15 FEET OFF THE PUBLIC ROADWAY. ACUFF SAID THE COUNTY WAS GOING TO HAVE TO BUILD A PLACE FOR PEOPLE TO PUT THEIR GARBAGE.

ACUFF THEN REFERRED TO THE TERM OF THE CONTRACT. HE SAID THE CONTRACT IS FOR TEN YEARS; THE FIRST FIVE YEARS WILL BE MANDATORY AND AT THE END OF FIVE YEARS, IT WILL BE AT THE OPTION OF THE GRANTOR, WASHINGTON COUNTY, IF IT REMAINS MANDATORY. HE QUESTIONED WHAT GAVE THE PEOPLE ANY REASON TO BELIEVE THE BOARD WON'T MAKE IT MANDATORY FOR THE ADDITIONAL FIVE YEARS.

ACUFF THEN REFERENCED SECTION 7 ON DEFAULT WHERE IT STATED IF ARGUS DOESN'T LIVE UP TO THE CONTRACT, THEY WILL FORFEIT THEIR FRANCHISE.

ACUFF THEN REFERENCED PAGE 12 ON THE PERFORMANCE BOND AND SECTION 13 ON RIGHT TO REQUIRE PERFORMANCE. THIS STATES ARGUS WILL PUT UP A \$300,000.00 PERFORMANCE BOND. HE STATED TRACO HAS NOT BEEN PERFORMING AND THE COUNTY HAS DONE NOTHING ABOUT IT. THE PERFORMANCE BOND AMOUNT HAS BEEN CHANGED TO \$1,000,000.00.

ACUFF THEN REFERENCED PAGE 13 ON AN ARBITRATION BOARD WHERE IT STATES ONE

MEMBER WILL BE FROM ARGUS, ONE FROM THE COUNTY COMMISSIONERS AND ONE WILL BE A REPRESENTATIVE FROM THE CITIZENRY OF WASHINGTON COUNTY. HE SAID ARGUS WILL BE SETTING ON THE BOARD AND THE COMMISSIONERS WHO DON'T HAVE RESPECT FOR THE PEOPLE IN THE COUNTY WILL PICK SOMEONE JUST LIKE THEY ARE.

ACUFF THEN REFERENCED SECTION 27A ON THE LOCATION OF THE WASTE COLLECTION. HE STATED YOU HAVE TO PLACE IT BY CURB SIDE. HE TOLD THE BOARD THEY WERE GOING TO HAVE TO GO TO SOMEONE ELSE'S PROPERTY AND BUILD A BIG BOX TO PUT GARBAGE IN SO THE ANIMALS CAN'T GET TO IT.

ACUFF THEN REFERENCED THE CHARGE FOR SERVICE IN SECTION 27. HE SAID THE COST WAS \$10.32 FOR RESIDENTIAL SERVICE. HE STATED ARGUS IS AN OUTFIT THAT IS PUTTING THE GARBAGE INTO THE LANDFILL AT HOLMES COUNTY.

ACUFF THEN REFERENCED SECTION E, PAGE 22 ABOUT THE TIPPING FEE. HE SAID IF THE TIPPING FEE IS INCREASED OR DECREASED, THE RATES WILL BE INCREASED OR DECREASED. HE STATED IF THEY OWN THEIR OWN LANDFILL, THEY CAN RAISE THE TIPPING FEES EVERY YEAR; THEREFORE, THEY CAN RAISE THE GARBAGE RATES.

ACUFF THEN SPOKE ON EXCLUSIVE AND MANDATORY. HE TOLD THE BOARD HE DIDN'T FEEL LIKE THEY WOULD BE ANYONE PRESENT TO GIVE THEM TROUBLE IF THEY HAD AN EXCLUSIVE CONTRACT BUT LEFT OFF MANDATORY. HE SAID ANY TIME SOMEONE IS GIVEN AN EXCLUSIVE AND MANDATORY CONTRACT, THEY CAN TREAT YOU ANYWAY THEY WANT TO; THEY DON'T HAVE TO PERFORM. HE SAID IF THE BOARD WOULD DO AWAY WITH MANDATORY AND LET THE CONTRACT JUST BE EXCLUSIVE, EVERYONE WOULD BE HAPPY.

AUBREY DAVIS ADDRESSED THE BOARD TO ANSWER COMMISSIONER MORRIS'S QUESTION ON WHO PAYS FOR THE LAWSUIT WITH TRACO IF THE COUNTY LOSES.

DAVIS SAID THIS WAS A RURAL ISSUE. ORDINANCE 88-4 WAS WRITTEN FOR THE RURAL PART OF THE COUNTY. HE SAID THOSE PEOPLE LIVING IN THE CITIES VOTED ON THE ISSUE EVEN THOUGH IT DIDN'T EFFECT THEM; THEREFORE, THEY CAN SHARE IN THE TAX BURDEN. DAVIS SAID HE AND MEMBERS OF THE WASHINGTON COUNTY CITIZENS VOICE ASSOCIATION ARE CONVINCED THAT WASHINGTON COUNTY HAS A VIABLE, WINNABLE CASE IF THEY WOULD STAND UP TO REPRESENT THE PEOPLE IN THE COUNTY. HE STATED RIGHT NOW THE BOARD IS NOT ONLY TRYING TO EXTEND THE EXISTING CONTRACT FOR FIVE YEARS, BUT ARE TRYING TO CRAM A TEN YEAR CONTRACT DOWN THEIR THROATS.

DAVIS TOLD THE BOARD TO STAND UP AND TRY TO FIGHT THE LAWSUIT. HE STATED IN FIVE YEARS THE BOARD HAS HEARD ENOUGH COMPLAINTS TO PROVE TRACO HAS BREACHED THEIR CONTRACT. IN 1992, THE JUDGE RULED HE WOULD NOT OVERRULE THE OPINION OF FIVE PEOPLE. HE SPOKE ON CITIZENS VOICE LEGAL COUNSEL SAYING IT WOULD TAKE A LARGE FIRM TO FIGHT THIS ISSUE AND CITIZENS VOICE WOULD BE WILLING TO JOIN THE COUNTY IN A LAWSUIT. DAVIS REFERENCED WEST TRACO'S INADEQUATE BILLING SYSTEM WAS RATIONAL ENOUGH TO BREAK THE CONTRACT WITH THEM.

DAVIS ASKED THE BOARD TO STAND UP AND FIGHT TO REPRESENT THE PEOPLE WHO ELECTED THEM AS THEY HAVE A WINNABLE CASE.

HE QUESTIONED WHY SOME OF THE BOARD WAS PUSHING SO HARD FOR TRACO AND ARGUS. COMMISSIONER CARTER TOLD DAVIS THE BOARD WAS DEALING WITH WEST TRACO. HE ALSO REMINDED DAVIS THE BOARD WAS UNDER CONTEMPT AND ARE WORKING UNDER THE JUDGE'S ORDER.

CARTER SAID CHAIRMAN MORRIS WORKED ON THE CONTRACT BECAUSE HE WAS APPOINTED TO BY THE BOARD AND EVERYTHING THAT HAS BEEN ADDRESSED IN THE CONTRACT WAS BROUGHT BEFORE THE BOARD.

DAVIS THEN ASKED WHY EXTEND THE CONTRACT FOR TEN YEARS RATHER THAN FIVE YEARS. HE TOLD THE BOARD THEY WERE GIVING THEM FAR MORE THAN THEY HAVE TO. HE ALSO REFERENCED BUSINESSES ARE INCLUDED IN THE NEW CONTRACT AND WERE NOT IN THE PRESENT CONTRACT. HE QUESTIONED WHY WAS THE BOARD INCLUDING ADDITIONAL THINGS IN THE NEW CONTRACT RATHER THAN FIGHTING THEM.

CHAIRMAN MORRIS EXPLAINED THE ADDITIONAL FIVE YEARS IS NON- MANDATORY AND ASKED WHY SHOULD ANYONE WORRY ABOUT THE ADDITIONAL FIVE YEARS BECAUSE THEY ARE NON-MANDATORY.

DAVIS SAID THE RURAL PART OF THE COUNTY HAS BEEN FIGHTING THE CONTRACT FOR FIVE YEARS AND DOESN'T WANT IT EXTENDED OR ENHANCED. HE STATED IT MADE THE PEOPLE SUSPECT THERE IS A LOT OF HANKY PANKY GOING ON UNDER THE TABLE. HE STATED THERE WAS NO RATIONAL REASON WHY THE BOARD SHOULD GIVE TRACO MORE AND THE PEOPLE IN THE RURAL AREA FEEL THE BOARD HAS SOLD THEM OUT.

DAVIS SAID COMMISSIONER CORBIN HAS GIVEN THEM A VIABLE ALTERNATIVE BY USING THE BAG SYSTEM. HE ASKED THE BOARD ON BEHALF OF CITIZENS VOICE AND THE PEOPLE IN THE RURAL AREAS NOT TO RENEW THE CONTRACT WITH WEST TRACO AND NOT ENHANCE THE CONTRACT. HE TOLD THE BOARD IF THEY CHOSE TO FIGHT WEST TRACO, CITIZENS VOICE WOULD JOIN THEM

IN THEIR LAWSUIT AND GIVE THEM LEGAL ASSISTANCE.

DAVIS SAID IF THE BOARD SIGNED THE CONTRACT, CITIZENS VOICE WOULD SEE THEM IN COURT. HE SAID ACCORDING TO THEIR ATTORNEY, IF THEY FILE A SUIT, THEY AS INDIVIDUALS WON'T HAVE TO PAY BUT THE COUNTY WILL. HE SAID THIS MEANS THE PEOPLE IN CHIPLEY WILL HAVE TO PAY.

TAYLOR REFERENCED THE REMARKS BEING MADE ABOUT THE CITIES VOTING ON THE GARBAGE ISSUE IN THE BEGINNING BUT NOT USING THE COUNTY GARBAGE SYSTEM. HE STATED YOU COULD TAKE OUT THE MUNICIPALITIES AND THERE WOULD HAVE BEEN NO DIFFERENCE IN THE RATIO OF VOTES.

DAVIS REFERENCED HE DIDN'T GET DOOR TO DOOR SERVICE NOW.

COMMISSIONER CARTER SAID EVERYONE HAS THE RIGHT TO VOICE THEIR OPINION. DAVIS TOLD THE BOARD THEY WERE BEING INFLUENCED BY THE PEOPLE LIVING IN THE CITIES OPINION AND THAT HAS COST THEM THEIR RIGHTS. DAVIS SAID THE GARBAGE ISSUE WAS A RURAL ISSUE; WE HAVE LOST OUR FREEDOM OF CHOICE. HE STATED THEIR CARRIERS HAD LOST THEIR BUSINESS.

COMMISSIONER CORBIN BROUGHT UP RECYCLING SAYING THE COUNTY HAS RECEIVED THREE TO FOUR HUNDRED THOUSAND DOLLARS OF RECYCLING FUNDS AND IF HIS PROPOSAL ON THE BAG SYSTEM FALLS SHORT, HE FEELS THE RECYCLING FUNDS CAN BE USED TO HELP FUND HIS BUDGET. HE SAID THE BOARD COULD ELIMINATE LAWSUITS AND APPLY THE ATTORNEY FEES THEY HAD BEEN PAYING TOWARD THE BAG SYSTEM PROJECT.

COMMISSIONER TAYLOR SAID THE BOARD DID NOT PLACE ANY LIENS ON ANY COLLECTIONS. THE BOARD HAS BEEN HELD IN CONTEMPT OF COURT BECAUSE THEY DIDN'T SATISFY THE CONDITIONS OF THE CONTRACT WITH WEST TRACO. HE SAID EVERYBODY THINKS THE BOARD IS TRYING TO DO SOMEBODY IN. TAYLOR STATED HE DIDN'T KNOW WHERE DAVIS GOT HIS DEGREE BUT HE DIDN'T WANT TO GO THERE.

DAVIS ADDRESSED THE BOARD STATING CITIZENS VOICE'S ATTORNEY HAD ENOUGH STAFF THEY COULD HANDLE THINGS OUT FRONT. HE SAID HE GOT HIS DEGREE FROM AUBURN UNIVERSITY AND THEY TEACH YOU ABOUT BUSINESS. DAVIS TOLD THE BOARD THE JUDGE WAS NOT REQUIRING THEM TO GIVE ARGUS A TEN YEAR CONTRACT OR WAS NOT REQUIRING THEM TO INCUDE BUSINESSES IN THE CONTRACT.

COMMISSIONER CARTER OFFERED A MOTION TO ADJOURN. WILLIE ADAMS ADDRESSED THE BOARD. HE QUESTIONED IF THE CONTRACT WAS GOING TO BE A FIVE YEAR MANDATORY CONTRACT. HE ASKED IF THEY DON'T GIVE HIM SERVICE, DOES HE HAVE TO PAY FOR IT. HE REFERENCED IN FIVE YEARS, TRACO HAS NEVER PICKED UP HIS GARBAGE NOR HIS MOTHER-IN-LAWS GARBAGE AND SAID THEY DON'T OWE TRACO ANYTHING. HE DOESN'T WANT THIS SHOVED DOWN HIS THROAT FOR ANOTHER FIVE YEARS.

COMMISSIONER TAYLOR STATED IT IS NOT A MATTER OF STARTING OVER. IT IS QUESTIONABLE WHETHER THE BOARD CAN GO BACK AND MAKE A FIVE YEAR CONTRACT. HE STATED A SUIT IS PENDING AGAINST THE PEOPLE OF THE COUNTY AND THE BOARD IS TRYING TO NEGOTIATE WHERE THE \$700,000.00 LAWSUIT WILL BE DISMISSED. COMMISSIONER TAYLOR SECONDED THE MOTION TO ADJOURN.

COMMISSIONER BROCK STATED THIS BOARD HAS HAD A SLOW TIMING PROCESS WITH THE COURT SYSTEM. HE SAID THIS BOARD VOTED NOT TO RENEW THE CONTRACT IN NOVEMBER, DANIELS COUNTERSUED, THE HEARING WAS SET FOR MARCH AND THE JUDGE RULED IN FAVOR OF THE COUNTY. HE SAID THE BOARD HAS LEGAL REASONS FOR THE THE COURT SUIT AND HAVE TO PROVE THEY CAN BREAK THE CONTRACT. BROCK SAID IT WAS GOING TO TAKE A COURT HEARING.

ACTION WAS TAKEN ON THE MOTION TO ADJOURN AND IT CARRIED UNANIMOUSLY.

ATTEST: _____
CLERK

CHAIRMAN

ATTEST: _____
DEPUTY CLERK

END OF MINUTES FOR 03/24/94