

SEPTEMBER 18, 2012
REGULAR BOARD MEETING

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BCC - REGULAR BOARD MEETING

THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY MET ON THE ABOVE DATE AT 9:00 A.M. AT THE WASHINGTON COUNTY ANNEX BOARD MEETING ROOM, 1331 SOUTH BOULEVARD, CHIPLEY, FLORIDA WITH COMMISSIONERS ABBOTT, BROCK, CARTER, PATE AND STRICKLAND PRESENT. DEPUTY CLERK BRANTLEY WAS ALSO IN ATTENDANCE. CLERK COOK AND COUNTY MANAGER JOYNER WERE ABSENT.

I. PROCLAMATION - SHERIFF BOBBY HADDOCK

A. CALL TO ORDER - CHAIRMAN CARTER

B. INVOCATION/PLEDGE- MR. ROGER HAGAN/COMMISSIONER STRICKLAND

II. ADOPT PREVIOUS MINUTES

JULY 19, 2012 BOARD MEETING

AUGUST 13, 2012 BUDGET WORKSHOP

SEPTEMBER 6, 2012 PUBLIC HEARING

COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO APPROVE OF THE ABOVE MINUTES.

III. PUBLIC HEARING - NONE

IV. CONSENT AGENDA

A. REQUEST APPROVAL FOR THE CLERK OF COURT TO PAY VOUCHERS FOR AUGUST 2012 TOTALING \$1,265,826.17

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- B. RESOLUTION - FLORIDA ASSOCIATION OF COUNTIES TRUST (FACT)
AMENDMENT TO TRUST AGREEMENT
- C. CONTRACT BETWEEN BOCC AND WASHINGTON COUNTY HEALTH DEPARTMENT AND
APPROVAL OF CHD FEE SCHEDULE FOR 2012-2013.
- D. EXTENSION OF THE 2012 TAX ROLL
- E. STATE AID TO LIBRARIES GRANT AGREEMENT
- F. BOARD MEMBERS FOR THE PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM
(PPLCS) - DAVID CORBIN AND DONNA PATE HAVE BEEN APPOINTED TO
SERVE ON THIS BOARD
- G. PROCLAMATION DECLARING SEPTEMBER AS SUICIDE PREVENTION MONTH
- H. CANVASSING BOARD REPLACEMENT - CAROL FINCH GRIFFIN IS A CANDIDATE
IN THE NOVEMBER 6, 2012 GENERAL ELECTION AND WILL NOT BE ALLOWED
TO SERVE ON THE CANVASSING BOARD EXCEPT IN AN ADVISORY CAPACITY.
HULAN CARTER, CURRENT CHAIRMAN OF THE BOARD OF COUNTY
COMMISSIONERS, WILL SERVE AS CAROL GRIFFIN'S REPLACEMENT IN THIS
CAPACITY.
- COMMISSIONER STRICKLAND OFFERED A MOTION, SECONDED BY
COMMISSIONER PATE AND CARRIED TO APPROVE THE CONSENT AGENDA.**
- V. AGENDA ITEMS
- SHERIFF BOBBY HADDOCK - ADDRESSED THE BOARD AND THE PUBLIC WITH AN
INFORMATIVE PRESENTATION OF WHAT THE WASHINGTON COUNTY SHERIFF
DEPARTMENT HAS DONE AND WHAT HAS TRANSPIRED IN THE LAST 3-4 YEARS
AND WHAT MAY HAPPEN IN THE NEXT FEW YEARS IF SOME OF THEIR NEEDS
AREN'T ADDRESSED. THIS BUDGET YEAR AND YEARS PASSED HAS REALLY
GOTTEN INTO SOME THINGS AND THE FORECAST OF NEXT YEAR SEEMS TO BE

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GLOOM FROM WHAT HE IS HEARING. HE EXPRESSED THE FACT THAT HE KNOWS THE BOARD CAN ONLY DO SO MUCH BUT BEING IN LAW ENFORCEMENT FOR 34 YEARS HE HAS SEEN THE UPS AND DOWNS. HE HAS OFFICERS THAT ARE DOING A LOT OF OVERTIME AND BASICALLY GIVING THEIR TIME AND THE OFFICE IS TO A BREAKING POINT, SO TO SPEAK.

COMMISSIONER ABBOTT ASKED SHERIFF HADDOCK WITH THE INCREASE IN CALLS ARE THERE MORE ROAD PATROL DEPUTY'S. SHERIFF HADDOCK RESPONDED NO THERE ARE ACTUALLY LESS. PATROL OFFICERS WERE DECREASE BY 3 ½ LAST YEAR. THERE WERE 19 LAST YEAR AND HIS GOAL WAS TO GET 21 OFFICERS. THE REASON BEING IS SO THE WORK LOAD CAN BE SPREAD. IF YOU ARE WORKING 3-11 MIDNIGHT SHIFT AND YOU GET SUBPOENAED TO GO TO COURT IT IS ON THEIR TIME OFF AND THEY HAVE TO COME BACK IN. THEY ARE COMPENSATED BY COMPENSATORY TIME. HIS GOAL IS 21 TO GET 7 PER SHIFT SO TO SPEAK BUT NOW HE IS BACK DOWN TO 5 PER SHIFT AND 1 SWINGING BACK AND FORTH, WHICH IS #16.

COMMISSIONER ABBOTT ASKED SHERIFF HADDOCK WHAT HAPPENS TO HIS STAFF WHEN HE CONTRACTS OTHER INMATES FROM DIFFERENT COUNTIES. SHERIFF HADDOCK SAID THAT RIGHT NOW BECAUSE OF THE BUDGET CUTS THIS YEAR CAME MAINLY FROM THE JAIL. LAST YEAR HE WASN'T ABLE TO TAKE THAT FROM THE JAIL BECAUSE LAST YEAR HE STILL HAD STATE INMATES AND ALL THAT. NOW THE POPULATION IS DOWN SOME SO HE CAN ABSORB THAT SO TO SPEAK. THE JAIL IS BUILT FOR 26 OFFICERS AND THERE ARE CURRENTLY 20. THEY ARE RUNNING 115/120 CURRENTLY.

COMMISSIONER ABBOTT SAID THAT WHAT HE IS TRYING TO UNDERSTAND IS WITH SHERIFF HADDOCK HOUSING MORE INMATES IT MEANS YOU HAVE TO HAVE MORE STAFF, MORE MEALS, ETC. THEN WHEN YOUR CONTRACTS ARE DOWN HE

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UNDERSTANDS HE WOULD BE LIMITED TO LETTING THAT STAFF AND THE FOOD
BACK OFF.

SHERIFF HADDOCK SAID THAT IT TAKES SO MANY TO RUN THE JAIL
REGARDLESS. HE HAS CUT THE STAFF BACK THIS YEAR BECAUSE OF THE
STATE INMATE CUTS.

COMMISSIONER BROCK ASKED SHERIFF HADDOCK HOW MUCH IS OWED ON THE
LATEST MODULAR BUILT ON THE JAIL. SHERIFF HADDOCK SAID THERE ISN'T
ANYTHING OWED ON IT. THAT WAS PAID BY THE REVENUE GENERATED THROUGH
THE CONTRACTOR. THERE WASN'T ANY MONEY BORROWED AND NO MONEY TAKEN
FROM ANYWHERE OTHER THAN CONTRACTUAL MONEY THAT THE BOARD TOOK FROM
THE CONTRACT. HE BELIEVES IT WAS OVER \$300,000.00 BUT HE WOULD HAVE
TO GO BACK AND LOOK. IT WAS A RECREATIONAL ROOM AND THEY TOOK AND
PUT A 2 STORY PLUMBING AND EVERYTHING. THE GUYS THAT DID THE JAIL
ORIGINALLY THAT WAS PAID BY THE REVENUE COMING IN. HE DOESN'T
ADVOCATE BORROWING ANY MONEY. IT WAS PAID OFF BY REVENUE THAT WAS
GENERATED THROUGH INMATE HOUSING.

COMMISSIONER PATE ADDRESSED SHERIFF HADDOCK THAT IS JUST THE LAST
MODULE; THERE IS MONEY OWED ON THE ORIGINAL JAIL. SHERIFF HADDOCK
AGREED AND WENT ON TO SAY THE ORIGINAL JAIL WAS BUILT PRIOR TO HIM
COMING IN OFFICE.

****A COPY OF THE PRESENTATION IS ATTACHED****

WES FISCHER ADDRESSED THE BOARD AND THAT SHERIFF HADDOCK DID A
WONDERFUL JOB ON HIS PRESENTATION AND HE MADE A COMMENT ABOUT
REDUCTION IN WORKFORCE AND IT STUNK. WITH THAT BEING SAID FROM HIS
DEPARTMENT HE ISN'T ON AN ISLAND AND HE ISN'T THE LONG RANGER, THE
WHOLE COUNTY HAS THAT PROBLEM AND WHEN WE ARE TALKING ABOUT CUTTING

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MONEY AT PUBLIC WORKS IN THE SUM OF AROUND \$200,000.00 FOR FUEL, SELLING EQUIPMENT AND THINGS LIKE THAT. WE DON'T GET ANYTHING IN RETURN AS TAX PAYERS EXCEPT FOR LOWER SERVICE. HE REFERENCED HE DIDN'T UNDERSTAND OR LIKE IT AND HE DIDN'T THINK THAT ANYONE ELSE DOES. THERE ARE A LOT OF REASONS WHY THESE THINGS HAVE COME ABOUT. HE REFERENCED SOME PAPERWORK THAT HE HAD PASSED OUT. THERE WAS ABOUT \$200,000.00 TO GET RID OF EMORY PITTS TO PUT SOMEBODY IN HIS SEAT THAT ISN'T QUALIFIED.

CHAIRMAN CARTER ADDRESSED MR. FISCHER THAT WE AREN'T GOING TO BE THERE DISCUSSING THAT. IF YOU HAVE A STATEMENT TO MAKE AS FAR AS WHAT YOU HAVE PRESENTED, THAT IF FINE BUT WE AREN'T GOING TO TALK ABOUT ANY POSITION OR ABILITIES WHEN THERE ISN'T ANYONE HERE TO REPRESENT THAT. IF YOU HAVE QUESTIONS THAT YOU WANT ANSWERED IT WILL NEED TO BE SUBMITTED IN WRITTEN FORM TO THE COUNTY ATTORNEY AND HE WILL ANSWER THOSE FOR YOU.

MR. FISCHER ADDRESSED CHAIRMAN CARTER THAT WAS FINE AND THEY CAN TAKE THE LONG WAY AROUND BUT WOULD END UP AT THE SAME HOLE. THIS IS JUST THE START AND THERE IS A LOT MORE TO COME AND EVERY PIECE OF INFORMATION EXCEPT THE HEADER HE WROTE ON THAT WENT OUT TO EVERYBODY IS DOCUMENTED INFORMATION THAT CAME OUT OF THE COUNTY ANNEX AND IT'S FACTUAL.

- VI. COUNTY ENGINEER - ABSENT
- VII. COUNTY MANAGER - ABSENT
- VIII. CLERK - ABSENT
- IX. DEPUTY CLERK - NONE

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X. COMMISSIONERS

- BROCK - NONE

- STRICKLAND - NONE

- ABBOTT - NONE

- PATE - NONE

- CARTER - HCRA INVOICE - HE ASKED FOR APPROVAL TO SPEND THE BALANCE OF OUT OF COUNTY HCRA, \$39,705.00 TO PAY FOR A MEDICAL CLAIM. THIS WILL DEplete THE FUNDS FOR THIS YEAR ON THAT INVOICE.

COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO APPROVE DEPLETING THE OUT OF COUNTY HCRA FUNDS TO PAY THE INVOICE.

XI. COUNTY ATTORNEY GOODMAN ADDRESSED THE BOARD IN REFERENCE TO THE A DRAFT FMLA POLICY THAT HAD BEEN PREVIOUSLY GIVEN TO THE BOARD.

COMMISSIONER ABBOTT ASKED IF THIS WAS MANDATED BY THE STATE. ATTORNEY GOODMAN SAID THAT FMLA IS REALLY A FEDERAL LAW. IT GIVES THE COUNTY SOME FLEXIBILITY ON HOW THEY IMPLEMENT IT BUT THE MAJORITY OF IT IS STANDARD AND THE BOARD MUST ABIDE BY IT.

COMMISSIONER BROCK ALSO ASKED IF IT WAS FEDERAL LAW. ATTORNEY GOODMAN RESPONDED THAT THE FMLA IS THE FAMILY MEDICAL LEAVE ACT WHICH IS A FEDERAL LAW THE BOARD HAS TO ABIDE BY. IT GIVES EMPLOYEES OF THE COUNTY A SIGNIFICANT AMOUNT OF TIME TO TAKE OFF. IT BASICALLY FORCES THE COUNTY TO HOLD THEIR JOB UNTIL THEY ARE ABLE TO RETURN. IT DOES GIVE THE COUNTY SOME ABILITY TO COMBINE IT WITH LEAVE AND OTHER THINGS. IT GIVES THE COUNTY CERTAIN WAYS TO

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IMPLEMENT IT. IF YOU WILL GO THROUGH, THE ELIGIBILITY SECTION, MOST OF IT IS STANDARD FEDERAL LAW. LEAVE ENTITLEMENT WHICH IS STRAIGHT FEDERAL LAW. THE CALCULATION LEAVE IS 12 WEEKS. THERE IS SOMETHING CALLED INTERMITTENT LEAVE WHICH IS SOMETHING WHERE YOU DON'T HAVE TO TAKE ALL 12 CONSECUTIVELY, WHICH IS ALL FEDERAL LAW. IT TALKS ABOUT THE INSURANCE COVERAGE AND WHAT THE COUNTY WILL DO WITH YOUR INSURANCE. IT ALSO DEFINES WHAT A SERIOUS HEALTH CONDITION IS PURSUANT TO FEDERAL LAW AND GIVES OUT PROCEDURE AND PROCESS SO THAT EMPLOYEES KNOW EXACTLY WHAT THEY NEED TO DO WITH THE COUNTY MANAGER AND HR STAFF IN GETTING ELIGIBLE TO GO ON FMLA. REALLY THE FIRST PART OF SECTION 7 IS BASICALLY A REHASHING OF WHAT GENERAL FMLA LAW IS AND THE LAST SECTION IS POLICY AND PROCEDURES BY THE WAY IT SHOULD BE IMPLEMENTED IN THE COUNTY. FMLA LAW HAS CHANGED OVER TIME AND THIS IS SOMETHING THAT NEEDS TO BE UPDATED.

COMMISSIONER BROCK ADDRESSED ATTORNEY GOODMAN THAT THE PART HE IS CONCERNED WITH IS EMPLOYEES TIME AND IT NOT SPECIFYING WHEN AN EMPLOYEE CAN TAKE THEIR TIME.

ATTORNEY GOODMAN ADDRESSED COMMISSIONER BROCK THAT HE THINKS HE IS REFERRING TO SICK LEAVE AND VACATION TIME OFF. THIS DOESN'T INCLUDE THE ABILITY OF THE EMPLOYEE OR US TO TELL THE EMPLOYEE WHEN HE/SHE CAN TAKE OFF. THEIR SICK LEAVE AND ANNUAL LEAVE IS WHAT IT IS. IT WILL BE COVERED IN ANOTHER SECTION OF THE POLICY. WHAT THIS DOES COVER IS SITUATIONS WHERE THEY NEED TO BE ABSENT PURSUANT TO FMLA. IT GIVES THE EMPLOYEES THE OPPORTUNITY TO BE ABLE TO TAKE EXTENDED TIME OFF DURING CATASTROPHIC SITUATIONS.

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CHAIRMAN CARTER COMMENTED THAT IT DOESN'T AFFECT THEIR NORMAL LEAVE.
ATTORNEY GOODMAN ADDRESSED THE BOARD THAT IS A COMPLETELY DIFFERENT
POLICY/SECTION.

ATTORNEY GOODMAN ADVISED THE BOARD THAT FMLA IS UNPAID LEAVE. IT
BASICALLY SECURES YOUR JOB WHILE YOU ARE OUT. IF THE EMPLOYEE WOULD
LIKE TO HAVE PAID LEAVE DURING THIS TIME THEY DO HAVE THE OPTION TO
USE THEIR VACATION OR SICK LEAVE IN ORDER TO HAVE PAID LEAVE WHILE
THEY ARE OFF ON FMLA.

COMMISSIONER ABBOTT COMMENTED THAT IT COULD RANGE FROM HAVING A
BABY, BABY SURGERY TO A NERVOUS BREAKDOWN.

ATTORNEY GOODMAN ADVISED THE BOARD THAT THERE IS A DEFINITION
SECTION OF WHAT A SERIOUS HEALTH CONDITION IS.

COMMISSIONER BROCK COMMENTED THAT HE THINKS THAT IT STATES THAT YOU
HAVE TO WAIT 1 YEAR AFTER EMPLOYMENT BEFORE IT IS EFFECTIVE.

MRS. HEATHER FINCH ADDRESSED THE BOARD THAT FEDERAL LAW REQUIRES
THAT YOU WORK A FULL CALENDAR YEAR OR 1250 HOURS IN ORDER TO BE
ELIGIBLE.

ATTORNEY GOODMAN ADDRESSED THE BOARD THAT IF THAT EMPLOYEE HAS
AVAILABLE SICK OR VACATION TIME THEY HAVE THE RIGHT TO TAKE IT AND
BE PAID. THAT DOESN'T AFFECT THAT AT ALL.

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER
STRICKLAND AND CARRIED TO APPROVE OF THE UPDATED FMLA POLICY.**

ATTORNEY GOODMAN REMINDED THE BOARD AND PUBLIC THAT THERE IS AN
EXECUTIVE SESSION AFTER THE MEETING AND THE CASES THAT ARE BEING
DISCUSSED ARE YATES V. WASHINGTON COUNTY (67-10-CA-185) AND SHVFD V.

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WASHINGTON COUNTY (67-09-CA-522). FOR CLARIFICATION SO THE PUBLIC CAN UNDERSTAND THERE IS A COURT REPORTER IN THE EXECUTIVE SESSIONS AND THE LAW PROVIDES SOME IMMUNITY FROM THE SUNSHINE WHILE IN LITIGATION. THE REASON FOR THE COURT REPORTER IS ONCE A CASE IS CLOSED OR SETTLED THAT TRANSCRIPT WILL BECOME PUBLIC RECORD. A LOT OF TIMES PEOPLE WILL SAY THAT THE SUNSHINE LAW IS BEING BROKEN BUT IF WE ARE IN LITIGATION THEY HAVE THE ABILITY TO MEET IN PRIVATE. THERE IS A CHECKS AND BALANCE SYSTEM AS TO WHAT GOES ON DURING EXECUTIVE SESSION.

XII. RECESS/EXECUTIVE SESSION

CHAIRMAN CARTER RECESSED THE REGULAR MEETING TO GO INTO EXECUTIVE SESSION.

CHAIRMAN CARTER RECONVENED THE REGULAR MEETING. ATTORNEY GOODMAN ADDRESSED THE BOARD THAT PURSUANT TO THE EXECUTIVE SESSION HE DOESN'T HAVE ANY RECOMMENDATIONS AND NO ACTION IS NEEDED FROM THE BOARD AT THIS TIME. HE RESERVED THE RIGHT TO CALL AN EXECUTIVE SESSION AT THE OCTOBER MEETING IF NOT 1 BUT BOTH OF THE CASES.

XIII. ADJOURN

COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED TO ADJOURN.

ATTEST: _____

DEPUTY CLERK

CHAIRMAN