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BOARD MINUTES FOR 01/04/99

JANUARY 4, 1999

THE BOARD OF COUNTY COMMISSIONERS IN AND FOR WASHINGTON COUNTY MET ON THE ABOVE DATE AT 4:30 P. M. AT THE WASHINGTON COUNTY ADMINISTRATIVE OFFICE, 711 THIRD STREET, CHIPLEY, FLORIDA WITH COMMISSIONERS BROCK, HALL, CARTER, COPE AND ENFINGER PRESENT. ATTORNEY HOLLEY, ADMINISTRATIVE ASSISTANT PETER HERBERT, CLERK LINDA COOK AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

PURSUANT TO A RECESS FROM THE DECEMBER 17, 1998 MEETING, COMMISSIONER HALL OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO REJECT ANY AND ALL BIDS RECEIVED ON THE PLEASANT HILL AND STRICKLAND ROAD PROJECTS AND REBID. COMMISSIONER BROCK AND HALL ARE TO GO THROUGH THE SPECIFICATIONS ON THE ROAD PROJECTS AND DELETE ANY PARTICULAR ITEMS THEY FEEL CAN BE DELETED.

DISCUSSION BEGAN ON THE WASHINGTON COUNTY BUILDERS ASSOCIATION'S COMPLAINTS PERTAINING TO PERMITTING. DAVID RIDLEY OF TOWN AND COUNTRY ADDRESSED THE BOARD ON SOME OF THE COMPLAINTS:

HOMEOWNERS ARE PULLING PERMITS AND THEN TURNING THE JOB OVER TO SOMEONE WHO IS UNLICENSED AND UNINSURED; THE HOMEOWNER SHOULD BE MADE AWARE THEY ARE RESPONSIBLE FOR ANYTHING THAT HAPPENS ON THAT PROPERTY.

LICENSED CONTRACTORS CAN NOT COMPETE WITH PEOPLE WHO ARE NOT HAVING TO ABIDE BY THE SAME RULES THEY ARE IN PROVIDING INSURANCE, REPORTING INCOME AND PAYING TAXES.

ONE OF THE REQUIREMENTS OF THE LAW IS IF A HOMEOWNER PULLS A PERMIT TO BUILD THEIR OWN HOUSE, THEY ARE SUPPOSE TO HIRE A LICENSED CONTRACTOR OR SUPERVISE THE WORK ON THE JOB; THIS IS NOT BEING DONE.

DISCUSSION WAS HELD WITH THE BOARD AGREEING FOR THE HOMEBUILDERS ASSOCIATION TO DESIGNATE SOMEONE TO WORK WITH ATTORNEY HOLLEY AND BRING BACK A RECOMMENDATION TO THE BOARD ON WHAT CAN BE DONE.

WENDELL JOHNSON ADDRESSED THE COUNTY BEING THE AUTHORITY FOR ISSUING BUILDING PERMITS AND IS RESPONSIBLE FOR THE INSPECTIONS THAT ARE ASSOCIATED WITH THE PERMITS.

THE CODES ADOPTED BY THE BOARD ARE DESIGNED AND INTENDED FOR THE SAFETY AND WELFARE OF THE PUBLIC. IF THE HOMEOWNER IS GOING TO SERVE AS THEIR OWN CONTRACTOR, THEY HAVE THIS RIGHT BY THE FLORIDA STATUTES; THEY FILL OUT A FORM CALLED AN OWNER/BUILDER AFFIDAVIT CERTIFYING THEY WILL SUPERVISE ALL WORK AND IF THEY HIRE ANYONE TO WORK ON THEIR HOME, IT WOULD HAVE TO BE A LICENSED CONTRACTOR. LLOYD POWELL, THE BUILDING INSPECTOR CONTRACTED BY THE COUNTY, IS RESPONSIBLE AND IS THE ENFORCING AUTHORITY TO SEE THIS IS DONE; IT IS HIS RESPONSIBILITY WHEN HE GOES TO THE JOB SITE TO SEE IF THE PEOPLE ARE LICENSED OR INSURED.

JOHNSON ADDRESSED THE COUNTY HAVING WAIVED THE PERMITTING REQUIREMENTS FOR 500 SQUARE FEET OR \$5,000.00; THE COUNTY HAS ADOPTED CODES AND HE DID NOT FEEL THE COUNTY SHOULD WAIVE THE CODE REQUIREMENTS. THE COUNTY COULD EXEMPT THE FEES FOR PERMITTING BUT SHOULD NOT EXEMPT THE INSPECTION STANDARDS TO MAKE SURE WORK IS DONE SAFELY IN ACCORDANCE WITH THE CODE.

THE INSURANCE REPRESENTATIVES PRESENT, ALLAN CLARK AND RICKY MILLER, WERE QUESTIONED IF A HOMEOWNER WORKS ON 500 SQUARE FEET OR \$5,000.00 ON HIS HOME AND HAS SOMEONE TO COME HELP THEM, EITHER HIRES SOMEONE OR A VOLUNTEER HELPS THEM, ARE THEY COVERED UNDER THEIR HOMEOWNERS POLICY IF THE PERSON HELPING GETS HURT ON THE JOB.

ALLAN CLARK STATED THE ONLY WAY SOMEONE CAN BE EXEMPT FROM A LAWSUIT FROM SOMEONE WORKING ON THEIR PROPERTY IS TO BUY WORKERS COMPENSATION INSURANCE; THE HOMEOWNERS LIABILITY INSURANCE WILL NOT COVER INJURIES SUSTAINED FOR THE WORKER ON THE JOB SITE. EVEN IF THE PERSON WORKING FOR THE HOMEOWNER IS EXEMPT FROM WORKERS COMP, THEY CAN STILL HOLD THE HOMEOWNER ACCOUNTABLE FOR THE INJURIES.

CHAIRMAN CARTER QUESTIONED, ASSUMING UNDER THE COUNTY'S PRESENT POLICY THE COUNTY HAS ON THE EXEMPTIONS OF THE 500 SQUARE FEET OR THE \$5,000.00 AND THE HOMEOWNER HIRES SOMEONE TO DO THE WORK FOR THEM AND DOES NOT HAVE WORKERS COMPENSATION AND CAN'T SUPPORT THE INJURY, IS THE COUNTY THE SECOND IN LINE THAT WOULD BE ON THE LAW-SUIT. CLARK STATED THIS WOULD BE A LEGAL QUESTION BUT HE DID NOT FEEL THE COUNTY WOULD BE LIABLE AS THE DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY IS THE ENFORCEMENT AGENCY FOR WORKERS COMP.

JIMMY WILSON DISAGREED STATING THE COUNTY WOULD BE LIABLE BECAUSE THEY ARE AWARE THE LAW REQUIRES THE PERSON TO BE COVERED UNDER WORKERS COMP.

ATTORNEY HOLLEY STATED THE COUNTY WAS ABIDING BY FLORIDA LAW AND THE 500 SQUARE FEET AND \$5,000.00 IS NOT IN VIOLATION OF THE CODE.

ATTORNEY HOLLEY REQUESTED THE BUILDING INSPECTOR TO PROVIDE HIM WITH A COPY OF THE OWNER/BUILDER AFFIDAVIT FORM PERSONS ARE REQUIRED TO FILL OUT.

MILTON STRICKLAND ADDRESSED THE BOARD STATING AFFIDAVITS, HOLD HARMLESS AGREEMENTS, ETC. WERE NOT WORTH THE PAPER THEY WERE WRITTEN ON AND WOULD NOT ALLEVIATE THE PROBLEM.

JERRY BROCK, 911 DIRECTOR, AND ROGER HAGAN, EMERGENCY MANAGEMENT DIRECTOR, WERE PRESENT TO ADDRESS THE BOARD PURCHASING A GIS MAPPING SYSTEM. BROCK BRIEFED THE BOARD ON THE ADVANTAGES OF HAVING THE GIS MAPPING SYSTEM; IT MAPS OUT THE ENTIRE COUNTY AS YOU ARE DRIVING WHICH CAN BE PRODUCED WITH THE ROAD NAMES ON IT; THE MAPS CAN BE PRODUCED BY DISTRICTS, PRECINCTS, FIRE DISTRICTS, POLICE DISTRICTS, ETC. THE ESTIMATED COST FOR THE MAPPING SYSTEM IS \$23,000.00.

WHEN QUESTIONED ON THE SATELLITE USAGE FOR THE MAPPING SYSTEM, BROCK ADVISED THE SATELLITE USAGE WAS AVAILABLE TWENTY FOUR HOURS A DAY.

HAGAN ADDRESSED OTHER GOVERNMENTAL ENTITIES MAY POSSIBLY BE INTERESTED IN USING THE MAPPING SYSTEM AND THE COST COULD BE SHARED WITH THESE ENTITIES.

WHEN QUESTIONED ON THERE BEING A CONTINUOUS CHARGE TO USE THE GIS MAPPING SYSTEM SOURCE, BROCK ADVISED THERE WOULD BE A CHARGE OF APPROXIMATELY \$200.00 PER YEAR.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO TAKE THE MONEY OUT OF THE BUILDING FUND TO PURCHASE THE GIS MAPPING SYSTEM CONTINGENT UPON THE FUNDS BEING AVAILABLE. COMMISSIONER HALL OPPOSED.

CHAIRMAN CARTER INSTRUCTED JERRY BROCK TO BRING AN IMPLEMENTATION PLAN TO THE BOARD ON RATES WHICH WOULD BE CHARGED TO OTHER ENTITIES FOR REPRODUCTION OF MAPS, ETC. ALSO, BROCK IS TO BRING INFORMATION TO THE BOARD ON THE MAINTENANCE PLAN FOR THE GIS MAPPING SYSTEM AND PROVIDE ATTORNEY HOLLEY WITH A COPY OF THE MAINTENANCE AGREEMENT.

CHAIRMAN CARTER SUGGESTED THE BOARD NOT SET WRECKER RATES FOR WASHINGTON COUNTY DUE TO THERE ONLY BEING TWO WRECKER SERVICES IN THE COUNTY. THE BOARD AGREED WITH CHAIRMAN CARTER'S SUGGESTION AND REQUESTED THE ADMINISTRATIVE ASSISTANT CONTACT SERGEANT JOHNSON OF THE FLORIDA HIGHWAY PATROL DIVISION TO INFORM HIM THE BOARD HAD DECLINED TO GET INVOLVED IN ESTABLISHING WRECKER RATES FOR WASHINGTON COUNTY.

THE BOARD HAD BEEN PROVIDED A COPY OF THE PERSONNEL SALARY SCHEDULE AND IT WAS THEIR CONSENSUS TO REVIEW THE SCHEDULE FURTHER PRIOR TO TAKING ANY ACTION.

THE ADMINISTRATIVE ASSISTANT EXPLAINED TO THE BOARD HE HAD PUT TOGETHER A LEAVE SCHEDULE SO NONE OF THE COUNTY DEPARTMENTS WOULD BE COMPLETELY SHUT DOWN AT ANY TIME. HERBERT WAS INSTRUCTED TO DRAFT THE SCHEDULE OF LEAVE FOR ALL EMPLOYEES AND PROVIDE IT TO THE BOARD AT THEIR JANUARY 28TH MEETING.

HERBERT BRIEFED THE BOARD ON THE STATUS OF THE OLD HOSPITAL RENOVATIONS PROJECT (COUNTY ANNEX) AND WHAT IT WOULD TAKE TO COMPLETE THE PROJECT. HE STATED THE ESTIMATES RECEIVED FOR DRY WALL, DROP CEILING INSULATION, INTERIOR & EXTERIOR DOORS, THE BOARD ROOM SOUND SYSTEM AND THE FLOORS TOTALLED \$137,525.00; IF THE BOARD WANTED TO INCLUDE THE FIRE AND SECURITY SYSTEM THE ESTIMATED TOTAL WOULD BE \$157,163.40. THE AMOUNT REMAINING IN THE PROJECT FUND TOTALLED \$177,000.00.

HERBERT WAS INSTRUCTED TO GET OTHER ESTIMATES FOR THE PROJECTS HE REFERENCED ABOVE, TAKE THE LOWEST ESTIMATES RECEIVED AND HAVE ATTORNEY HOLLEY DRAFT AN AGREEMENT WHERE THE LOW BIDDER WOULD BE TIED TO THEIR QUOTE EVEN IF IT MAY BE SEVERAL MONTHS BEFORE THE MATERIALS ARE ACTUALLY PURCHASED.

HERBERT BRIEFED THE BOARD ON A MEETING HELD WITH JUDGE REGISTER, CHAIRMAN CARTER, AND CLERK LINDA COOK ON THE ARTICLE FIVE FUNDS WHICH WOULD BE COMING TO THE COUNTY TO HELP WITH THE RESTORATION OF THE WASHINGTON COUNTY COURTHOUSE. THE ARTICLE FIVE FUNDS TOTAL \$100,000 PER YEAR FOR THE NEXT FOUR YEARS. JUDGE REGISTER HAS REQUESTED THE BOARD APPOINT A COMMITTEE TO MAKE RECOMMENDATIONS BACK TO THE BOARD ON HOW THESE FUNDS SHOULD BE USED. AT THE PRESENT TIME JUDGE REGISTER, CLERK LINDA COOK, ADMINISTRATIVE ASSISTANT PETER HERBERT AND LINDA NORTON, PRESIDENT OF THE HISTORICAL SOCIETY ARE PART OF THE ARTICLE FIVE COMMITTEE. CHAIRMAN CARTER APPOINTED HIMSELF TO SIT ON THE COMMITTEE.

CHAIRMAN CARTER ADDRESSED A MEMO FROM THE SOIL AND WATER CONSERVATION DISTRICT ON THE SIX SITES SELECTED TO BE FUNDED WITH SOIL CONSERVATION GRANT FUNDING:

1. STATE PARK ROAD

2. HIGHWAY 276/FLAT CREEK BRIDGE
3. ORANGE HILL ROAD & HARD LABOR CREEK
4. FALLING WATERS ROAD
5. SAND HILLS LAKE OFF GREENHEAD ROAD
6. LEDGER ROAD DISCUSSION WAS HELD WITH COMMISSIONER ENFINGER OFFERING A

MOTION, SECONDED BY COMMISSIONER COPE TO BID THE PROJECTS GROUPING THEM ALL TOGETHER AND LETTING ALL BIDS GO OUT AS ONE.

COMMISSIONER BROCK STATED SOIL CONSERVATION, WHEN THEY PREVIOUSLY MET WITH THE BOARD ON THE GRANT FUNDING, PROMISED HIM THEY WOULD GO WITH HIM AND LOOK AT THE HICKS POND PROJECT; THEY CANCELLED THE MEETING SCHEDULED FOR THIS PURPOSE AND HE HAS NOT HEARD FROM THEM SINCE.

THE MOTION ON THE FLOOR CARRIED UNANIMOUSLY.

CHAIRMAN CARTER BRIEFED THE BOARD ON A REQUEST FROM WALTER EDWARDS AT THE RECYCLING CENTER TO HAVE A LARGE STOCKPILE OF DIRT REMOVED FROM THE PREMISES THAT WAS LEFT OVER AFTER THE LAST CONTRACT. THE BOARD'S CONSENSUS WAS TO ALLOW EDWARDS TO HAVE SOMEONE REMOVE THE DIRT.

CHAIRMAN CARTER RECOMMENDED THE BOARD DRAFT A POLICY FOR THE PUBLIC WORKS DEPARTMENT OUTLINING THE REQUIREMENTS FOR TELEPHONE COMPANIES OR ANYONE ELSE BURYING CABLES ON COUNTY RIGHTS OF WAY. CHAIRMAN CARTER APPOINTED COMMISSIONER ENFINGER TO WORK WITH ATTORNEY HOLLEY ON DRAFTING A POLICY TO PRESENT BACK TO THE BOARD.

COMMISSIONER COPE BRIEFED THE BOARD ON A MEETING WITH EDWARD PRESCOTT ON BRICKYARD ROAD CONCERNING THE NEW SCHOOL; THE DEPARTMENT OF TRANSPORTATION IS GOING TO WORK THE TURN LANES ON HIGHWAY 77 AND BRICKYARD ROAD, TURN LANES ON HIGHWAY 277 AND BRICKYARD ROAD AND TRY AND WIDEN THE ROAD TWO FEET AND DO A TURN LANE AT THE SCHOOL FOR AN ESTIMATED COST OF \$300,000.00. COPE ADVISED IT WAS NOT KNOWN EXACTLY HOW MUCH THE SCHOOL WAS GOING TO DO.

THE BOARD'S CONSENSUS WAS TO AGREE FOR THE DEPARTMENT OF TRANSPORTATION TO DO THE ENGINEERING FOR THESE PROJECTS ALL THE WAY THROUGH AT NO COST TO THE COUNTY.

CHAIRMAN CARTER ADDRESSED A REPORT FROM PREBLE RISH ON AN APARTMENT COMPLEX AND STATED THE BOARD NEEDS TO UNDERSTAND IN FOUR TO FIVE YEARS THERE IS GOING TO HAVE TO BE MAJOR CLEANUP AND REWORK ON THE FILTRATION PONDS FOR THESE TYPE PROJECTS AND QUESTIONED WHO WOULD BE RESPONSIBLE. DISCUSSION WAS HELD ON THERE BEING A PROBLEM WITH THE NEW SCHOOL ALSO AND IT WAS THE CONSENSUS OF THE BOARD TO HAVE THE ENGINEERS COME IN AND MAKE A RECOMMENDATION ON HOW TO HANDLE THE FILTRATION PONDS FOR THESE TYPE PROJECTS.

COMMISSIONER HALL REQUESTED A SPEED LIMIT BE SET ON ALL OF THE DIRT ROAD ON CREEK ROAD ALL THE WAY THROUGH AND ARMSTRONG MILL ROAD AT 35MPH. DISCUSSION WAS HELD WITH THE BOARD AGREEING FOR ATTORNEY HOLLEY TO RESEARCH TO SEE IF A BLANKET RESOLUTION CAN BE IMPLEMENTED SETTING THE SPEED LIMIT ON ALL COUNTY DIRT ROADS AT 35MPH; THE BOARD COULD THEN BUDGET EACH YEAR TO PUT UP NEW SIGNS UNTIL THEY ARE ALL DONE. COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO ADOPT A RESOLUTION SETTING A SPEED LIMIT OF 35MPH ON CREEK ROAD AND ARMSTRONG MILL ROAD.

COMMISSIONER COPE WAS ADVISED TO REFER ANY GARBAGE PICKUP COMPLAINTS TO LINDA WALLER AT THE WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS ADMINISTRATIVE OFFICE AND SHE WOULD TAKE CARE OF THEM.

EMERGENCY MANAGEMENT DIRECTOR, ROGER HAGAN, ADDRESSED THE BOARD READING GINA GAINNEY'S LETTER OF RESIGNATION FROM THE EMERGENCY MANAGEMENT AND E911 OFFICE EFFECTIVE MARCH 19, 1999 DUE TO HER MOVING OUT OF THE LOCAL AREA; GAINNEY AGREED TO GIVE A TWO WEEK NOTICE SHOULD THE EFFECTIVE DATE OF HER RESIGNATION HAVE TO BE MOVED UP.

HAGAN REQUESTED THE BOARD PROCEED WITH ADVERTISING FOR A REPLACEMENT FOR THE POSITION AND DO INTERVIEWS NOT LATER THAN THE MIDDLE OF FEBRUARY AND HAVE SOMEONE BEGIN WORK ON MARCH 1, 1999. HE ADVISED HE WOULD HAVE THE MONEY IN HIS BUDGET TO COVER THE OVERLAPPING OF AN EMPLOYEE WORKING WITH GINA FOR APPROXIMATELY THREE WEEKS.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO ADVERTISE FOR A CLERICAL POSITION FOR EMERGENCY MANAGEMENT/9-1-1 WITH THE SALARY TO BE SET AT THE JANUARY 28TH MEETING. DISCUSSION WAS HELD ON A JOB DESCRIPTION FOR GINA GAINNEY'S POSITION WITH CHAIRMAN CARTER ADVISING THIS WOULD BE AVAILABLE BY THE FOURTH THURSDAY IN JANUARY.

HAGAN RECOMMENDED THE BOARD CONSIDER CHANGING THE DESIGNATION OF THE 9-1-1 AND EMERGENCY MANAGEMENT DEPARTMENTS TO THE PUBLIC SAFETY DEPARTMENT; THIS WOULD HELP

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BRING THE DEPARTMENTS TOGETHER AND BOTH DEPARTMENTS COULD USE THE SAME LETTERHEAD, ETC. THE BOARD AGREED TO DISCUSS THIS ISSUE AT THE JANUARY 28TH BOARD MEETING.

COMMISSIONER BROCK EXPRESSED HIS APPRECIATION TO MS. GAINNEY FOR THE JOB SHE HAS DONE ON OBTAINING GRANTS. CHAIRMAN CARTER REITERATED BROCK'S COMMENTS WERE FROM THE ENTIRE BOARD.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO ADOPT A RESOLUTION STATING THE BOARD'S ACTION ON THE ROYCE NELSON ROAD CLOSING AND APPROVE OF THE ADVERTISING OF THE RESOLUTION.

DEPUTY CLERK CARTER REFERENCED AT THE LAST WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS MEETING THE BOARD HAD TAKEN ACTION TO AUTHORIZE THE PAYMENT OF \$240.00 PER MONTH TO FIRST COMMUNICATIONS FOR A MAINTENANCE AGREEMENT ON RADIO EQUIPMENT TO BE PAID FROM THE RADIO COMMUNICATIONS FUND AND \$100.00 PER MONTH TO BE PAID FROM THE WASHINGTON COUNTY SHERIFF'S DEPARTMENT. JOE TAYLOR OF THE SHERIFF'S DEPARTMENT WAS REQUESTING THE ENTIRE \$340.00 PER MONTH BE PAID FROM THE RADIO COMMUNICATIONS FUND. THE BOARD'S CONSENSUS WAS TO TABLE THE ISSUE AND HAVE MR. TAYLOR ADDRESS THE BOARD AT ITS JANUARY 28TH MEETING TO EXPLAIN THE REASON FOR HIS REQUEST.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER HALL AND CARRIED TO APPROVE OF INTERDEPARTMENTAL LINE ITEM BUDGET AMENDMENTS FOR PARKS AND RECREATION TOTALLING \$2,000.00.

JAN MORRIS AGREED TO PROVIDE THE BOARD WITH A FILE SHE HAD ON THE SCHEMATICS FOR RENOVATIONS OF THE COURTHOUSE WHICH WAS INCLUDED IN A HISTORICAL PRESERVATION GRANT SHE WROTE WITH JULIAN WEBB ABOUT SIX YEARS AGO.

CHAIRMAN CARTER ADJOURNED THE MEETING. ATTEST: \_\_\_\_\_

\_\_\_\_\_  
CLERK

CHAIRMAN

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

DEPUTY CLERK

\*END OF MINUTES\* FOR 01/04/99