

BOARD MINUTES FOR 11/29/01

NOVEMBER 29, 2001

THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY, MET ON THE ABOVE DATE AT 1:00 P.M. AT THE WASHINGTON COUNTY ANNEX, BOARD MEETING ROOM, 1331 SOUTH BOULEVARD, CHIPLEY, FLORIDA 32428 WITH COMMISSIONERS BROCK, COPE, ENFINGER, FINCH AND HALL PRESENT. ATTORNEY HOLLEY, COUNTY ADMINISTRATOR PETER HERBERT, CLERK LINDA COOK AND DEPUTY CLERK DIANNE CARTER WERE ALSO IN ATTENDANCE.

CHAIRMAN FINCH CALLED THE MEETING TO ORDER WITH DAVID WILLIFORD, PASTOR OF THE FIRST FREEWILL BAPTIST CHURCH, OFFERING PRAYER. CHAIRMAN FINCH LED IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

CHAIRMAN FINCH STATED THE PURPOSE OF THE SPECIAL CALLED MEETING WAS TO CONSIDER THE ADOPTION AND SUBMITTAL OF A RESOLUTION TO THE GOVERNOR TO PLACE ON THE AGENDA FOR THE GOVERNOR'S MEETING OF THE BOARD OF TRUSTEES FOR THE INTERNAL IMPROVEMENT TRUST FUND TO BE HELD ON DECEMBER 18, 2001; THE RESOLUTION PERTAINS TO THE BECTON SPRINGS ISSUE.

CHAIRMAN FINCH ADVISED AFTER THE RESOLUTION IS READ AND A MOTION AND A SECOND IS MADE TO ACCEPT OR REJECT THE RESOLUTION, ANYONE WISHING TO SPEAK ON THE RESOLUTION WOULD BE GIVEN AN OPPORTUNITY TO DO SO PRIOR TO THE COMMISSIONERS VOTING. HE REQUESTED ANYONE WISHING TO SPEAK ON THE ISSUE TO COME FORWARD AND SIT ON THE FRONT BENCH SO THEY WOULD BE AVAILABLE TO SPEAK; THEY WOULD ONLY BE ALLOWED TO SPEAK FROM THE PODIUM AND ONLY BE ALLOWED FIVE MINUTES. NO ONE CAME FORWARD.

COUNTY ADMINISTRATOR HERBERT READ THE PROPOSED RESOLUTION IN ITS ENTIRETY. COMMISSIONER HALL OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER TO ADOPT THE RESOLUTION AND SEND IT TO THE GOVERNOR FOR ACTION. CHAIRMAN FINCH ASKED IF THE BOARD HAD ANY QUESTIONS PERTAINING TO THE RESOLUTION. COMMISSIONER ENFINGER ADDRESSED THE NEED FOR A CLOSURE TO THE BECTON SPRINGS ISSUE DUE TO THE EXPENSE ALREADY INCURRED. HE THEN OFFERED AN AMENDMENT TO THE MOTION TO INCLUDE, ON DECEMBER 18, 2001, AFTER THE GOVERNOR HEARS THE REQUEST, REGARDLESS OF WHAT HIS OUTCOME IS, THE COUNTY COMMISSION WOULD TERMINATE THE BECTON SPRINGS LAWSUIT AND THEIR INVOLVEMENT WITH IT.

DISCUSSION WAS HELD WITH COMMISSIONER HALL AGREEING THERE NEEDED TO BE A CLOSURE; HOWEVER, HE DID NOT WANT THE COUNTY TO TIE THEIR HANDS AND THROW AWAY WHAT THEY HAVE ALREADY INVESTED. HE RECOMMENDED SENDING THE GOVERNOR THE RESOLUTION AND LET HIM MAKE A DECISION; AFTER HE MAKES A DECISION, THE BOARD CAN THEN MAKE THEIR DECISION.

COMMISSIONER COPE ADDRESSED THIS ISSUE HAVING GONE BEFORE THE GOVERNOR MORE THAN ONCE AND A DETERMINATION HAS NOT BEEN MADE YET; IF THE GOVERNOR WILL MAKE A DETERMINATION ON THE REQUEST ON THE 18TH, HE IS READY TO SETTLE THE ISSUE ON DECEMBER 19TH WHICHEVER WAY THEY DECIDE.

CHAIRMAN FINCH EXPLAINED THE AMENDMENT TO THE MOTION WAS BASICALLY SAYING IF THE GOVERNOR EITHER DOESN'T RECOGNIZE OR PUT THE REQUEST ON THE DECEMBER 18TH AGENDA; AFTER THE 18TH PASSES, THE COUNTY IS OUT OF THE BECTON SPRINGS LAWSUIT.

COMMISSIONER HALL STATED HE DID NOT ACCEPT THE AMENDMENT TO THE MOTION. ATTORNEY HOLLEY ADVISED AN AMENDMENT TO A MOTION, REQUIRES A SECOND AND A VOTE; A SECOND WILL BE REQUIRED BEFORE IT CAN BE VOTED ON. COMMISSIONER COPE SECONDED THE AMENDMENT TO THE MOTION. ATTORNEY HOLLEY ADVISED THE NEXT PROCEDURE WOULD BE TO VOTE ON THE AMENDMENT; IF IT PASSES, THE BOARD WOULD VOTE ON THE MOTION AS AMENDED. IF THE AMENDMENT DOES NOT PASS, THE BOARD WOULD VOTE ON THE MOTION AS IT WAS ORIGINALLY STATED. DEPUTY CLERK CARTER WAS ASKED TO READ THE MOTION AND THE AMENDMENT TO THE MOTION.

DISCUSSION CONTINUED WITH COMMISSIONER HALL REITERATING THE BOARD DIDN'T NEED TO TERMINATE THE LAWSUIT BEFORE THERE IS A CLOSURE DUE TO THE INVESTMENT THEY ALREADY HAVE TIED UP IN THE BECTON SPRINGS CASE.

CHAIRMAN FINCH ADDRESSED THE BOARD HAVING A TIGHT YEAR BUDGET WISE AND DOESN'T KNOW WHERE THE FUNDING WOULD COME FROM IF THEY WENT FORWARD WITH THE ADMINISTRATIVE HEARING; ACCORDING TO THE ATTORNEY, THIS PROCEDURE WOULD COST APPROXIMATELY \$40,000.

COMMISSIONER BROCK ADDRESSED THE BOARD HAVING TAKEN ACTION TWO WEEKS AGO TO PROCEED WITH THE COUNTY WIDE VOTING WITH THE POSSIBILITY OF EXPENSES BEING \$200,000 TO \$300,000; APPARENTLY IT IS ACCORDING TO THE ISSUE WHETHER THERE WAS FUNDING AVAILABLE OR NOT. HE ALSO ADDRESSED THE COUNTY HAD SPENT A LOT OF TIME AND MONEY ON THE BECTON SPRINGS CASE AND DIDN'T FEEL THE BOARD SHOULD THROW AWAY THEIR INVESTMENT. DUE TO THE ISSUE BEING OVER WITH IN THREE TO FOUR WEEKS ANYWAY, HE VOICED HIS OPPOSITION TO THE AMENDMENT.

ATTORNEY HOLLEY COMMENTED IF THE BOARD TOOK ACTION TO APPROVE OF THE AMENDMENT, THEY WOULD BE GUTTING THE RESOLUTION IF THE WORD GETS TO THE GOVERNOR AND CABINET THE BOARD WAS GOING TO ABANDON THE BECTON SPRINGS ISSUE ANYWAY.

COMMISSIONER ENFINGER ADDRESSED HIM BEING FOR PRIVATE PROPERTY RIGHTS AS LONG AS IT DOESN'T AFFECT THE PUBLIC; NO ONE HAS PROVED THIS WILL AFFECT THE PUBLIC. HE FEELS THE SPRINGS SHOULDN'T BE BLOCKED AND EVERYBODY SHOULD HAVE NAVIGABLE ACCESS TO ALL THE CREEKS; IF THE BECTON SPRINGS PROJECT IS DONE LIKE VICKERS SAYS IT WILL BE DONE, THE SPRINGS WON'T BE BLOCKED AND THERE WILL BE NAVIGABLE ACCESS.

COMMISSIONER ENFINGER WITHDREW HIS AMENDMENT TO THE MOTION SINCE THE COUNTY COMMISSION HAS A MEETING ON THE 20TH; THE COUNTY COMMISSION CAN REVISIT THE BECTON SPRINGS ISSUE ON THAT DATE. HE ADDRESSED THE BOARDROOM WOULD BE PACKED AND THE SAME PEOPLE WOULD BE PRESENT TO VOICE THEIR OPPOSITION THAT DAY; THE ISSUE COULD HAVE BEEN RESOLVED TODAY IN A PEACEFUL, DIGNIFIED MANNER.

COMMISSIONER COPE WITHDREW HIS SECOND TO THE AMENDMENT TO THE MOTION.

COMMISSIONER HALL CALLED FOR THE QUESTION ON THE ORIGINAL MOTION. DEPUTY CLERK CARTER READ THE MOTION. THE MOTION CARRIED UNANIMOUSLY TO SEND THE RESOLUTION TO THE GOVERNOR FOR ACTION.

NAN THOMPSON, REPRESENTING THE WASHINGTON COUNTY HUMANE SOCIETY, PROVIDED THE BOARD WITH THEIR PROPOSAL FOR WORKING WITH THE CITY OF CHIPLEY AND WASHINGTON COUNTY ON THEIR ANIMAL CONTROL PROGRAM:

- A. NO CHANGES IN PERSONNEL
- B. NO CHANGES IN THE KENNEL
- C. ONLY DIFFERENCES HAVE BEEN LISTED IN THE PROPOSAL:
  1. IN LIEU OF THE \$20 DONATION CHARGED TO PERSONS DROPPING OFF AN ANIMAL AT ANIMAL SHELTER, CHARGE AN ACTUAL DONATION OF CLEANING SUPPLIES, FOOD, VOLUNTEER TIME, ETC.
  2. FOR EACH ANIMAL THEY ADOPT OUT, THEY WOULD RECEIVE \$5.00 ADOPTION FEE AND THE COUNTY OR CITY WOULD GET \$5.00 PER ANIMAL.
  3. KEEP 20% OF IMPOUNDING FEES FOR ANIMALS IMPOUNDED AT SHELTER.
  4. ALL NON-FIXED IMPROVEMENTS WOULD BE THE PROPERTY OF THE

HUMANE SOCIETY. THOMPSON REFERENCED SINCE SHE HAS BEEN WORKING AT THE ANIMAL SHELTER, THERE HAVE BEEN 38 ANIMALS ADOPTED OUT IN 45 DAYS; PRIOR TO THIS, THERE WERE 16 ANIMALS ADOPTED OUT FOR THE ENTIRE YEAR. SHE REQUESTED THE BOARD ALLOW THE HUMANE SOCIETY TO DO BUSINESS UNDER THEIR PROPOSAL. THE BOARD'S CONSENSUS WAS NOT TO TAKE ACTION AT THIS TIME DUE TO THE CITY OF CHIPLEY HAVING TO APPROVE THE PROPOSAL.

ED MINER, TOP CANDIDATE FOR THE PUBLIC WORKS DIRECTOR POSITION, ADDRESSED THE BOARD TO ANSWER ANY QUESTIONS THEY MAY HAVE. HE REQUESTED THE BOARD'S FEELING ON WHAT TIME LINE HE IS LOOKING AT BEING PUT INTO THE POSITION; HE

RECOGNIZES THE BOARD IS AWAITING LEGISLATIVE ACTION ON POSSIBLE REVENUE REDUCTIONS.

CHAIRMAN FINCH QUESTIONED MINER IF HE WAS AGREEING TO ACCEPT THE SALARY AS ADVERTISED FOR THIS POSITION. MINER ADDRESSED THE FOLLOWING ISSUES:

- A. HE FEELS THE SALARY IS LOW BUT THE REAL ISSUE IS THE LATITUDE TO DO THE JOB; HE DOESN'T WANT TO GET CAUGHT IN THE MIDDLE OF POLITICAL UPHEAVALS.
- B. HE WOULD LIKE TO HAVE A HIGHER SALARY AND POSSIBLY IF HE COULD BRING IN A SIGNIFICANT AMOUNT OF FUNDING TO THE COUNTY, THE BOARD COULD CONSIDER INCREASING HIS SALARY.

COMMISSIONER COPE REFERENCED THE FEMA WORK CURRENTLY GOING ON BY PUBLIC WORKS; MINER WOULD BE WORKING ON FRIDAY AND SATURDAYS AND RECEIVING COMPENSATION FOR THESE HOURS.

COMMISSIONER ENFINGER QUESTIONED MINER IF HE HAD ANY PROBLEMS WITH THE RECOMMENDATIONS IN THE CONSULTANT'S REPORT ON PUBLIC WORKS OPERATIONS OR DID HE FEEL IT WAS A VIABLE OPTION. MINER ADDRESSED THE REPORT LOOKED VIABLE AND POINTS TO SIGNIFICANT ISSUES IN A GOOD DIRECTION; HE DIDN'T SEE ANYTHING THAT WAS OUT OF LINE.

COMMISSIONER FINCH ADDRESSED A CONCERN MINER WOULD TAKE THE POSITION UNTIL HE COULD GET A BETTER DEAL AND THE BOARD WOULD HAVE TO START OVER AGAIN IN FILLING THIS POSITION; HE ASKED MINER IF HE HAD ANY PLANS TO SEEK A HIGHER PAYING JOB. MINER ADVISED THERE WAS ONE POSITION, IF HE GOT THE OPPORTUNITY, HE WOULD NOT TURN DOWN.

DISCUSSION WAS HELD WITH COMMISSIONER COPE ADDRESSING THE NEED TO WAIT UNTIL AFTER THE 6TH OF DECEMBER TO FILL THE POSITION TO SEE WHAT THE LEGISLATIVE CUTS ARE GOING TO BE.

COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO HIRE ED MINER EFFECTIVE THE 10TH OF DECEMBER CONTINGENT ON THE LEGISLATURE NOT CUTTING THE COUNTY REVENUES TOO BADLY. COMMISSIONER HALL OPPOSED.

COMMISSIONER ENFINGER ADDRESSED ROAD AND BRIDGE HAVING A GENERATOR THAT WON'T WORK AND A FORK LIFT THEY AREN'T USING WHICH THEY WOULD LIKE TO SELL AT THE PUBLIC AUCTION ON DECEMBER 1ST; HE MADE A MOTION TO APPROVE OF THIS EQUIPMENT BEING SOLD AT THE AUCTION.

COMMISSIONER BROCK SECONDED THE MOTION WITH THE CONDITION THE EMERGENCY MANAGEMENT DIRECTOR CHECK WITH EBRO FIRE DEPARTMENT AND OTHER FIRE DEPARTMENTS TO SEE IF THEY COULD USE THE GENERATOR; IF NOT, SELL IT AT THE PUBLIC AUCTION. COMMISSIONER ENFINGER AGREED TO THIS CONDITION AND THE MOTION CARRIED UNANIMOUSLY.

COMMISSIONER ENFINGER ADDRESSED THERE BEING 3 BACKHOES THAT COULD ALSO BE PUT IN THE AUCTION ON DECEMBER 1ST AND RECOMMENDED THE BOARD SET A MINIMUM PRICE; IF THEY DON'T BRING THE MINIMUM PRICE, PUT THEM IN ANOTHER AUCTION LATER ON. CATERPILLAR HAS RECOMMENDED THE BOARD ASK FOR A \$17,500 MINIMUM PRICE ON THE TWO CATERPILLAR GRADERS AND \$12,000 ON THE JOHN DEERE GRADER. COMMISSIONER ENFINGER OFFERED A MOTION, SECONDED BY COMMISSIONER COPE AND CARRIED TO PUT THE THREE BACKHOES IN MASON'S PUBLIC AUCTION ON DECEMBER 1ST ASKING THE MINIMUM PRICES RECOMMENDED BY CATERPILLAR; IF THEY DON'T SALE FOR THE MINIMUM PRICE, PUT IN ANOTHER AUCTION LATER ON.

COMMISSIONER COPE OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO SALE THE STATION WAGON AND THE VAN AT THE COUNTY ADMINISTRATIVE OFFICE AT THE PUBLIC AUCTION. DEPUTY CLERK CARTER REQUESTED SHE BE PROVIDED THE IDENTIFICATION NUMBERS FOR THESE VEHICLES.

COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER ENFINGER AND CARRIED TO ADJOURN. ATTEST:\_\_\_\_\_

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

\_\_\_\_\_  
CHAIRMAN

DEPUTY CLERK  
\*END OF MINUTES\* FOR 11/29/01