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BOARD MINUTES FOR 12/17/98

DECEMBER 17, 1998

THE WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS IN AND FOR WASHINGTON COUNTY MET ON THE ABOVE DATE AT 8:00 A. M. AT THE WASHINGTON COUNTY ADMINISTRATIVE BUILDING, 711 THIRD STREET, CHIPLEY, FLORIDA WITH COMMISSIONERS BROCK, CARTER, COPE, HALL AND ENFINGER PRESENT. ATTORNEY GERALD HOLLEY, ADMINISTRATIVE ASSISTANT PETER HERBERT, CLERK LINDA COOK AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

WASHINGTON COUNTY SHERIFF FRED PEEL PROCLAIMED THE MEETING WITH INVOCATION BEING PROVIDED BY ATTORNEY HOLLEY. CHAIRMAN CARTER LED IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO APPROVE OF THE MINUTES FOR THE OCTOBER 13, 1998 AND OCTOBER 22, 1998 BOARD MEETINGS.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO APPROVE OF THE ITEMS ON THE CONSENT AGENDA FOR DECEMBER 17, 1998:

1. APPROVAL OF A MAINTENANCE AGREEMENT WITH FIRST COMMUNICATIONS FOR RADIO SERVICE; \$240.00 PER MONTH TO BE PAID OUT OF THE RADIO COMMUNICATIONS FUND AND \$100.00 PER MONTH TO BE PAID BY THE WASHINGTON COUNTY SHERIFF'S DEPARTMENT.
2. APPROVAL OF FIRE AGREEMENT BETWEEN THE CITY OF CHIPLEY VOLUNTEER FIRE DEPARTMENT AND THE WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS.
3. APPROVAL OF TOWER RENT RATES TO BE CHANGED BACK TO THE ORIGINAL MONTHLY RATE PLUS \$100.00 ANNUALLY FOR EACH REPEATER. (TOWER RENT RATES WERE INCREASED EFFECTIVE OCTOBER 1, 1998; HOWEVER, THE RATE INCREASE DRASTICALLY CHANGED THE AMOUNT PAID BY SOME OF THE USERS.)

PETER HERBERT, ADMINISTRATIVE ASSISTANT, ADVISED THE BOARD THERE WERE ONLY THREE PROPOSALS RECEIVED FOR CONSTRUCTION MANAGER FOR THE PROPOSED NEW JAIL; THEREFORE, THE ARCHITECT WAS INSTRUCTED TO SEND OUT A SET OF PLANS ON THE JAIL CONSTRUCTION TO ALL THREE PROPOSALS RECEIVED AND MAKE A RECOMMENDATION TO THE BOARD AT THEIR JANUARY MEETING.

CLIFF MILLER ADDRESSED THE BOARD REQUESTING HIS PROPERTY TAXES BE FORGIVEN AND BRIEFED THEM ON THE CIRCUMSTANCES IN WHICH HE RECEIVED A TAX BILL: THE PROPERTY WAS IN HIS WIFE'S NAME UNTIL SHE DEEDED IT TO HIM IN 1993; SHE PASSED AWAY THAT SAME YEAR. HE NEVER WENT AND APPLIED FOR HOMESTEAD EXEMPTION IN HIS NAME; HOWEVER, HE CONTINUED TO GET A NO TAX BILL IN HIS WIFE'S NAME. HE RECEIVED A NO TAX BILL FOR THIS YEAR IN HIS WIFE'S NAME PROVIDING FOR HOMESTEAD EXEMPTION BUT WHEN HE RECEIVED A TAX BILL FOR \$475.00 HE COULDN'T FIND THE EXEMPTION NOTICE.

ATTORNEY HOLLEY ADVISED MILLER THE VALUE ADJUSTMENT BOARD WAS THE BOARD WHO WOULD ADDRESS THE FORGIVING OF TAXES AND THEY HAD ALREADY MET ON THE 1998 TAX BILLS. HOLLEY AGREED TO SPEAK WITH THE PROPERTY APPRAISER TO SEE IF ANYTHING COULD BE DONE TO FORGIVE MILLER OF HIS TAXES. THE ADMINISTRATIVE ASSISTANT WAS INSTRUCTED TO CONVEY ATTORNEY HOLLEY'S FINDINGS TO MR. MILLER.

THE WASHINGTON-HOLMES BUILDERS ASSOCIATION WAS ON THE AGENDA; HOWEVER, NO ONE ADDRESSED THE BOARD. CHAIRMAN CARTER REFERENCED A LETTER SUBMITTED BY THE ASSOCIATION AND ASKED IF ANY OF THE BOARD HAD ANY QUESTIONS PERTAINING TO THE LETTER.

LLOYD POWELL, BUILDING INSPECTOR, WAS ASKED TO ADDRESS THE BOARD ON THE COMPLAINTS OF THE BUILDERS ASSOCIATION. POWELL STATED THE ASSOCIATION WAS CONCERNED ABOUT UNLICENSED AND UNINSURED CONTRACTORS WORKING IN THE AREA AND THE ORDINANCE ADOPTED BY THE BOARD ALLOWING THE HOMEOWNER TO BUILD ANYTHING UP TO 500 SQUARE FEET OR UP TO \$5,000.00 WITHOUT HAVING TO OBTAIN A BUILDING PERMIT. AS FAR AS THE UNINSURED AND UNLICENSED CONTRACTORS, THESE WERE PROBLEMS WHICH WOULD HAVE TO BE HANDLED BY THE STATE. HE AGREED TO CONTACT THE STATE IF THE BOARD DESIRED; HOWEVER, HE NOTED ANYONE COULD CONTACT THE STATE WITH A COMPLAINT.

MILTON STRICKLAND, A BUILDING CONTRACTOR, RECOMMENDED AT THE PERMIT LEVEL EVERYONE BE REQUIRED TO SHOW PROOF OF INSURANCE ON THE JOB. HE ALSO STATED THE

BUILDERS ASSOCIATION WOULD BE COMPLETELY SATISFIED IF PERSONS PULLING BUILDING PERMITS WOULD COMPLY WITH THE LAW AND REPORT THE INCOME ON THEIR JOBS.

DISCUSSION CONTINUED WITH THE BOARD'S CONSENSUS TO HOLD A WORKSHOP WITH THE BUILDERS ASSOCIATION, THE BUILDING INSPECTOR, A REPRESENTATION OF HOMEOWNERS AND INSURANCE COMPANIES TO ADDRESS THESE ISSUES. THE BOARD AGREED TO NOTIFY ALL PARTIES OF THE DATE AND TIME OF THE WORKSHOP.

RUSSELL PHILLIPS ADDRESSED THE BOARD ON THE MSBU IN SUNNY HILLS STATING HE WAS NEITHER FOR NOR AGAINST IT BUT WAS AGAINST THE FORMAT BEING PROPOSED TO DO THE MSBU AS IT WAS ADDING TO THEIR PROPERTY TAXES. HE REQUESTED THE BOARD GIVE THE TAXPAYER A LITTLE CONSIDERATION BEFORE LETTING THE MSBU GO FORTH.

PURSUANT TO A NOTICE OF HEARING ADVERTISED IN THE WASHINGTON COUNTY POST ON A PROPOSED LAND USE CHANGE PETITIONED BY THE CITY OF CHIPLEY, SAID HEARING WAS HELD. WENDELL JOHNSON, CHIPLEY CITY ADMINISTRATOR, ADDRESSED THE BOARD ON THE LAND USE CHANGE BEING REQUESTED FROM LOW/MEDIUM DENSITY RESIDENTIAL USE TO INDUSTRIAL USE. HE STATED THE REASONS FOR THE REQUEST WERE:

THE INDUSTRIAL PARK WAS GROWING RAPIDLY.

THE SPACE WAS BECOMING LIMITED.

THE PROPOSED CHANGE WOULD BE ADVANTAGEOUS TO THE CITY AS WELL AS THE COUNTY.

IT WAS NOT FEASIBLE FOR THE PROPERTY, IN ITS PRESENT STATE, TO EVER BE DEVELOPED AS RESIDENTIAL. JOHNSON STATED, FOR THE RECORD, THE CITY OF CHIPLEY WOULD HAVE TO COMPLY WITH ALL THE LAND USE REGULATIONS MANDATED BY WASHINGTON COUNTY AND COMPLY WITH THE STATE REGULATIONS REGARDING ENVIRONMENTAL STANDARDS.

RANDY PARKER, COMPREHENSIVE PLANNING CONSULTANT, BRIEFED THE BOARD ON THE PROPOSED CHANGE STATING IT WAS NOT A SMALL SCALE LAND USE CHANGE AND THE ACTION THE BOARD WOULD NEED TO TAKE IS TO TRANSMIT THE RECOMMENDED CHANGE TO THE STATE OF FLORIDA AND IT WOULD NOT BECOME FINAL UNTIL THEY HEAR BACK FROM THE STATE AS TO THEIR FINDINGS; THE BOARD WOULD ADOPT OR DENY THE CHANGE AT THAT TIME. PARKER STATED THE PLANNING COMMISSION RECOMMENDED THE BOARD APPROVE THE LAND USE CHANGE; THEY WERE CONCERNED OVER THE ACCESS ROAD AND RECOMMENDED A CONDITION BE PUT ON THE LAND USE CHANGE IF SPANGENBURG ROAD WAS EVER USED FOR ACCESS, IT WOULD BE BROUGHT UP TO CERTAIN STANDARDS BY THE CITY SO IT WOULD BE SUITABLE FOR THE INDUSTRIAL CATEGORY.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER HALL AND CARRIED TO TRANSMIT TO THE STATE THE PROPOSED LAND USE CHANGE PETITIONED BY THE CITY OF CHIPLEY FROM LOW/MEDIUM DENSITY RESIDENTIAL USE TO INDUSTRIAL USE WITH THE CONDITION ON SPANGENBURG ROAD IMPLEMENTED.

PURSUANT TO A NOTICE OF HEARING ADVERTISED IN THE WASHINGTON COUNTY POST ON A SMALL SCALE LAND USE CHANGE SUBMITTED BY CLASSIC SOUTH SALES, INC. ON BEHALF OF PANAMA CITY GENERAL PARTNERSHIP FROM AGRICULTURAL/SILVICULTURE USE TO COMMERCIAL USE, SAID HEARING WAS HELD.

PARKER BRIEFED THE BOARD ON THE PROPOSED CHANGE STATING IT WAS APPROXIMATELY FIVE ACRES LOCATED ON THE WEST SIDE OF HIGHWAY 77 SOUTH OF PINE LOG ROAD AND THE OWNERS OF THE PROPERTY WERE WANTING TO PUT IN A RETAIL MOBILE HOME DEALERSHIP. PARKER ADVISED THE BOARD THE PLANNING COMMISSION HAD RECOMMENDED APPROVAL OF THE PROPOSED LAND USE CHANGE AND DUE TO THIS BEING A SMALL SCALE LAND USE CHANGE THE BOARD WOULD TAKE FINAL ACTION ON THE PROPOSED CHANGE TODAY. COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO ADOPT THE ORDINANCE APPROVING THE SMALL SCALE LAND USE CHANGE SUBMITTED BY CLASSIC SOUTH SALES, INC.

PURSUANT TO A NOTICE OF HEARING ADVERTISED IN THE WASHINGTON COUNTY POST ON A ROAD CLOSING PETITIONED BY MR. ROYCE NELSON, SAID HEARING WAS HELD. ATTORNEY TIM WELLS WAS PRESENT REPRESENTING MR. NELSON.

ATTORNEY HOLLEY BRIEFED THE BOARD ON DON HARRELL GIVING AN EASEMENT TO THE COUNTY ON THE NORTH 30' OF THE NORTHEAST QUARTER OF SECTION 35, LESS THE EAST 297' WITH PART OF THIS EASEMENT RUNNING THROUGH ROYCE NELSON'S PROPERTY; NELSON HAS PAID FOR THE ADVERTISING REQUESTING A PUBLIC HEARING TO ABANDON THE COUNTY'S RIGHT TO THAT PORTION OF THE EASEMENT RUNNING THROUGH HIS PROPERTY.

COMMISSIONER ENFINGER RECOMMENDED AND OFFERED A MOTION TO ABANDON THE COUNTY'S RIGHT TO THAT PORTION OF THE EASEMENT RUNNING THROUGH ROYCE NELSON'S PROPERTY AS IT IS NOT A ROAD AND NEVER HAS BEEN. COMMISSIONER BROCK SECONDED THE MOTION.

WHEN QUESTIONED IF ALL ADJOINING LAND OWNERS WERE SENT NOTIFICATION OF THE PUBLIC HEARING ON THE ABANDONMENT OF THE PROPERTY IN QUESTION, DEPUTY CLERK CARTER STATED NELSON PROVIDED HER WITH INFORMATION STATING DON HARRELL AND GEORGE VANN

WERE THE PROPERTY OWNERS AFFECTED AND SHE NOTIFIED THEM OF THE PUBLIC HEARING.

MR. GEORGE VANN ADDRESSED THE BOARD ON THE PROPOSED ROAD CLOSING. THE BOARD QUESTIONED VANN IF ANYONE WOULD BE LANDLOCKED FROM THEIR PROPERTY IF THE ROAD WERE TO BE CLOSED. VANN ACKNOWLEDGED NO ONE WOULD REALLY BE LANDLOCKED.

ATTORNEY HOLLEY SHOWED VANN THE LOCATION OF THE ROAD CLOSING BEING REQUESTED BY MR. NELSON AND THE LOCATION OF THE PROPERTY CONVERTED BACK TO MR. VANN IN 1996. HOLLEY EXPLAINED WHEN MR. DON HARRELL GAVE THE COUNTY AN EASEMENT, THE EASEMENT DID NOT GO ALL THE WAY TO THE HIGHWAY; IT STOPPED 267 FEET SHORT OF THE HIGHWAY. HOLLEY EXPLAINED THE BOARD WOULD NOT BE CLOSING THE ROAD BEING PROPOSED BY MR. NELSON; THEY ARE ABANDONING THE COUNTY'S INTEREST UNDER THE EASEMENT WHICH MEANS THE RIGHT OF WAY AND THE EASEMENT REVERTS TO THE ADJOINING LANDOWNERS FROM THE CENTER LINE OF THE ROAD.

VANN ADVISED THE BOARD MR. WILLIAM BRUNER OWNS THE PROPERTY IN BACK OF THE PROPERTY IN QUESTION AND COMES THROUGH VANN'S PROPERTY; HOWEVER, THE BOARD DETERMINED MR. BRUNER HAD ACCESS TO HIS PROPERTY FROM THE HIGHWAY. ATTORNEY HOLLEY REITERATED THE ROAD MR. NELSON WAS REQUESTING THE BOARD CLOSE WOULD NOT GIVE MR. BRUNER ACCESS ANYWAY AS IT STOPS 267 FEET SHORT OF THE HIGHWAY.

ATTORNEY TIM WELLS ADVISED THE BOARD WHEN THE EASEMENT WAS ORIGINALLY GIVEN, IT WAS ANTICIPATED THERE WOULD BE A ROAD CONSTRUCTED AND THERE HAS BEEN NO CONSTRUCTION GOING ON SINCE 1983. WELL'S STATED HIS UNDERSTANDING WAS NO ONE WAS NEEDING THE STRETCH OF EASEMENT TO GET TO THEIR PROPERTY NOW. WELLS ALSO STATED TO THE BEST OF HIS KNOWLEDGE NO PROPERTY OWNER WOULD BE LANDLOCKED.

ATTORNEY HOLLEY ADDRESSED THE EASEMENT MR. HARRELL HAD GIVEN WAS ONE OF THE EARLIER EASEMENTS WHICH HAD A REVERTER CLAUSE IN IT; IF THE COUNTY DID NOT DO SOMETHING WITH THE PROPERTY WITHIN TWO YEARS, IT WOULD REVERT BACK TO THE LAND OWNER. HOWEVER, JUDGE OVERSTREET HAS PREVIOUSLY RULED THE REVERTER CLAUSE WAS INVALID AND THAT IS WHY THE ROAD CLOSING WAS ADVERTISED.

THE BOARD QUESTIONED IF MR. WILLIAM BRUNER WAS IN THE AUDIENCE TO ADDRESS THE ROAD CLOSING. MR. BRUNER WAS NOT PRESENT AT THAT TIME BUT IT WAS NOTED HE WAS PRESENT AT THE MEETING EARLIER.

CHAIRMAN CARTER QUESTIONED MR. VANN IF HE UNDERSTOOD THE LOCATION OF THE REQUESTED ROAD CLOSING AND IF HE HAD ANY OBJECTIONS TO IT. MR. VANN STATED THE ROAD CLOSING WAS ALRIGHT WITH HIM AS LONG AS IT DID NOT AFFECT HIS PROPERTY. THE BOARD'S CONSENSUS WAS IT WOULD NOT AFFECT VANN'S PROPERTY.

THE MOTION ON THE FLOOR CARRIED UNANIMOUSLY.

PURSUANT TO A NOTICE IN THE WASHINGTON COUNTY NEWS OF A PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION STATING THE BOARD'S INTENT TO IMPLEMENT AN MSBU IN SUNNY HILLS AND OAK HILLS, SAID HEARING WAS HELD. DEPUTY CLERK CARTER READ THE PROOF OF PUBLICATION ON THE PUBLIC HEARING.

ATTORNEY HOLLEY STATED THE PURPOSE OF THE RESOLUTION WAS THE LAW PROVIDES IF THE BOARD IS GOING TO IMPLEMENT AN MSBU, THE RESOLUTION WOULD HAVE TO BE ADOPTED ON OR BEFORE JANUARY 1ST OF THE YEAR THE MSBU WOULD BE IMPLEMENTED. HOLLEY ADVISED THE RESOLUTION WAS NOT BINDING ON THE BOARD OR ANYONE ELSE; IT IS A PROCEDURAL METHOD TO MAKE IT POSSIBLE TO IMPLEMENT AN MSBU IF THEY DECIDED TO DO SO. IF THE BOARD DOES NOT ADOPT THE RESOLUTION, THEY WILL NOT BE ABLE TO DO THE MSBU IN 1999. ATTORNEY HOLLEY ADDRESSED THE MSBU WAS NOT AN AD VALOREM CHARGE AND IS NOT ADDED TO THE AD VALOREM TAX BILL; THIS LEVY, IF IMPOSED, WILL BE AGAINST EVERYBODY WHERE THEY PAY TAXES OR NOT.

ATTORNEY HOLLEY BRIEFED THE BOARD ON THE PROCESS SHOULD THE RESOLUTION BE ADOPTED: THE COUNTY COMMISSION WOULD APPOINT A COMMITTEE TO RECOMMEND THE PROJECTS TO BE FUNDED; HOWEVER, THE BOARD WOULD HAVE THE ULTIMATE SAY AND COMPLETE CONTROL.

JANE NORRIS, RESIDENT OF SUNNY HILLS, ADDRESSED THE BOARD STATING IT IS NOT AN AD VALOREM ASSESSMENT; HOWEVER, IT WILL BE COLLECTED ON THEIR TAX BILL AND THEY WON'T BE ABLE TO PAY THEIR TAXES WITHOUT PAYING THE NON AD VALOREM ASSESSMENT. ALSO A LIEN COULD BE PUT ON THEIR PROPERTY IF THEY DON'T PAY THE ASSESSMENT.

NORRIS ALSO STATED THERE WAS NO WAY A \$25.00 FEE PER PARCEL CAN PAVE ROADS IN SUNNY HILLS. EVEN THOUGH THIS BOARD MAY IMPLEMENT A \$25.00 FEE, IT WAS POINTED OUT THERE WERE NO GUARANTEES ON WHAT FUTURE BOARDS MAY DO.

NORRIS, SECRETARY TO THE SUNNY HILLS CIVIC ASSOCIATION, STATED THEY WERE IN FAVOR OF MAKING IMPROVEMENTS; HOWEVER, THEY HAD GONE TO CITRUS SPRINGS AND THERE WERE A LOT OF DIFFERENCES BETWEEN SUNNY HILLS AND CITRUS SPRINGS. SHE QUESTIONED IF THE MSBU WAS IMPLEMENTED, WHAT WOULD IT TAKE TO DO AWAY WITH IT.

ATTORNEY HOLLEY ADVISED THE BOARD OF COUNTY COMMISSIONERS IS THE ONES WHO WILL

IMPLEMENT IT AND THEY WILL HAVE TO BE THE ONES TO DISSOLVE IT.

NORRIS ADDRESSED IT BEING COSTLY TO IMPLEMENT THE MSBU AND THERE IS WAYS AND MEANS OF MAKING IMPROVEMENTS WITHOUT THE MSBU BEING PUT ON COUNTY PROPERTY.

JOHN ARTER ADDRESSED THE BOARD URGING THEM NOT TO IMPLEMENT THE FIRST STEP OF AN MSBU AS THE SUNNY HILLS COMMUNITY CAN DO BEAUTIFICATION PROJECTS WITHIN THEIR COMMUNITY WITHOUT HELP FROM THE BOARD OF COUNTY COMMISSIONERS.

DANIEL PAUL, PROPERTY OWNER IN WASHINGTON COUNTY FOR TWENTY YEARS, ADDRESSED THE BOARD STATING IF THEY COULD TAKE CARE OF SUNNY HILLS THEMSELVES THEY WOULDN'T NEED TO IMPLEMENT AN MSBU. HE EMPHASIZED THERE WAS A MINIMUM AMOUNT OF MONEY WITH MAJOR IMPROVEMENTS TO COME; IMPROVEMENTS WILL CREATE PRIDE IN LIVING IN SUNNY HILLS AND THE OVERWHELMING AMOUNT OF MONEY COLLECTED WILL GO TOWARD THE SUNNY HILLS PROJECTS. OTHER POINTS HE STRESSED WERE THE TRACT RECORDS FOR OTHER MSBU'S IMPLEMENTED WERE VERY GOOD AND ANYTHING THAT IMPROVES PART OF THE COUNTY WILL IMPROVE ALL OF THE COUNTY. HE STATED ALL THE IMPROVEMENTS WOULD NOT COST ANYTHING FROM THE COUNTY COFFER AND ALL THE IMPROVEMENTS WERE GOING TO COST ANYONE IS \$.10 PER MONTH.

JOHN KANIESKI ADDRESSED THE BOARD STATING A CERTIFIED LETTER SHOULD BE SENT TO EVERY HOMEOWNER IN SUNNY HILLS EXPLAINING WHAT THE MSBU IS AND GET THEIR OPINION ON WHETHER THE MSBU SHOULD BE IMPLEMENTED.

SAL LAROCCA ADDRESSED THE BOARD REFERENCING THE RESOLUTION THAT WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS IN DECEMBER OF 1997 STATING THEIR INTENT TO IMPLEMENT AN MSBU IN SUNNY HILLS AND OAK HILLS; HOWEVER, THE MSBU WAS NOT IMPLEMENTED. LAROCCA WAS REQUESTING THE BOARD PASS THE RESOLUTION WHICH HAD BEEN ADVERTISED STATING THEIR INTENT TO IMPLEMENT AN MSBU FOR SUNNY HILLS AND OAK HILLS.

HENRY WASILEWSKI, ON BEHALF OF THE SUNNY HILLS CIVIC ASSOCIATION AND THE MAJORITY OF THE PEOPLE HE REPRESENTS, STATED THEY ARE AGAINST THE BOARD PASSING THE RESOLUTION. HE REFERENCED HIM NOT THINKING HE WOULD BE BACK BEFORE THE BOARD AGAIN ON THIS ISSUE DUE TO THE PETITION THAT WAS TURNED IN WHERE SUNNY HILLS HOMEOWNERS WERE AGAINST THE MSBU BACK IN SEPTEMBER OF 1998.

STEVE WILLIAMS ADDRESSED THE BOARD STATING NO ONE WAS REPRESENTING HIM. HE ADDRESSED THERE BEING BEAUTIFICATION GROUPS IN SUNNY HILLS WHO HAVE GREAT IDEAS BUT WHEN VOLUNTEERS ARE ASKED TO WORK ON THE PROJECTS, THEY ARE NEVER THERE. HE WAS FOR THE IMPROVEMENTS IN SUNNY HILLS AND DIDN'T MIND PAYING FOR THEM.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE TO ADOPT THE RESOLUTION STATING THE BOARD'S INTENT TO IMPLEMENT AN MSBU IN SUNNY HILLS AND OAK HILLS. THE MOTION CARRIED WITH COMMISSIONER BROCK OPPOSED AND CHAIRMAN CARTER ABSTAINING DUE TO HIM BEING EMPLOYED BY DELTONA CORPORATION, A PARENT COMPANY OF SUNNY HILLS.

GLEN ZANETIC, VICE PRESIDENT OF THE SUNNY HILLS CIVIC ASSOCIATION, ADDRESSED THE BOARD AND PROVIDED THEM WITH THE ELECTION RESULTS FROM THE SUNNY HILLS CIVIC ASSOCIATION WHICH WAS HELD ON DECEMBER 2, 1998. HE ALSO PROVIDED THE BOARD WITH A PROPOSAL ON WHAT THE CIVIC ASSOCIATION WOULD REQUEST THEY DO REGARDING THE IMPLEMENTATION OF THE MSBU.

POINTS STATED BY ZANETIC WERE: THE CIVIC ASSOCIATION HAS THE RIGHT TO VOTE AND THEIR VOTE SHOULD BE REPRESENTED; THE CIVIC ASSOCIATION NEEDED THE SUPPORT OF THE BOARD OF COUNTY COMMISSIONERS TO ACCEPT THE CIVIC ASSOCIATION AS THE REPRESENTATIVE VOICE OF THE RESIDENTS OF SUNNY HILLS; THEIR BOARD WOULD BE CHARGED TO BRING BACK A YES OR NO BY APRIL OF 1999 WHETHER PEOPLE WANT AN MSBU OR NOT IN SUNNY HILLS.

CHAIRMAN CARTER ADDRESSED HIM MEETING WITH THE CIVIC ASSOCIATION AND SUGGESTING THE ONLY WAY TO GET THE MSBU ISSUE RESOLVED IS FOR THE BOARD OF COUNTY COMMISSIONERS TO APPOINT A COMMITTEE TO PUT A FIVE YEAR PLAN TOGETHER ON WHAT PROJECTS THEY MAY OR MAY NOT WANT WITH THE PEOPLE BEING ABLE TO SAY WHAT THEY WOULD LIKE. IF THE PLAN IS DISAPPROVED BY THE PEOPLE IN SUNNY HILLS, IT WILL BE BROUGHT BACK BEFORE THE BOARD OF COUNTY COMMISSIONERS AND BE A DEAD ISSUE. THIS PROCEDURE WOULD BE OPENLY UNBIASED AND FAIR TO ALL.

NORRIS QUESTIONED THE COST FOR ATTORNEY FEES. ATTORNEY HOLLEY STATED THERE HAD BEEN NO QUOTE FOR ATTORNEY FEES FOR THIS YEAR AND THERE WOULD BE A ONE TIME FEE TO PUT THE MSBU IN PLACE WHICH THE CIVIC ASSOCIATION WOULD BE RESPONSIBLE FOR PAYING. AS FAR AS ANY OTHER COST INVOLVED WITH THE MSBU, IT WAS AGREED THE COMMITTEE SHOULD BE ABLE TO FIND OUT THIS INFORMATION.

JOSEPHINE PRATHER QUESTIONED IF ALL HOMEOWNERS WOULD BE SENT NOTIFICATION ON THE MSBU MATTER. SHE WAS ADVISED THE COMMITTEE WOULD HAVE TO SHOW THAT EVERY HOMEOWNER HAD BEEN NOTIFIED .

IT WAS QUESTIONED HOW THE BOARD COULD LEVY A TAX ON ONE PART OF THE COUNTY AND NOT ON THE OTHER PART. ATTORNEY HOLLEY REITERATED THE MSBU WAS NOT A TAX BUT A NON AD VALOREM ASSESSMENT WITH THE WHOLE PURPOSE OF THE MSBU BEING TO LEVY SOMETHING WITHOUT A TAX.

DON PAUL REQUESTED THE BOARD, WHEN CONSIDERING THE APPOINTMENT OF THE COMMITTEE TO WORK ON THE MSBU, TO TAKE APPLICATIONS SENT IN AND JUDGE THEM ON QUALITY IN ORDER FOR A FAIR REPRESENTATION.

DISCUSSION CONTINUED WITH IT BEING THE BOARD'S CONSENSUS FOR THE COMMITTEE TO CONSIST OF FOUR MEMBERS WHO ARE FOR THE MSBU, FOUR MEMBERS WHO ARE OPPOSED AND A NEUTRAL PERSON.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND IT CARRIED TO APPROVE OF STEVE WILLIAMS, SAL LAROCCA, CHARLIE PRATHER AND FRED NORTON AS THE FOUR COMMITTEE MEMBERS IN FAVOR OF THE MSBU AND HENRYX WASILEWSKI, GLEN ZANETIC, BETTY TROMBLEY AND EVERT SWITZER AS THE FOUR COMMITTEE MEMBERS WHO ARE OPPOSED TO THE MSBU.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO APPOINT BYRON BIDDLE TO BE A MEDIATOR FOR THE COMMITTEE IF HE WILL ACCEPT THE POSITION.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER HALL AND CARRIED TO APPOINT KENNETH HOOD AS ALTERNATE IF BYRON BIDDLE WOULD NOT ACCEPT THE APPOINTMENT.

COMMISSIONER HALL OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO APPOINT JERRY HAVILAND AS THE ALTERNATE IF BIDDLE NOR HOOD WOULD ACCEPT THE APPOINTMENT.

THE CONSENSUS OF THE BOARD WAS FOR THE COMMITTEE TO COME BACK AT THE APRIL BOARD MEETING AND MAKE A RECOMMENDATION TO THE BOARD ON THE MSBU BASED ON THE INFORMATION THEY HAVE GATHERED ON PERSONS FOR AND AGAINST THE MSBU.

CHAIRMAN CARTER CALLED FOR A TEN MINUTE RECESS.

J. R. FOXWORTH ADDRESSED THE BOARD WITH A COMPLAINT ON BRIAN CONROY HAVING A FENCE AND GARBAGE ON WHAT HE CLAIMS TO BE HIS PROPERTY AND SUGGESTED THE BOARD HAVE THE OWNER SHOW A DEED TO THE PROPERTY. FOXWORTH AND OTHER PROPERTY OWNERS IN THE AREA NEED TO USE THE ROAD FOR AN EXIT ROUTE DURING HIGH WATERS. DISCUSSION WAS HELD WITH COMMISSIONER HALL OFFERING A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO WRITE MR. CONROY GIVING HIM THIRTY DAYS TO PRODUCE A DEED TO THE PROPERTY IN QUESTION SHOWING HE OWNS THE PROPERTY OR REMOVE THE JUNK AND THE FENCE FROM THE PROPERTY.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED IF THE CONROY PROPERTY COMES IN CONFLICT, THE COUNTY HAVE A SURVEY DONE ON THE RIGHT OF WAY OF THE PROPERTY.

PURSUANT TO AN ADVERTISEMENT FOR BIDS FOR THREE NEW MOTORGRADERS, THE BIDS WERE OPENED. ONLY ONE BID WAS RECEIVED:

THOMPSON TRACTOR COMPANY., INC.	\$133,189.00 EACH PLUS
4109 CATO ROAD	\$4,788.00 PER MACHINE
PANAMA CITY, FLORIDA 32404	IF SCARIFIERS ARE ADDED.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO ACCEPT THE BID FROM THOMPSON TRACTOR COMPANY FOR THE THREE NEW MOTORGRADERS WITH THE SCARIFIERS ADDED.

PURSUANT TO AN ADVERTISEMENT FOR BIDS FOR PIPE, THE PIPE BIDS WERE OPENED. ONLY ONE BID WAS RECEIVED:

GULF ATLANTIC CULVERT COMPANY, INC.
P. O. BOX 4002
TALLAHASSEE, FL 32315

CHAIRMAN CARTER READ THE DIFFERENT PRICES FOR THE DIFFERENT SIZE PIPES . DISCUSSION WAS HELD WITH COMMISSIONER ENFINGER OFFERING A MOTION, SECONDED BY COMMISSIONER HALL AND CARRIED TO READVERTISE FOR PIPE BIDS IN LENGTHS UP TO FORTY FEET AND CONTACT OTHER COUNTIES TO FIND OUT WHO THEIR PIPE SUPPLIERS ARE IN ORDER TO TRY AND GET MORE BIDS. THE BOARD ALSO AGREED TO GET BIDS FOR ASPHALT COATED AND PLASTIC PIPE.

ATTORNEY HOLLEY ADDRESSED THE COUNTY WIDE VOTING ISSUE. HE ADVISED THE BOARD THE ATTORNEYS WORKING WITH HIM ON THE COUNTY WIDE VOTING ISSUE ARE RECOMMENDING THE BOARD NOT TAKE ANY ACTION TO GO FORWARD WITH THE COUNTY WIDE VOTING SUIT AT THIS TIME. THEY RECOMMENDED CONTACTING THE EXPERT WITNESS AND DOING A LIMITED REVIEW REPORT ON THE LIKLIHOOD OF SUCCESS ON THE COUNTY WINNING THE SUIT. COMMISSIONER

ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO AUTHORIZE ATTORNEY HOLLEY TO PROCEED WITH THE LIMITED REVIEW REPORT ON THE COUNTY WIDE VOTING ISSUE. COMMISSIONER BROCK AND HALL OPPOSED.

DISCUSSION WAS HELD ON INFORMATION SUBMITTED TO THE BOARD FROM THE DIVISION OF FLORIDA HIGHWAY PATROL IN MARIANNA, FLORIDA ON WRECKER SERVICES. ON A REQUEST TO APPROVE A FEE SCHEDULE FOR WRECKER COMPANIES TO CHARGE TO PICK UP WRECKED VEHICLES IN THE COUNTY, THE BOARD'S CONSENSUS WAS FOR THE ADMINISTRATIVE ASSISTANT TO HAVE SOMEONE FROM THE DIVISION OF HIGHWAY PATROL AT THEIR JANUARY MEETING TO DISCUSS THIS ISSUE.

ATTORNEY HOLLEY ADVISED THE BOARD HE HAD REVIEWED AND APPROVED THE JANITORIAL CONTRACT WITH UNITED STATES SERVICES INDUSTRIES.

ATTORNEY HOLLEY ADVISED THE BOARD OF AN ENCROACHMENT ON THE NORTHWEST PORTION OF THE PROPERTY THE COUNTY HAS SELECTED AS THE NEW JAIL SITE; HOWEVER, HE DOES NOT SEE THIS AS A PROBLEM AS IT WOULD NOT INTERFERE WITH THE LOCATION FOR THE JAIL CONSTRUCTION. ATTORNEY HOLLEY AGREED IF THIS WAS STILL AN ACCEPTABLE SITE TO THE BOARD, HE WOULD PROCEED WITH PREPARING THE NECESSARY DEEDS TO THE PROPERTY. THE BOARD'S CONSENSUS WAS FOR HOLLEY TO PROCEED WITH DEED PREPARATIONS ON THE EXCHANGE OF PROPERTY WITH THE CITY OF CHIPLEY FOR THE JAIL SITE.

ADMINISTRATIVE ASSISTANT, PETER HERBERT, BRIEFED THE BOARD ON THE NUMBER OF CALLS RECEIVED BY THE ADMINISTRATIVE OFFICE ON NUISANCE ANIMALS. HE ALSO ADDRESSED HOLMES COUNTY WANTING TO WORK UP AN INTERLOCAL AGREEMENT WITH WASHINGTON COUNTY AND THE CITY OF CHIPLEY ON AN ANIMAL CONTROL FACILITY.

HERBERT BRIEFED THE BOARD ON A GIS MAPPING SYSTEM 9-1-1 WAS INTERESTED IN PURCHASING AND THE ESTIMATED COST. THE BOARD'S CONSENSUS WAS TO REVIEW THE REQUEST IN A WORKSHOP AND DETERMINE WHO WOULD AND WOULD NOT BENEFIT FROM THE MAPPING SYSTEM.

HERBERT INFORMED THE BOARD LLOYD POWELL, BUILDING INSPECTOR FOR THE COUNTY, HAD AGREED FOR EXCESS FUNDS IN THE BUILDING DEPARTMENT TO BE USED FOR THE PURCHASE OF THE MAPPING SYSTEM.

HERBERT BRIEFED THE BOARD ON AN ADA COMPLIANCE COMPLAINT BEING TURNED IN AND BRUNER, BUILDING MAINTENANCE SUPERVISOR, WORKING ON SEVERAL PROJECTS TO BRING THEM UNDER ADA COMPLIANCE. HE ADDRESSED THE ADMINISTRATIVE PARKING LOT NEEDED STRIPING IN ACCORDANCE WITH THE ADA GUIDELINES.

DISCUSSION WAS HELD ON THE BONNET POND RECREATIONAL FACILITY BEING BUILT WITH STATE GRANT FUNDING AND IS REQUIRED TO BE IN ADA COMPLIANCE. THE BOARD'S CONSENSUS WAS FOR BRUNER TO COOPERATE IN BRINGING THIS FACILITY WITHIN ADA GUIDELINES.

HERBERT ADDRESSED GRANTS THE ADMINISTRATIVE DEPARTMENT WAS LOOKING AT PURSUING AND REQUESTED THE BOARD ADVISE HIM OF ANY GRANTS THEY DO NOT WANT TO PURSUE.

THE BOARD ADDRESSED A REQUEST FROM WEST FLORIDA REGIONAL PLANNING COUNCIL TO SUPPORT THEM IN THEIR EFFORTS TO PURSUE GREENWAYS AND TRAIL GRANTS AND COORDINATING THESE GRANTS WITH THE LOCAL MITIGATION STRATEGY PROGRAM. THE BOARD'S CONSENSUS WAS TO APPROVE OF WEST FLORIDA REGIONAL PLANNING COUNCIL'S REQUEST.

DISCUSSION WAS HELD ON A SET OF KEYS FOR THE RECREATIONAL FACILITIES AT FIVE POINTS AND BONNET POND TO BE KEPT AT THE PARK AND RECREATION DEPARTMENT.

COMMISSIONERS BROCK AND HALL ARE TO WORK WITH THE PARK AND RECREATION DIRECTOR AND THE ADMINISTRATIVE ASSISTANT ON THIS ISSUE AND MAKE A RECOMMENDATION TO THE BOARD.

CHAIRMAN CARTER ADVISED THE BOARD CLERK LINDA COOK HAD TURNED IN EXCESS FEES FOR 1997-98 TOTTALLING \$8,602.38.

CHAIRMAN CARTER RECESSED THE MEETING UNTIL 1:00 P. M.

PURSUANT TO A RECESS, ADMINISTRATIVE ASSISTANT PETER HERBERT ADDRESSED A COURSE ON JANUARY 11TH THRU JANUARY 15TH ON ANIMAL CONTROL. DISCUSSION WAS HELD ON SENDING DAVID CORBIN AND DEAN FUNDERBERG TO THE SCHOOLING TO BECOME CERTIFIED ANIMAL CONTROL OFFICERS. COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO SEND DAVID CORBIN TO THE ANIMAL CONTROL SCHOOLING AND IF FUNDERBERG IS WILLING TO DO THE JOB OF AN ANIMAL CONTROL OFFICER, SEND HIM ALSO. COMMISSIONER BROCK OPPOSED.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO AUTHORIZE ROAD AND BRIDGE TO SELL THEIR SCRAP METAL AND PUT THESE MONIES ALONG WITH MONIES FROM THEIR COKE AND SNACK MACHINES IN A SEPARATE FUND TO BE USED TO FUND THEIR ANNUAL CHRISTMAS PARTY.

LT. JAMES BARNES ADDRESSED THE BOARD ON THE START UP COST WHICH WOULD BE ENCOUNTERED WITH THE PROPOSED NEW JAIL. BARNES ESTIMATED THE START UP COST FOR A 100 BED JAIL FACILITY WOULD BE APPROXIMATELY \$75,000.00; THIS FIGURE DOES NOT INCLUDE THE COST FOR THE PHONE SYSTEMS. THE BOARD AGREED TO FIND OUT FROM CRA, INC.

IF THE PHONE SYSTEMS WERE PREWIRED IN THE JAIL DESIGN.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO ACCEPT GUETTLERS BID PRICE OF \$9,216.40 FOR STRIPING OF ORANGE HILL ROAD ON THE NEW PAVING PROJECT WITH THIS TO BE PAID FROM DISTRICT FOUR'S LOAN ALLOCATION AND \$12,193.90 FOR ADDITIONAL STRIPING FOR THE NORTH AND SOUTH ENDS OF ORANGE HILL ROAD TO BE FUNDED FROM THE ROAD AND BRIDGE BUDGET FOR STRIPING. COMMISSIONER ENFINGER REFERENCED THERE BEING MONIES LEFT IN DISTRICT FOUR'S LOAN MONIES DUE TO THE STRIPING BEING TAKEN FROM ANDERSON COLUMBIA'S CONTRACT AND AWARDED TO GUETTLER.

CHAIRMAN CARTER ADVISED THE BOARD HE HAD INSTRUCTED THE ADMINISTRATIVE ASSISTANT TO GIVE THE TOWER RENT VENDORS THIRTY DAYS TO SIGN THE NEW CONTRACT ON TOWER RENT FEES AND IF THEY ARE NOT RETURNED WITHIN THIS TIME FRAME TO TERMINATE THEIR TOWER USAGE.

COMMISSIONER HALL OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO ADOPT A RESOLUTION SETTING THE SPEED LIMIT AT 35MPH ON THAT PORTION OF CR 280, RIVER ROAD, AND CR 284 A, EXTENDING 1/4 MILE EACH DIRECTION FROM THEIR INTERSECCION IN THE CENTER OF HINSON'S CROSSROADS COMMUNITY.

COMMISSIONER BROCK ADDRESSED ROAD AND BRIDGE EQUIPMENT BEING MOVED FROM THE SHOP WITHOUT PROPER APPROVAL FROM THE MECHANICS. DISCUSSION WAS HELD WITH COMMISSIONER BROCK OFFERING A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED FOR EDDIE RILEY TO BE THE SUPERVISOR OVER THE SHOP AND THE EQUIPMENT AT ROAD AND BRIDGE.

COMMISSIONER BROCK ADDRESSED THE SIGN MAN AT ROAD AND BRIDGE, JOHNNY EVANS, NOT STARTING OFF AT SAME SALARY LEVEL AS OTHER EMPLOYEES WHEN HE WAS HIRED AND RECOMMENDED HIS SALARY BE INCREASED TO WHAT OTHER EMPLOYEES STARTED OFF.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO BRING JOHNNY EVAN'S PAY UP TO THE SAME LEVEL AS OTHER EMPLOYEES THAT WERE HIRED AND IT BE EFFECTIVE BEGINNING DECEMBER 21, 1998.

CHAIRMAN CARTER RECOMMENDED THE BOARD SET UP A RECESSED MEETING FOR JANUARY 4, 1999 AT 4:30 P. M. TO HOLD THE BID OPENINGS ON STRICKLAND AND PLEASANT HILL ROAD, DISCUSS THE HOMEBUILDERS ASSOCIATION COMPLAINTS AND THE PERSONNEL AND SALARY SCHEDULE FORMAT. THE BOARD AGREED TO BID THE STRICKLAND ROAD PROJECT WITHOUT THE DRIVEWAY PIPES AND TO ADD TEN PERCENT BASE.

CHAIRMAN CARTER ADDRESSED AN EXTENSION TO PIT ROAD BEING ADDED ON TO A PREVIOUS ROAD CONTRACT IN DISTRICT FOUR WITH ANDERSON COLUMBIA BY A PRIOR COMMISSIONER AND REQUESTED THE BOARD AUTHORIZE PAYMENT OF THE \$6,626.27 FROM DISTRICT FIVE ALLOCATION MONIES AS DISTRICT FOUR HAD EXHAUSTED ALL OF ITS FUNDING. COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO APPROVE OF OF CHAIRMAN CARTER'S REQUEST TO PAY THE \$6,626.27 FROM DISTRICT FIVE ALLOCATION MONIES.

THE BOARD AGREED FOR THE ADMINISTRATIVE ASSISTANT TO HAVE SOMEONE CHECK OUT THE SOUND SYSTEM IN THE BOARD ROOM PRIOR TO THE NEXT COUNTY COMMISSION MEETING.

COMMISSIONER HALL OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO APPROVE OF VOUCHERS SIGNED AND WARRANTS ISSUED FOR NOVEMBER 1998 TOTTALLING \$1,131,100.52.

ED PELLETIER OF THE COUNTRY OAKS FIRE DEPARTMENT ADVISED THE BOARD OF A MEETING HELD BY THE DIVISION OF FORESTRY ON THE NEW LAWS PERTAINING TO BURNING PERMITS.

FRANK CORSO ADDRESSED 1999 BEING AN ODD YEAR AND THE YEAR FOR REDISTRICTING OF PRECINCTS AND DISTRICTS IN THE COUNTY.

CORSO ALSO ADDRESSED, AS OF TWO WEEKS AGO, THERE WERE STILL NO HOURS OF OPERATION POSTED AT THE BONNET POND RECREATIONAL AREA; THEREFORE, NO ONE KNOWS IF AND WHEN IT CAN BE USED.

CORSO ALSO QUESTIONED IF THE BOARD HAD APPROVED OF A REASSIGNMENT OF THE GARBAGE CONTRACT WITH ARGUS AND REFERENCED THE PROVISIONS FOR REASSIGNMENT.

CHAIRMAN CARTER RECESSED THE MEETING UNTIL 4:30 P. M. ON JANUARY 4, 1999.

ATTEST: _____ CLERK _____ CHAIRMAN

ATTEST: _____ DEPUTY CLERK

END OF MINUTES FOR 12/17/98