

MARCH 28, 2013
REGULAR BOARD MEETING

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BCC REGULAR 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 BUSH, CHAIRMAN, ABBOTT, VICE-CHAIRMAN, PATE, BROCK AND GOTHARD PRESENT. DEPUTY CLERK BRANTLEY, COUNTY MANAGER STEVE JOYNER AND COUNTY ATTORNEY JEFF GOODMAN WERE ALSO IN ATTENDANCE. CLERK COOK WASN'T PRESENT.

- I. PROCLAMATION - DEPUTY RANDY BROWN
 - A. CALL TO ORDER - CHAIRMAN BUSH
 - B. INVOCATION/PLEDGE- MR. DAVID CORBIN/CHAIRMAN BUSH

- II. ADOPT PREVIOUS MINUTES

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COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO ADOPT THE ABOVE MINUTES.

- III. CONSENT AGENDA

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A. REQUEST APPROVAL FOR THE CLERK OF COURT TO PAY VOUCHERS FOR
FEBRUARY 2013 TOTALING \$1,891,207.06

B. VARIANCE OF ALLOWABLE USE IN A GENERAL COMMERCIAL FUTURE
LAND USE MAP DISTRICT

BACKGROUND - VICKY LYNN WILLIAMS, 1164 FALLING WATERS ROAD,
(COUNTY ROAD HWY 77A), CHIPLEY, FLORIDA, HAS REQUESTED THE
PLACEMENT OF A SECOND SINGLE-FAMILY RESIDENCE (MOBILE HOME)
ON THE EXISTING 14.38 ACRES SUBJECT PROPERTY, WHICH HAS A
COMMERCIAL FUTURE LAND USE MAP (FLUM) DESIGNATION. THE
APPLICANT IS A JOINT OWNER (QUINTON L. KIRKLAND AND VICKY
LYNN) OF SUBJECT PROPERTY. THE SUBJECT PROPERTY IS LOCATED
APPROXIMATELY 500 FEET SOUTH OF INTERSTATE 10 ON THE WEST
SIDE OF 1164 FALLING WATERS ROAD (COUNTY ROAD HWY 77A)

C. TRI-COUNTY AIRPORT AUTHORITY/BOARD APPOINTMENT OF NORMAN
RICH.

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY
COMMISSIONER PATE AND CARRIED TO APPROVE THE CONSENT
AGENDA.**

IV. AGENDA ITEMS

- SAL ZURICA - MSBU

CHAIRMAN BUSH ADVISED THE BOARD THAT MR. ZURICA ASKED
TO BE REMOVED FROM THE AGENDA.

- LEISURE LAKES ANIMAL CONTROL - MR. DAVID CORBIN
ADVISED THE BOARD THAT HE RECEIVED A CALL FROM

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ATTORNEY BRIAN HESS REPRESENTING LEISURE LAKES. IF THERE IS A BITE CASE ANIMAL CONTROL CAN GO ANYWHERE IN THE MUNICIPALITY AND IS COVERED UNDER THE DANGEROUS DOG STATUTE.

HE RECOMMENDED SENDING SOMEONE TO MEET WITH THE LEISURE LAKE BOARD TO DISCUSS THE MATTER WITH THEM TO SEE EXACTLY WHAT THEY WANT AS FAR AS FULL COVERAGE OR CASE BY CASE. HE DOESN'T FEEL THE COUNTY HAS ANY JURISDICTION EXCEPT IN AN EMERGENCY CASE PER STATE STATUTE.

MR. CORBIN ASKED FOR THE BOARDS DIRECTION.

ATTORNEY GOODMAN ADVISED THE BOARD THAT HE FEELS IT WILL BE A GOOD IDEA FOR COUNTY MANAGER JOYNER AND ANY DESIGNATED REPRESENTATIVE THAT HE SEES FIT, TO GO DOWN AND DISCUSS FINDING OUT EXACTLY WHAT THEY ARE REQUESTING.

ONE POLICY ISSUE THE BOARD MAY FACE IS IF THIS IS SOMETHING THAT A CONTRACTED FEE WILL BE SET. ANOTHER THING TO KEEP IN MIND IS ADDED RESPONSIBILITY TO CURRENT STAFF.

MR. CORBIN ADVISED THE BOARD THAT ANIMAL ISSUES HAVE RISEN IN WASHINGTON COUNTY ABOUT 20-30% WHICH IS NORMAL DURING THIS TIME OF YEAR.

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ATTORNEY GOODMAN ADVISED THE BOARD THAT IF THEY DO CHOOSE TO DO IT HE WOULD REQUEST THEY GET AN AGREEMENT IN WRITING FOR PROTECTION.

MR. CORBIN ADVISED THE BOARD THAT SEVERAL YEARS AGO ANIMAL CONTROL COST INCREASED. WITH THAT THE BOARD WENT BACK AND PRO-RATED MUNICIPALITIES BASED ON THE AMOUNT OF PEOPLE THAT LIVED IN THE CITY AND AN INTER-LOCAL AGREEMENT WAS DONE WHICH NOBODY PARTICIPATES IN. IT IS \$38.65 PER DOG EVERY TIME THEY DROP A DOG OR CAT OFF. IF THEY HAVE FAMILY THAT AMOUNT INCREASES.

COMMISSIONER PATE SUGGESTED THAT IF ANYTHING IS DONE DOWN THERE TO HAVE A CONTRACT AND CHARGE THEM LIKE ANY OTHER MUNICIPALITY THAT IS INVOLVED IN THE PROGRAM.

COMMISSIONER GOTHARD AGREED SAYING THAT SHE WOULD LIKE FOR A PART OF THE CONVERSATION TO BE IF THEY HAVE THE ABILITY TO FIND THE PEOPLE THAT THE COUNTY PASS THAT COST ON TO THEM.

COUNTY ATTORNEY GOODMAN ASKED IF THE BOARD WOULD LIKE FOR COUNTY MANAGER JOYNER AND MR. DAVID CORBIN TO TRY TO BEGIN NEGOTIATING THE PARAMETERS OF AN AGREEMENT POSSIBLY WITH A CONSIDERATION CLAUSE.

COMMISSIONER BROCK EXPRESSED CONCERN ABOUT THE RESIDENTS THERE ARE TAX PAYERS.

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ATTORNEY GOODMAN ADDRESSED CHAIRMAN BUSH TO SEE IF HE WOULD LET THEM GO AND SEE WHAT THEY COULD NEGOTIATE WITH THE BOARD AND COME BACK TO THE BOARD.

CHAIRMAN BUSH ADVISED MR. CORBIN TO COME BACK AT THE WORKSHOP AND PROVIDE THE BOARD WITH A RECOMMENDATION.

V. NON AGENDA AUDIENCE

1. MR. MARK PATE, 888 HALEY DRIVE, CHIPLEY, FLORIDA

ASKED IF THE COUNTY WOULD GRANT HIM AN EASEMENT OF 8 FEET, 5 INCHES FOR THE NORTHWEST END OF HIS PROPERTY. HE PROVIDED THE BOARD MEMBERS WITH A SURVEY. HE HAS BEEN TOLD BY THE LAND AND TITLE AGENCY THAT THE ONLY WAY HE CAN KEEP FROM MOVING HIS POLE BARN, CONCRETE SLAB AND FENCE WILL BE FOR THE COUNTY TO GRANT HIM AN EASEMENT.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT HE IS FAMILIAR WITH THIS. THERE IS A DRAINAGE DITCH BEHIND THERE THAT IS PERIODICALLY CLEANED OUT. HE DOESN'T SEE ANY ISSUES WITH GRANTING THE EASEMENT BECAUSE IT WILL STILL BE ACCESSIBLE.

MR. DALLAS CARTER ADVISED THE BOARD THAT HE DOESN'T THINK THE COUNTY HAS VERY MUCH TROUBLE WHERE THAT IS AT.

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ATTORNEY GOODMAN CAUTIONED THE BOARD TO THINK ABOUT
WHATEVER DECISION IS MADE TO BE PREPARED FOR FUTURE
PROPERTY OWNERS BECAUSE YOU HAVE TO BE SOMEWHAT
CONSISTENT AND NOT ARBITRARY/CAPRICIOUS IN GIVING
THESE THINGS OUT.

IT CAN BE DONE AND HE IS AWARE OF WHAT THE BANK
NEEDS WHICH IS A LIMITED EASEMENT WITH RESPECT TO
WHERE THE SLAB IS HANGING OVER THE PROPERTY LINE. HE
DOESN'T THINK THAT IT WILL AFFECT THE COUNTY
DRAINAGE DITCH WHICH DALLAS HAS SAID AS MUCH.

COMMISSIONER ABBOTT SUGGESTED THE BOARD LOOK AT
THESE SITUATIONS CASE BY CASE SCENARIOS.

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY
COMMISSIONER BROCK FOR DISCUSSION TO GRANT THE
EASEMENT FOR MR. MARK PATE.**

COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE FEELS
LIKE EACH CASE SHOULD BE ADDRESSED CASE BY CASE AND
PERSONALLY HE DOESN'T HAVE A PROBLEM WITH IT.

ROLL CALL VOTE

COMMISSIONER BROCK - YES

COMMISSIONER PATE - YES

CHAIRMAN BUSH - NO

COMMISSIONER ABBOTT - YES

COMMISSIONER GOTHARD - NO

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MOTION CARRIED 3/2

ATTORNEY GOODMAN ADVISED THE BOARD THAT HE WOULD MAKE CONTACT WITH COUNTY MANAGER JOYNER AND THE PROPERTY OWNER ENSURING THE CORRECT PAPERWORK IS DONE.

VI. COUNTY ENGINEER

1. FLORIDA BOATING IMPROVEMENT PROJECT -

COUNTY ENGINEER KNAUER ADVISED THE BOARD THAT HE HAS THE DRAFT ON THE SURVEY PREPARED FOR GIN POND. THE ITEMS LISTED ARE PLANNED FOR GIN POND:

- PAVED ENTRANCE ROAD WHERE THE PARK PROPERTY STARTS
- PAVED PARKING LOT
- STORM WATER POND
- 2 GAZEBOS
- WIDEN EXISTING BOAT RAMP AND POSSIBLY EXTEND IT
- 2 HANDICAP LOADING DOCKS ADDED TO THE BOAT RAMP
- PLATFORM FOR FUTURE PORTA POTTY
- EROSION AND SOD WORK
- WALKWAY BUILT FROM GAZEBO TO LOADING DOCKS TO BOAT RAMP

THE ESTIMATE FOR THE ABOVE ITEMS IS \$100,000.00. THE GRANT REQUIRES A MINIMUM OF 25% MATCH. THE MATCH CAN BE IN KIND WHICH WILL BE \$25,000.00 WORK FOR THE BOARD

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TO DO. THERE IS A RESOLUTION THAT NEEDS TO BE
SUBMITTED WITH THE APPLICATION.

THE COST TO THE COUNTY FROM THE COUNTY ENGINEER SIDE
IS THE SURVEY WHICH IS \$1,200.00. THE DESIGN WORK,
PERMITTING AND OVERSEEING THE CONSTRUCTION WILL BE
DONE AT NO COST.

THERE IS NO POWER GOING TO THE PARK. THERE ARE SOME
TREES THAT WILL HAVE TO BE REMOVED FOR THE PARKING LOT
TO BE BUILT.

ATTORNEY GOODMAN AGREED TO DRAFT THE RESOLUTION NEEDED
FOR THE APPLICATION.

COMMISSIONER PATE ASKED IF HE THOUGHT SOLAR LIGHTS
WOULD PROVIDE ENOUGH LIGHTING.

COUNTY ENGINEER KNAUER ADVISED HIM THAT IT WOULD
DEPEND ON HOW HIGH THE SOLAR PANEL IS PUT UP.

NORMALLY THOSE LIGHTS DON'T LIGHT UP A LARGE AREA
BECAUSE THEY ARE MORE FOR SECURITY LIGHTING. HE
SUGGESTED PUTTING ONE DOWN BY THE BOAT RAMP AND 2 OR 3
IN FOR BOATER SAFETY.

**COMMISSIONER GOTHARD OFFERED A MOTION, SECONDED BY
COMMISSIONER BROCK AND CARRIED TO SUBMIT FOR THE GRANT
FOR THE BOATING IMPROVEMENT PROGRAM.**

2. OLEY ROAD - THERE IS A MEETING SET UP APRIL 1. AROUND
AUGUST 2012 A COMPLAINT WAS FILED WITH D.E.P. IN

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REFERENCE TO EROSION ISSUES. COUNTY MANAGER JOYNER, MR. DALLAS CARTER AND HIMSELF MET WITH D.E.P. IN SEPTEMBER.

THE ISSUE IS THERE IS A STEEP HILL THAT GOES UP DELTONA BOULEVARD OFF OF OLEY ROAD. APPARENTLY THE ROAD THAT GOES UP THE STEEP HILL HAS A LOT OF EROSION ISSUES THAT ARE WORKING THEIR WAY ACROSS OTHER PEOPLES PROPERTY. THERE ARE 2 ADJACENT LANDOWNERS; 1 UP STREAM AND 1 DOWN STREAM.

THE GUY THAT IS DOWN STREAM IS UPSET ABOUT THE EROSION COMING FROM THE PROPERTY UP STREAM.

DURING THE MEETING WITH D.E.P. THE BIG QUESTION WAS WHETHER THE COUNTY HAD ANY PLATTED RIGHT-OF-WAY.

A SURVEY WAS DONE BY SOUTHEASTERN SURVEYORS AND FOUND THAT THERE WAS NO PLATTED RIGHT-OF-WAY ON DELTONA BOULEVARD, OLEY ROAD OR LEDGER ROAD. ALL THAT THE COUNTY HAS IS PRESCRIPTIVE RIGHTS WHICH IS WHAT THE COUNTY HAS MAINTAINED. THE SURVEY WAS RECEIVED FROM SOUTHEASTERN SURVEYORS NOVEMBER 22, 2012 AND AFTER THAT A PLAN WAS PUT TOGETHER TO SUBMIT TO D.E.P. ON WHAT THE COUNTY WOULD LIKE TO DO IN ORDER TO SOLVE THE EROSION ISSUE WHICH WAS SUBMITTED TO THEM JANUARY 5. THE PLAN BASICALLY HAS 3 PARTS.

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ON DELTONA BOULEVARD COUNTY ENGINEER KNAUER PLANNED TO HAVE A CLEAN OUT BASIN OR A SMALL POND ON THE SIDE OF THE ROAD SO THAT ALL THE SWELLS THAT IS DIRT CAN BE DIRECTED INTO THAT POND. THAT POND COULD FILL UP AND WHEN IT FILLED UP IT COULD GO INTO A TYPE C BOX THAT WOULD DISCHARGE INTO A DITCH DOWN STREAM. THE IDEA WOULD BE THAT ALL THE DIRT THAT IS COLLECTED IN THE POND COULD BE USED BY THE ROAD DEPARTMENT WHEN THEY ARE DOING ROUTINE MAINTENANCE. THAT DIRT WOULDN'T BE ABLE TO MAKE IT DOWN STREAM; THERE WOULD JUST BE CLEAN WATER GOING DOWN.

THE SECOND PART OF THE PROJECT IS THAT ON THE SOUTH SIDE OF OLEY ROAD, 2 TYPE C INLETS WOULD BE PUT IN THAT WOULD BE THE SAME TYPE OF THING BUT WITHIN THE RIGHT-OF-WAY THE COUNTY ALREADY MAINTAINS. THE WATER WOULD BUILD UP ON THE SIDE OF OLEY ROAD UNTIL IT REACHED THE INLETS AND WOULD BE ROUTED DOWN STREAM. THAT WOULD ALSO KEEP DIRT FROM GOING DOWN STREAM.

THE THIRD PART OF THE PROJECT IS ON LEDGER ROAD WHERE THE PIPE THAT IS THERE WOULD BE REPLACED WITH DOUBLE 30'S WHICH WOULD HANDLE A 25 YEAR STORM EVENT AND PREVENT LEDGER ROAD FROM BEING BLOWN OUT IN THE STORM LIKE WHAT HAS HAPPENED A FEW TIMES.

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THAT PLAN WAS SENT TO D.E.P. WHO IN TURN SAID THAT WAS GREAT AND TO MOVE FORWARD WITH IT AS QUICK AS POSSIBLE.

MR. DALLAS CARTER MET WITH MRS. ROBERTS AROUND JANUARY 25 ON SITE AND EXPLAINED TO HER WHAT IS GOING ON AND THE COUNTY NEEDED RIGHT-OF-WAY/EASEMENT TO BUILD THE POND DESCRIBED ABOVE. FROM HIS UNDERSTANDING THE MEETING DIDN'T GO WELL.

AROUND FEBRUARY 25, MR. DALLAS CARTER, MRS. ROBERTS, HER SON AND HIMSELF MET AND THEY WERE MUCH MORE OPEN TO GIVING AN EASEMENT TO THE COUNTY BUT WANTED TO THINK ABOUT IT. THEY WERE GIVEN A COPY OF THE PLAN THAT WAS SUBMITTED TO D.E.P. SO FAR THERE HASN'T BEEN ANYTHING HEARD FROM THEM.

THERE IS A MEETING SET FOR APRIL 1.

CHAIRMAN BUSH ASKED HOW MUCH ADDITIONAL RIGHT-OF-WAY IS BEING ASKED FOR.

COUNTY ENGINEER KNAUER ADVISED HIM THEY ARE ASKING FOR A 10 X 200 PIECE ADJACENT TO THE EXISTING RIGHT-OF-WAY. 10 FEET BEYOND WHAT THE COUNTY CURRENTLY MAINTAINS.

OLEY ROAD SEPARATES THE 2 PROPERTIES. THERE IS A BIG HILL GOING UP DELTONA BOULEVARD AND IF THE EROSION COMING DOWN DELTONA BOULEVARD ISN'T ABLE TO BE STOPPED

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THEN THERE IS NOTHING THAT CAN BE DONE TO TRY AND
ADJUST IT AT OLEY ROAD.

THE EASEMENT IS A CRITICAL PART OF THE PUZZLE.

D.E.P. HAS BEEN CONTACTED AND ADVISED THAT THE COUNTY
IS HAVING TROUBLE OBTAINING THE EASEMENT AND WERE
ASKED WHAT THEIR THOUGHTS WERE ON MOVING FORWARD WITH
THE OTHER 2 PARTS OF THE PROJECTS.

D.E.P. ADVISED THAT IT IS BEST TO MOVE FORWARD WITH
THE CULVERT INSTALLATION BECAUSE THEY ARE IN THE
COUNTY RIGHT-OF-WAY, INCLUDING LEDGER ROAD FOR SAFETY
CONCERNS. AS FAR AS THE RIGHT-OF-WAYS FOR THE OTHER
PROJECT THE D.E.P. NOW WANTS TO BE INVOLVED IN A
MEETING WITH THOSE LANDOWNERS. THE D.E.P. RECOGNIZES
THAT IT ISN'T JUST SOMETHING THE COUNTY CAN FIX BUT
IT'S GOING TO TAKE MORE THAN THE COUNTY TO FIX.
IF MONEY WASN'T AN ISSUE HE ADVISED PAVING DELTONA
BOULEVARD, OLEY AND LEDGER ROAD.

3. CLAYTON ROAD PROJECT - 2 MILES CURRENTLY PAVED AND
WORKING TOWARD THE THIRD. THAT IS THE FIRST LIFT OF
ASPHALT. THERE HAVE BEEN SOME AREAS WHERE THE BASE HAS
FAILED ON THE FIRST SECTION THAT WAS PAVED. THOSE
AREAS HAVE BEEN SAW CUT OUT AND ASPHALT FACE PUT BACK
IN THOSE AREAS AND BASICALLY THE DISCUSSION WITH THE
CONTRACTOR IS THE COUNTY WILL HAS A ONE YEAR ON THE

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PROJECT. ANY AREAS THAT LOOK LIKE THEY ARE GOING TO BE A PROBLEM NEED TO BE SAW CUT OUT AND REPLACED WITH ASPHALT BASE BUT ANY PROBLEM ON THE ROAD WILL BE THEIRS FOR A YEAR.

AN EXTENSION FROM DEPARTMENT OF TRANSPORTATION HAS BEEN APPLIED FOR. THE DEPARTMENT OF TRANSPORTATION IS UP IN A COUPLE OF DAYS BUT THEY HAVE GIVEN AN ADDITIONAL 60 DAYS. ANDERSON COLUMBIA'S CONTRACT RUNS UP ON SUNDAY. THE LIQUIDATED DAMAGES IS \$750.00 PER DAY. THERE WERE 17 RAIN DAYS IN THE MONTH OF FEBRUARY; 38 INCHES.

HE ADVISED THE BOARD THAT ON THE SCOP PROJECTS THEY HAVE TO FIND A WAY TO GET THE RIGHT-OF-WAY FASTER. IT TOOK ABOUT SIX MONTHS TO GET RIGHT-OF-WAY ON CLAYTON AND THERE IS GOING TO BE A SIMILAR SITUATION ON LUCAS LAKE AND ROCHE ROAD. THE SURVEYS ON THE ROAD ARE ALREADY DONE WITH A START SCHEDULE OF 2017.

COMMISSIONER ABBOTT REFERENCED SENDING STAFF TO GET RIGHT-OF-WAY ON CLAYTON ROAD BECAUSE A LOT OF THE PROPERTY OWNER'S AREN'T RESIDENTS HERE.

COMMISSIONER PATE SUGGESTED TO THE BOARD THAT WITH THE NEXT CONTRACT HE WANTS TO SEE \$750.00 OR \$1,000.00 PENALTY.

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COUNTY ENGINEER KNAUER ADVISED THE BOARD THAT THE PENALTY CAN BE ADJUSTED ANY WAY THEY CHOOSE.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE HAS ALWAYS SAID GIVE THEM 30 DAYS AFTER CONTRACT AND THEN THAT WAY IT WOULD GET DONE. THE BOARD HAS RUN INTO THIS FOR YEARS. WHEN THE BID IS ISSUED THEY SHOULD HAVE 30 DAYS TO START WORK.

CHAIRMAN BUSH ADVISED COUNTY ENGINEER KNAUER THAT IT APPEARS THERE WILL BE SEVERAL AREAS THAT THEY WILL HAVE PROBLEMS TRYING TO GET DENSITY. ALSO THERE IS SOME SETTLING WHERE A COUPLE OF THE CROSS DRAINS HAVE BEEN PUT IN.

COUNTY ENGINEER KNAUER ADVISED THE BOARD THAT THEY HAVE DOCUMENTED THE JOB PROBABLY MORE THAN ANY OTHER IN THE LAST 15 YEARS.

VII. BID AWARDS - NONE

VIII. COUNTY MANAGER - LARKIN ROAD - MR. TED EVERETT

REQUESTED PERMISSION TO CLOSE LARKIN ROAD FOR HIS MOTOR CROSS RACE DURING 4/12 - 4/14.

COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED TO CLOSE LARKIN ROAD DURING 4/12 - 4/14.

COUNTY MANAGER JOYNER BROUGHT UP THE APPROVAL OF MR. BILL WILLIAMS CONTRACT FOR CONSULTING SERVICES RELATED TO THE

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RESTORE ACT 2012 IN THE AMOUNT OF \$1,500.00 MONTHLY AND
OUT OF POCKET EXPENSES. THERE IS A 30 DAY CLAUSE FOR
WRITTEN NOTICE CANCELLATION.

COMMISSIONER GOTHARD ASKED IF THERE IS A CAP ON THE
AMOUNT OF TRAVEL.

MR. BILL WILLIAMS ADVISED HER THAT HE WILL REQUEST
WRITTEN APPROVAL AS FAR AS TRAVEL BY THE COUNTY MANAGER.

ATTORNEY GOODMAN ADVISED THE BOARD FOR CLARIFICATION
PURPOSES THE REASON THIS WASN'T BID OUT IS BECAUSE THEY
ARE PIGGY BACKING OFF OF ADJOINING COUNTY'S RFP/RFQ.

CHAIRMAN BUSH ASKED IF THE CONTRACT WAS TIME SENSITIVE.

MR. BILL WILLIAMS ADVISED HIM THAT IT IS CRITICAL BECAUSE
D.E.P. HAS ASKED FOR PROJECTS TO BE SUBMITTED AND THERE
IS A DEADLINE. HE FEELS THAT WASHINGTON COUNTY IS
ALREADY SOMEWHAT BEHIND.

COMMISSIONER ABBOTT ASKED MR. WILLIAMS HOW DID HE ARRIVE
AT \$1,500.00 MONTHLY AND WILL EXPENSES BE SPLIT UP
BETWEEN THE COUNTIES THAT HE IS REPRESENTING.

MR. BILL WILLIAMS ADVISED HIM YES THOSE COST WILL BE
PRORATED.

COUNTY MANAGER JOYNER ADVISED THE BOARD THAT HE FEELS MR.
WILLIAMS WILL BE A GREAT HELP TO WASHINGTON COUNTY AS FAR
AS CONSULTING SERVICES AND TO MR. DERUNTZ AS WELL.

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MR. WILLIAMS ADVISED THE BOARD THAT WHERE WASHINGTON COUNTY MAY QUALIFY IS IF THEY ARE IN THE 25 MILES OF THE FEDERAL LAW. IF IT DOESN'T COME OUT IN THE TREASURY RULES THEY WOULD DISENGAGE FROM THEIR SERVICES BECAUSE WASHINGTON COUNTY WOULDN'T BE FUNDING ELIGIBLE. HE DOESN'T KNOW WHEN WASHINGTON COUNTY WILL KNOW IF THEY HAVE MET THE 25 MILE RULE.

COUNTY MANAGER JOYNER RECOMMENDED THE CONTRACT TO THE BOARD BECAUSE OF THE 30 DAY CANCELLATION CLAUSE. HE WOULDN'T WANT TO GET INTO A LONG TERM AGREEMENT.

COMMISSIONER ABBOTT SUGGESTED TO THE CHAIRMAN THAT HE WOULD LIKE FOR THE CONTRACT TO SPECIFY IF THEY FIND OUT IN FACT TOMORROW THAT THEY AREN'T WITHIN THE 25 MILE RADIUS HE WOULD LIKE THE CONTRACT CANCELLED IMMEDIATELY INSTEAD OF BEING STRETCHED OUT 30 DAYS.

COMMISSIONER BROCK ASKED MR. WILLIAMS IF THE 25 MILE RADIUS WAS TO THE WATER.

MR. BILL WILLIAMS ADVISED HIM THAT THE WAY THAT THE FEDERAL LAW HAS IT LINED UP WITHIN THE COASTAL SUBDIVISION AND WITHIN THE COASTAL SUBDIVISIONS THOSE WERE IDENTIFIED AS THE 23 COUNTIES, THERE IS A 25 MILE INLAND. IF YOU ARE WITHIN 25 MILES OF THE COASTAL SUBDIVISION WHICH WILL BE BAY AND WALTON, YOU QUALIFY. IF THEY COME BACK AND ELIMINATE THAT OR GO TO THE WATER

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THAT MAY BE A DIFFERENT ISSUE. THAT IS THE QUESTION THAT IS BEING ASKED OF THE FEDERAL TREASURY.

COMMISSIONER PATE ADDRESSED THE BOARD THAT HIS UNDERSTANDING AT THE WORKSHOP WAS THE BIGGEST THING WASHINGTON COUNTY CAN LOOK AT IS WATER QUALITY AND THINGS LIKE THAT.

COUNTY ATTORNEY GOODMAN ADVISED THE BOARD THAT HE HAS READ THE AGREEMENT, IS COMFORTABLE WITH IT AND WILL MAKE SURE HE GETS WITH MR. WILLIAMS TO ADD THE CLAUSE WHERE IF WASHINGTON COUNTY FINDS OUT THEY DON'T QUALIFY FOR THE 25 MILE RADIUS THE AGREEMENT IS AUTOMATICALLY TERMINATED WITHOUT HAVING TO WAIT THE 30 DAY CANCELLATION.

COMMISSIONER GOTHARD OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO APPROVED THE SEB COMMITMENT AFFAIRS AGREEMENT.

COUNTY MANAGER JOYNER INTRODUCED MR. ALBERT DAVIS TO THE BOARD AS INTERIM HUMAN RESOURCE DIRECTOR.

MR. DAVIS ADDRESSED EXPRESSING HIS EXCITEMENT ABOUT THE JOB.

IX. CLERK - CLERK COOK WASN'T IN ATTENDANCE.

X. DEPUTY CLERK - NONE

XI. CHAIRMAN AND COMMISSIONERS

COMMISSIONER GOTHARD ADDRESSED THE BOARD IN REFERENCE TO THE MSBU MEETING HELD IN SUNNY HILLS MARCH 14 WITH ABOUT

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94/95 PEOPLE PRESENT. OPTION 1 - PAY OFF THE DEBT AND REVOKE THE ASSESSMENT. OPTION 2 -PAY OFF THE DEBT AND REDUCE THE ASSESSMENT TO MAINTAIN SERVICES OF MOWING AND LIGHTING.

IN THE MEETING THE TWO AREAS THAT SEEMED THE MOST CRITICAL TO THE PEOPLE ATTENDING WERE THE LIGHTS AND THE MOWING. MANY EXPRESSED CONCERN ABOUT THE DEBT BEING PAID OFF, WHICH IS NUMBER ONE.

THE OTHER ISSUE OF CONCERN IS PUTTING SOME MEASURES IN PLACE TO MAKE SURE THAT THE QUESTIONABLE OR THE SPENDING THAT HAS BEEN DONE IN THE PAST WITH MSBU NEVER OCCURS AGAIN.

OPTION 1

PAY OFF THE DEBT

- MAKE THE CURRENT PAYMENTS
- PAY EXTRA IN 2013
- REDUCE THE MOWING AND GARBAGE CLEANUP TO ELKAM BOULEVARD TO THE END OF THE PAVEMENT. SUNNY HILLS BOULEVARD, COUNTRY CLUB, VOLTAIRE TO CONCORD AND SHENANDOAH TO CHALLENGER.
- REDUCE THE MSBU CREW TO ONE CREW AND ONE SUPERVISOR
- REDUCE THE LIGHTING BY $\frac{1}{4}$
- YEAR 2 (2014) CONTINUE THE AREAS WITH THE ONE CREW AND SUPERVISOR

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- REDUCE THE EXISTING LIGHTING AGAIN BY $\frac{1}{4}$
- MAKE THE CURRENT LOAN PAYMENT
- INCLUDE ANY REMAINING FUNDS MINUS THE EXPENSES FOR THE MOWING AND LIGHTING PAY IT TOWARD THE DEBT IN A PAYMENT OF NO LESS THAN \$213,251.00
- 2015 - CONTINUE THE MOWING
- REDUCE THE EXISTING LIGHTING AGAIN BY $\frac{1}{4}$
- MAKE CURRENT LOAN PAYMENT
- ADDITIONAL PAYMENT OF NO LESS THAN \$213,000.00
- 2016 - REDUCE THE ASSESSMENT FEE AND COLLECT ONLY ENOUGH MONEY TO PAY THE REMAINING LOAN BALANCE
- COLLECT NO FURTHER MSBU ASSESSMENT
- TURN OFF THE REMAINING LIGHTS AND THE MOWING
- RELOCATE THE MSBU SUPERVISOR TO AN APPLICABLE WASHINGTON COUNTY DEPARTMENT PAYROLL
- DECLARE THE MSBU ORDINANCE REVOKED

OPTION 2

- REDUCE THE SERVICES DOWN
- MAKE THE REGULAR PAYMENT FOR 2013
- ADDITIONAL PAYMENT OF NO LESS THAN \$500,000.00
- AS SOON AS POSSIBLE ADVERTISE AN RFP FOR MOWING SERVICES AND GARBAGE CLEANUP FOR THE AREAS MENTIONED ABOVE

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- BEGIN MAY 1, 2013
- REDUCE THE LIGHTING ON SUNNY HILLS BOULEVARD BY ONE ½ BEGINNING NO LATER THAN JANUARY 1, 2014
- SELL AT PUBLIC AUCTION ALL EQUIPMENT PURCHASED BY THE MSBU AND ALL THE MONEY MINUS THE AUCTION EXPENSES BE PUT INTO THE MSBU ACCOUNT
- MAKE REGULAR AND ADDITIONAL LOAN PAYMENTS IN 2014
- 2016 REMAINING MONEY MINUS EXPENSES FOR THE CONTRACTED SERVICES AND THE DEBT
- CREATE A BUDGET BEGINNING IN 2014 FOR EACH YEAR TO INCLUDE ONLY THE DEBT SERVICE, CONTRACTED MOWING AND LIGHTING PER THE ORDINANCE THAT IS IN EXISTENCE NOW
- SET THE ASSESSMENT EACH YEAR BASED ON THE ESTIMATED COST OF THESE SERVICES
- NO ASSESSMENT MONEY WILL BE SPENT FOR ADDITIONAL GOODS OR SERVICES UNLESS A SIGNED AND VERIFIED SIGNATURE PETITION OF 2/3 OF THE PROPERTY OWNERS OF THE MSBU COVERAGE AREA IS PRESENTED AND APPROVED BY THE WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

THE MEETING WAS RECORDED. ALSO ATTENDING THE MEETING WAS COUNTY MANAGER JOYNER AND COMMISSIONER ABBOTT.

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COMMISSIONER ABBOTT ADVISED THE BOARD THAT IT APPEARS THAT THE MAJORITY OF THE PEOPLE WANT TO CONTINUE THE MSBU.

COMMISSIONER ABBOTT ASKED ATTORNEY GOODMAN IF WHAT AN MSBU WAS ORIGINALLY FORMED FOR COULD BE ALTERED.

ATTORNEY GOODMAN ADVISED HIM THAT IT CAN BE FORMED FOR PURPOSE AND PURPOSES. THIS MSBU ORDINANCE IS SOMEWHAT BROAD IN THE LANGUAGE IN OTHER RELATED PURPOSES. HE RECOMMENDED IF HE WAS GOING TO START THIS MSBU TODAY HE WOULD SET IT FOR A SPECIFIC PURPOSE OR A COUPLE OF PURPOSES. IF THERE WAS A NEED FOR AN MSBU FOR ANY OTHER PURPOSE, CREATE ANOTHER MSBU.

HE SUGGESTED TERMINATING THE MSBU AND CREATING ANOTHER ONE WITH A NARROWER SCOPE/SCOPES. ANOTHER OPTION IS TO LEAVE IT THE WAY IT IS AND SET WHAT MONEY OR MONIES YOU ARE GOING TO PUT IN SPECIFIC POTS.

COMMISSIONER GOTHARD COMMENTED THAT THE MSBU ORDINANCE CAN'T BE REVOKED AS LONG AS THERE IS DEBT SERVICE.

THE EARLIEST THAT IT CAN BE PAID OFF IS 2016.

ATTORNEY GOODMAN ADVISED HER THAT IT NEEDS TO BE KEPT.

COMMISSIONER GOTHARD ASKED ATTORNEY GOODMAN IF THEY COULD MAKE A MOTION TO REDUCE THE SERVICE, PAY THE

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DEBT OFF AND REVOKE THE MSBU BY 2016 WHEN THE DEBT IS PAID OFF.

ATTORNEY GOODMAN ADVISED THAT HE WOULD THINK ABOUT GOING BACK THROUGH AMENDING AND UPDATING THE ORDINANCE TO REFLECT THAT.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT HE WANTS TO BE SPECIFIC AND HE WOULD LIKE THE BOARD'S HANDS OUT OF IT AS FAR AS EMPLOYEES, IF THE SERVICE IS GOING TO BE CONTRACTED OUT AND IF THERE IS EQUIPMENT BOUGHT WITH MSBU TO GET RID OF IT AND PUT THE MONEY BACK IN THE POT.

COMMISSIONER PATE ADDRESSED THE BOARD THAT HE DOESN'T THINK THAT NEEDS TO BE DONE ABOUT THE LIGHTS UNLESS THERE IS A LIGHTING STUDY DONE. THEY HAVE BEEN THERE FOR A LONG TIME AND PEOPLE ARE USED TO THEM.

COMMISSIONER BROCK ASKED MR. SAL ZURICA HOW LONG HAVE THE LIGHTS BEEN ON THE BOULEVARD.

MR. ZURICA ADVISED HIM SINCE 1971.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT AT SOME POINT THE ROADS WILL HAVE TO BE DEALT WITH IN SUNNY HILLS.

COMMISSIONER GOTHARD ADDRESSED THE BOARD THAT THEY ARE GOING TO HAVE TO BALANCE WHAT THEY ARE GOING TO DO WITH THE MSBU AGAINST A CONTINUAL THREAT OF LAWSUITS.

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MR. ZURICA ADDRESSED THE BOARD THAT AT THE MEETING THEY WERE ALSO ASKED TO HAVE AN ORDER DONE FROM DAY ONE. HE ASKED WHY DOESN'T THE COUNTY DO THAT AND IT WILL STOP ALL THE LAWSUITS.

CHAIRMAN BUSH ADDRESSED THE BOARD THAT HE THINKS THE BEST THING TO DO IS LET ATTORNEY GOODMAN RESEARCH IT AND DETERMINE WHAT MODIFICATION WOULD NEED TO AND CAN BE DONE TO AN ORDINANCE.

COMMISSIONER GOTHARD ADDRESSED THE BOARD IN REFERENCE TO THE PURCHASING POLICY OF THE COUNTY. THERE NEEDS TO BE CLARITY ON WHO CAN SIGN CONTRACTUAL LEASES, AGREEMENTS, ETC. ON BEHALF OF THE COUNTY. SHE EXPRESSED CONCERN ABOUT THE NUMEROUS PEOPLE THAT ARE ABLE TO SIGN LEGAL DOCUMENTS FOR THE COUNTY.

COUNTY ATTORNEY GOODMAN ADDRESSED THE BOARD THAT WHEN YOU TALK ABOUT CONTRACTING, SELLING PROPERTY, ENTERING INTO LEASES, ETC. THE BOARD OF COUNTY COMMISSIONERS CONTROLS THOSE ISSUES.

IT IS PRETTY CLEAR IN CASE LAW AND ATTORNEY GENERAL OPINION. IF THE PROPER AUTHORITY DOESN'T SIGN OFF ON A LEGAL DOCUMENT THERE IS THE RISK OF THE DOCUMENT BECOMING VOID.

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THERE IS CERTAIN FLEXIBILITY WITH RESPECT TO SOME PURCHASING ISSUES.

COMMISSIONER GOTHARD ASKED COUNTY MANAGER JOYNER TO CONTACT ALL DEPARTMENT HEADS, SUPERVISORS, EMPLOYEES AND ASK THEM IF THEY HAVE ENTERED INTO ANY CONTRACTS, LEASE AGREEMENTS, ANYTHING MONTH TO MONTH THAT THEY MAKE HIM AWARE OF THOSE. IN DOING THIS THEY CAN SEE IF SOME MAY NEED TO BE RENEGOTIATED.

COMMISSIONER GOTHARD ADDRESSED THE BOARD THAT IN THE PAST SHE HAS ASKED TO LOOK AT AN AGREEMENT FOR A SERVICE THAT WAS BEING PAID FOR MONTH TO MONTH AND NOBODY COULD PRODUCE IT. THERE SHOULD BE A POINT OF CONTACT AT THE COUNTY MANAGERS OFFICE WHERE THERE IS A BOOK THAT HAS CONTRACTS IN IT.

ATTORNEY GOODMAN ADVISED THE BOARD THAT A BETTER PROCESS MAY BE TO REVIEW THE PROCUREMENT PROCESS.

COMMISSIONER GOTHARD MADE THE FOLLOWING STATEMENT:

AT THE FEBRUARY BOARD OF COUNTY COMMISSIONER MEETING, THIS COMMISSION VOTED ON THE PURCHASE OF AN ONAN GENERATOR UPON THE RECOMMENDATION AT THE PRIOR WORKSHOP AND AT THE MEETING FROM THE COUNTY MANAGER. AS A NEW COMMISSIONER, I DEPENDED UPON MR. JOYNER TO ENSURE THAT THE PURCHASING POLICIES OF THIS COUNTY AS

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WELL AS ANY FLORIDA STATUTES THAT RELATE TO THE PURCHASE WERE FOLLOWED. AFTER THE MEETING, I RECEIVED INFORMATION THAT THIS PURCHASE HAD POSSIBLY VIOLATED BOTH FLORIDA STATUTES AND COUNTY PURCHASING REQUIREMENTS. I IMMEDIATELY BEGAN TO RESEARCH THE INFORMATION, TO OBTAIN COPIES OF THE COUNTY HANDBOOK AND OPERATIONAL POLICIES AND THE FLORIDA STATUTES. I AGREED THAT POSSIBLY WE HAD VIOLATED THOSE POLICIES. ON TUESDAY, MARCH 4, THREE DAYS AFTER THE COUNTY COMMISSION MEETING, I VERBALLY AND THROUGH E-MAIL ASKED MR. JOYNER THAT THE GENERATOR NOT BE PURCHASED AND THE ITEM BE PUT ON THE MARCH AGENDA FOR ADDITIONAL DISCUSSION. TO MY KNOWLEDGE, HE HAD GRANTED THE REQUEST. ON THURSDAY, MARCH 14, I RECEIVED INFORMATION THAT AN INVOICE HAD BEEN RECEIVED IN THE FINANCE OFFICE FOR THAT GENERATOR AND INSTRUCTIONS WERE TO PURCHASE IT. THIS WAS THREE BUSINESS DAYS BEFORE THE MARCH WORKSHOP WHERE SHE HAD ASKED FOR IT TO BE PUT BACK ON THE AGENDA. I LATER CONTACTED MR. JOYNER AND ASKED HIM THE REASON THE ITEM WAS NOT ON THE AGENDA AND HE INFORMED ME THAT A COUPLE OF COMMISSIONERS HAD TOLD HIM TO GO AHEAD AND PURCHASE THE GENERATOR DESPITE MY SUGGESTION THAT I WANTED MORE

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INFORMATION. I WAS DISAPPOINTED IN THE LACK OF REGARD FOR TRUTHFUL DISCLOSURE AND INFORMATION.

SO BECAUSE OF THE ABOVE EVENTS, I WANT TO PUBLICLY MAKE A STATEMENT THAT I RECOGNIZE THAT THIS BOARD IN PURCHASING THAT GENERATOR VIOLATED THE PURCHASING POLICIES AND THE FLORIDA STATUTES REGARDING PURCHASING IN THE COUNTY. CURRENT WASHINGTON COUNTY POLICY INDICATES THAT PURCHASES OVER \$10,000.00 MUST RECEIVE A MINIMUM OF 3 QUOTES OR BID PROPOSALS OR WE CAN PIGGY BACK ON EXISTING CONTRACTS. BOTH WASHINGTON COUNTY POLICY AND FLORIDA STATUTE INDICATE FULL DISCLOSURE MUST OCCUR FOR ANY CONFLICT OR POTENTIAL CONFLICT OF INTEREST IN BUSINESS RELATIONSHIPS AND I BELIEVE THE COUNTY MANAGER WAS OBLIGATED TO TELL THIS BOARD OF HIS BUSINESS AND PERSONAL RELATIONSHIP WITH THE OWNER OF HOLDFAST CONSTRUCTION WHO WE BOUGHT THE GENERATOR FROM AND THAT THE GENERATOR WAS PURCHASED BY THE BOARD OF COUNTY COMMISSIONER VOTE WHICH WAS ACTUALLY LOCATED AT MR. JOYNER'S HOME. MR. JOYNER FAILED TO FOLLOW STATUTE 112.313 WHICH INDICATES THAT NO PUBLIC OFFICER OR EMPLOYEE, ACTING IN A PRIVATE CAPACITY CAN RENT, LEASE OR SELL ANY REALTY GOODS OR SERVICES TO THE OFFICER, EMPLOYEE'S OWN AGENCY BY FAILING TO DISCLOSE TO THIS BOARD THAT THE OWNER OF THAT COMPANY WAS A

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WASHINGTON COUNTY EMPLOYEE. HAD MY ITEM ONLY BEEN ADDED TO THE MARCH WORKSHOP AGENDA, ANY QUESTIONS IN MY MIND AND THE PUBLIC'S MIND ABOUT THE LEGITIMACY OF THAT PURCHASE COULD HAVE BEEN RESOLVED. LET ME SAY THAT I FOUND NO WHERE IN THE EMPLOYEE POLICY OR THE STATUTE ANY AUTHORITY THAT EMPOWERED THE COUNTY COMMISSIONER TO DIRECT THE COUNTY MANAGER TO DISREGARD THE DIRECTIVE OF FELLOW COMMISSIONERS. IN ADDITION, ASKING COMMISSIONERS ABOUT AN ISSUE WHICH IS OR WAS TO BE ADDED TO THE AGENDA AND COULD HAVE RESULTED IN A VOTE IN MY MIND IS CONSIDERED POLLING OF THE BOARD WHICH VIOLATES THE FLORIDA SUNSHINE LAW.

IN ADDITION AT THREE PREVIOUS COMMITTEE MEETINGS AND AT PERSONAL MEETINGS I HAVE ASKED MR. JOYNER TO MAINTAIN CLOSE CONTACT WITH ME REGARDING THE COUNTY BUSINESS AND HE HAS FAILED TO DO SO OR TO INSTRUCT EMPLOYEES TO GIVE ME INFORMATION THAT I HAVE ASKED FOR. THE FLORIDA STATUTE 125 AS WELL AS WASHINGTON COUNTY POLICIES GRANTS A COMMISSIONER EVERY RIGHT TO EXPECT THAT CONTACT ON A PERSONAL BASIS. UNDER FLORIDA STATUTE OF THE ROLES OF THE COUNTY ADMINISTRATOR IT INDICATES THAT THE COUNTY MANAGER WILL PROVIDE THE BOARD OR INDIVIDUAL MEMBERS THERE OF, UPON REQUEST WITH DATA OR INFORMATION CONCERNING

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COUNTY GOVERNMENT. THOSE SAME POLICIES I BELIEVE WILL ALLOW MR. JOYNER THE AUTHORITY TO COME BEFORE THIS BOARD IF HE FEELS THE REQUEST OF ANY COMMISSIONER IS OUTSIDE HIS REALM OF AUTHORITY THERE IS A DIFFERENCE OF DIRECTIVE BY ONE COMMISSIONER. I WOULD IMPLORE YOU MR. JOYNER TO UTILIZE THE BOARD FROM NOW ON FOR THAT. WASHINGTON COUNTY DISCIPLINE POLICY ALLOWS FOR ACTION REGARDING INSUBORDINATION WHICH IS DEFINED IN OUR POLICY AS THE UNWILLINGNESS BY EMPLOYEES TO SUBMIT TO AUTHORITY INVESTED IN SUPERVISORS, DEPARTMENT HEADS AND THE BOARD OF COUNTY COMMISSIONERS AS OUTLINED IN THE EMPLOYEE HANDBOOK. I BELIEVE THE CITIZENS OF THE COUNTY HAVE THE RIGHT TO EXPECT THAT THE BUSINESS OF OUR COUNTY WILL BE COMPLETED IN AN OPEN AND ETHICAL MANNER ALONG WITH HONESTY. IF THIS BOARD EXPECTS OUR EMPLOYEES TO BE MORALLY AND ETHICALLY SOUND IN THEIR JUDGMENT ON A DAILY BASIS IN CARRYING OUT THE BUSINESS OF THE COUNTY WE SHOULD EXPECT THE COUNTY MANAGER AS WELL AS THIS BOARD TO EXEMPLIFY THOSE STANDARDS AS WELL. SO TODAY I WANT TO MAKE A PUBLIC NOTICE THAT FAILURE TO FOLLOW THE POLICIES AS STATED IN THE WASHINGTON COUNTY HANDBOOK AND OPERATIONAL MANUAL AS WELL AS THE FLORIDA STATUTES IN THE FUTURE WILL RESULT IN MY REQUEST TO THIS BOARD FOR DISCIPLINARY ACTION

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FOR ANY EMPLOYEE, COUNTY MANAGER OR ANYONE ELSE THAT REFUSES TO ACCEPT MY REQUEST FOR INFORMATION OR DATA.

COMMISSIONER PATE ADDRESSED THE BOARD THAT HE IS GLAD THAT SHE BROUGHT IT UP. SHE IS THE MOST MEDDLESOME COUNTY COMMISSIONER HE HAS SEEN IN SEVEN YEARS. GOING AROUND IN DIFFERENT DEPARTMENTS AND TALKING TO THEM. COMMISSIONER PATE ADVISED COMMISSIONER GOTHARD THAT SHE VOTED FOR THE GENERATOR SO SHE VIOLATED THE SAME THINGS THAT SHE ACCUSED THEM OF.

COMMISSIONER GOTHARD ADDRESSED COMMISSIONER PATE THAT SHE KNOWS SHE DID AND SHE HAD NO CLUE. WHEN SHE FOUND OUT THAT THEY HAD POSSIBLY VIOLATED IMMEDIATELY SHE ASKED FOR IT TO BE PUT BACK ON THE AGENDA.

CHAIRMAN BUSH ADDRESSED THE BOARD THAT HE DOESN'T THINK THAT THEY ACTUALLY VIOLATED AND ISN'T THERE SOME OTHER PHRASE THAT IF IT IS DONE BY THE BOARD.

COUNTY MANAGER JOYNER ADDRESSED THE BOARD THAT THERE WAS ACTUALLY 2 QUOTES ON IT. HE REFERENCED THE BOARD VIOLATED OR VOTED ON SOMETHING THAT ACTUALLY VIOLATED PREVIOUS POLICY SUCH AS THE SET BACK RULE. THE BOARD CAN PRETTY MUCH DO WHAT THEY WANT TO DO. HE JUST BRINGS THE INFORMATION TO THE BOARD.

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COMMISSIONER ABBOTT ADDRESSED THAT HE WANTED TO STATE ONE MORE THING THAT THE ONAN GENERATOR WAS PICKED OUT SPECIFICALLY.

THE BOARD WASN'T IN THE MARKET OF HUNTING A GENERATOR BUT CAME ACROSS A GENERATOR THAT WAS WAY BELOW MARKET VALUE AND THERE WAS A GREAT NEED FOR THAT GENERATOR.

COMMISSIONER PATE REFERENCED EVERYTHING SHUTTING DOWN ABOUT A WEEK BEFORE AT PUBLIC WORKS.

COMMISSIONER GOTHARD ADDRESSED COMMISSIONER PATE SAYING THAT SHE DIDN'T FEEL ASKING FOR ADDITIONAL INFORMATION IS BEING MEDDLESOME. THAT THE ROLE OF THE BOARD OF COUNTY COMMISSIONERS IS TO ENSURE ALL PURCHASES ARE OPEN, COMPETITIVE, BEST PRICE AND THERE IS FULL DISCLOSURE.

COMMISSIONER ABBOTT ADDRESSED COMMISSIONER GOTHARD THAT HE DOESN'T THINK ANYBODY QUESTIONS FULL DISCLOSURE. THERE HAVE BEEN DIFFERENT COUNTY EMPLOYEES COME TO HIM SAYING THAT SHE IS GOING DIRECTLY TO THEM WITHOUT GOING THROUGH THE COUNTY MANAGER.

COMMISSIONER GOTHARD ADDRESSED COMMISSIONER ABBOTT THAT SHE HAS NEVER BEEN TO A COUNTY EMPLOYEE UNLESS MR. JOYNER TOLD HER TO DO IT.

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CHAIRMAN BUSH ADDRESSED COMMISSIONER GOTHARD THAT HE HAS HAD EMPLOYEES GO FURTHER THAN THAT AND SAY THEY FELT THREATENED BY HER. ONE OF THEM IS AN EMPLOYEE THAT HE HAS NEVER HEARD SAY ANYTHING NEGATIVE ABOUT ANYBODY SINCE HE HAS BEEN ON BOARD. SOME OF THE OTHER COMMISSIONERS HAVE HAD THAT AS WELL.

COMMISSIONER PATE AND ABBOTT AGREED.

COMMISSIONER GOTHARD ASKED WHO AND RESPONDED THAT SHE HAS NEVER THREATENED ANYBODY.

COMMISSIONER BROCK ADDRESSED CHAIRMAN BUSH THAT ON THAT ISSUE HE CAME TO THE BOARD MEETING WITH REALLY NO KNOWLEDGE OF IT. MAYBE IT WAS HANDLED WRONG BUT IN THE PAST YEARS HE KNEW THAT ROAD AND BRIDGE NEEDED A GENERATOR BADLY. HE ASKED THE ADMINISTRATOR FOR HIS RECOMMENDATION AND HE GAVE IT AND HE SUPPORTED HIM WITH THE KNOWLEDGE OF WHAT HE HAD TO GO WITH.

COMMISSIONER PATE ADDRESSED THE BOARD THAT THE ONLY THING THEY DIDN'T DO WAS DECLARE IT AN EMERGENCY.

THERE WOULDN'T HAVE BEEN ANY COMMENTS ABOUT IT.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT HE WAS EMBARRASSED TO FIND OUT THAT THEY COULDN'T OPERATE ROAD AND BRIDGE AND THE FUEL IF POWER WAS LOST. HE WAS WILLING TO MOVE FORWARD AND GET THAT TAKEN CARE OF WHEN IT WAS BROUGHT TO HIS ATTENTION.

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COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE FEELS LIKE BASICALLY IT COULD HAVE BEEN HANDLED DIFFERENTLY IN THE BEGINNING AND THEN WE WOULDN'T BE HERE WITH IT.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT THEY HAD TALKED AT THE WORKSHOP ABOUT SPACE AT THE AG CENTER BEING VACANT AND LEASING IT. ALSO THERE ARE SOME LOTS LOCATED IN SUNNY HILLS THAT MAY BE MORE ATTRACTIVE AND GETTING SOME OF THAT BACK THERE IN THE MARKET AND TO GET OUT OF THE REAL ESTATE BUSINESS. HE ASKED ATTORNEY GOODMAN IF HE HAD ANY IDEAS ON THAT.

FOR THE PUBLIC'S KNOWLEDGE THE BOARD OF COUNTY COMMISSION WHICH IS THE CITIZENS, OWNS A LOT OF LOTS IN SUNNY HILLS AND THEY ARE LOOKING AT PERHAPS DOING SOMETHING WITH THEM WHERE THE BOARD OF COUNTY COMMISSIONERS DOESN'T OWN THEM. THERE IS ALSO AN AG CENTER IN WASHINGTON COUNTY THAT HAS HAD A LEASE BY AN AGENCY WHO LEFT THE LEASE AND THAT BUILDING IS VACANT LEAVING THE POSSIBILITY OF RE-LEASING IT OR RE-ADVERTISING IT.

ATTORNEY GOODMAN ADDRESSED THE BOARD IN REFERENCE TO A MEMORANDUM WITH RESPECT TO DISPOSITION OF REAL PROPERTY PURSUANT TO FLORIDA STATUTE 125.35. SECTION 125.35 FLORIDA STATUTES AUTHORIZES THE BOARD OF COUNTY

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COMMISSIONERS TO SELL AND CONVEY ANY REAL OR PERSONAL PROPERTY BELONGING TO THE COUNTY WHENEVER THE BOARD DETERMINES THAT IT IS IN THE BEST INTEREST OF THE COUNTY. GENERALLY SAID TRANSACTIONS SHOULD BE AT THE HIGHEST AND BEST BIDDER FOR THE PARTICULAR USE THE BOARD DETERMINES TO BE THE HIGHEST AND BEST.

PURSUANT TO SECTION 125.359 C, NO SELL OF ANY REAL PROPERTY SHALL BE MADE UNLESS NOTICE THERE OF IS PUBLISHED ONCE A WEEK FOR AT LEAST 2 WEEKS IN SOME NEWS PAPER OF GENERAL CIRCULATION PUBLISHED IN THE COUNTY CALLING FOR BIDS FOR THE PURCHASE OF THE REAL ESTATE SO ADVERTISED TO BE SOLD. IF THE BOARD ISN'T SATISFIED WITH THE HIGHEST AND BEST BIDDER THE COMMISSIONERS MAY REJECT ALL BIDS BECAUSE THEY ARE TOO LOW. FINALLY THE BOARD MAY REQUIRE A DEPOSIT OR SURETY BOND TO BE GIVEN IN SUCH FORM OR IN SUCH AMOUNT AS THE BOARD DETERMINES WITH EACH BID SUBMITTED.

IF THE PROPERTY IS VALUED AT LESS THAN \$15,000.00 AND DUE TO ITS UNIQUENESS IN SHAPE IT'S ONLY USED TO ONE OR MORE ADJACENT PROPERTY OWNERS THE BOARD OF COUNTY COMMISSIONERS MAY AFFECT THE PRIVATE SELL AFTER SETTING NOTICE OF ITS INTENTION TO ADJACENT PROPERTY OWNERS.

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AS AN ALTERNATIVE TO THE PROCEDURE SET FORTH ABOVE THE COUNTY COMMISSIONERS MAY BY ORDINANCE DESCRIBE DISPOSITION, STANDARDS AND PROCEDURES TO BE USED BY THE COUNTY IN SELLING REAL PROPERTY PROVIDED THAT THE COUNTY ADOPT CERTAIN MINIMUM PROCEDURES. THIS IS SAYING THAT THERE STILL HAS TO BE SOME CERTAIN HIGHEST BID PROCESS GONE THROUGH.

WITH RESPECT TO LEASING PROPERTY, A BOARD OF COUNTY COMMISSIONERS MAY LEASE REAL PROPERTY OWNED BY THE COUNTY UPON THE DETERMINATION THAT IT IS IN THE BEST INTEREST OF THE COUNTY. THE SAME COMPETITIVE BIDDING PROCEDURE APPLICABLE TO SALE OF REAL PROPERTY ALSO APPLIES TO LEASES OF PROPERTY. THIS IS STILL UNDER THE SCOPE OF 125.35. HOWEVER A BOARD MAY ENTER INTO ANY OF THE FOLLOWING ON SUCH TERMS AND CONDITIONS NEGOTIATED BY THE BOARD. THESE ARE SPECIFIC STATUTORY EXEMPTIONS NEGOTIATING IN AIRPORT FACILITY OR A SEAPORT FACILITY AN ADDITIONAL LEASE OF 25 YEARS WHERE THERE IS AN APPRAISED VALUE OF EXCESS OF 20 MILLION DOLLARS AND LEASE OF PROFESSIONAL SPORTS FRANCHISE, WHICH HE DOESN'T SEE WHERE THAT IS THE BOARD'S ISSUE. THE BOARD OF COUNTY COMMISSIONERS IS AUTHORIZED IN POWER TO EXCHANGE REAL PROPERTY.

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IF ANOTHER GOVERNMENTAL ENTITY WANTED TO USE THE SPACE AT THE AG CENTER THAT IS UNDER A DIFFERENT SCOPE.

ATTORNEY GOODMAN ADVISED THE BOARD THAT THEY CAN INSTRUCT HIM AND COUNTY MANAGER JOYNER TO COME BACK TO THE BOARD IN APRIL WITH A BID PLAN AND A BID STRUCTURE IN RESPECT TO DATES WHEN IT WILL BE OUT, THE NEWSPAPER IT IS GOING TO CIRCULATE IN, PUT IT ON THE WEBSITE AND WHEN A BID OPENING WILL BE DONE IF THE BOARD WOULD LIKE.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT HE WOULD LIKE TO ADVERTISE THAT A PORTION OF THE AG CENTER IS UP FOR LEASE. HE JUST WANTS TO ENSURE IT'S DONE LEGALLY.

THERE IS A LOT OF LOTS IN SUNNY HILLS, WITH SOME BEING MORE DESIRABLE THAN OTHERS AND HE WOULD LIKE TO PUT THEM WITH MULTIPLE REAL ESTATE AGENCIES. HE DOESN'T KNOW THAT HE WANTS TO BID THE PROPERTY OUT AT THIS TIME BUT WANTS EVERYONE TO KNOW THAT IT IS FOR SALE.

ATTORNEY GOODMAN ADVISED COMMISSIONER ABBOTT THAT WOULD STRETCH THE BOUNDS OF 125.35.

AN OPTION IS TO HIRE A THIRD PARTY REALTOR VIA AN RFP OR RFQ, NEGOTIATE THEIR FEES AND INSTRUCT THEM TO GET THE PROPERTY SOLD UNDER THE BOUNDS OF 125.35 BUT USE

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THE RESOURCES THAT THEY HAVE WITH RESPECT TO MARKETING THAT PROPERTY.

COMMISSIONER ABBOTT ADVISED ATTORNEY GOODMAN THAT IS WHAT HE WANTS TO DO.

ATTORNEY GOODMAN ADDRESSED THE BOARD GOING OVER WHAT HE UNDERSTOOD AS THE BOARD'S DESIRES. THE BOARD WANTS TO GO WITH IS TO ALLOW THE COUNTY MANAGER TO BRING A REQUEST FOR PROPOSALS WITH RESPECT TO THE AG CENTER AND A REQUEST FOR PROPOSALS WITH RESPECT TO SELLING OF THAT PROPERTY WITH A THIRD PARTY HANDLING THE SALE UNDER THE BALANCE OF 125.35 AND APPROVE THOSE SPECIFIC BIDS AT THE NEXT BOARD MEETING.

COMMISSIONER BROCK ASKED ATTORNEY GOODMAN WHAT IS THE MINIMUM PRICE FOR THOSE LOTS.

ATTORNEY GOODMAN ADVISED HIM TO LET HIM CHECK ON THAT. THE BOARD MIGHT BE ABLE TO SET A BASE PRICE IF THEY ARE GOING THROUGH A BID PROCESS AND LET THE PUBLIC KNOW THERE IS A BASE BID.

CHAIRMAN BUSH BROUGHT TO THE BOARD'S ATTENTION IN SOME REPAIRS AT THE VERNON SCHOOL ON THE BALL FIELDS THEY HAVE GOTTEN SOME DIRT DONATED. WASHINGTON-HOLMES VOCATIONAL SCHOOL IS PROVIDING THE EQUIPMENT TO MAKE THE REPAIRS. THE ONE THING THAT THEY DON'T HAVE IS A VIBRATORY COMPACTOR WHICH THE COUNTY DOES AND THEY

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ASKED IF THE BOARD COULD PROVIDE ASSISTANCE HE DOESN'T SEE A PROBLEM WITH IT BUT DIDN'T WANT THE BOARD MEMBERS TO BE UNAWARE OF IT.

CHAIRMAN BUSH ADVISED COUNTY MANAGER JOYNER TO BE VERY FRUGAL IN SPENDING. AT THIS POINT BASED ON SOME OF THE PROJECTIONS THAT MR. GIL CARTER HAS PROVIDED THERE WILL BE ANOTHER AD VALOREM CUT.

COUNTY MANAGER JOYNER ADVISED THE BOARD THAT HE IS CONCERNED ABOUT THE HEALTH CARE ISSUE. IT COULD POSSIBLY INCREASE AS MUCH AS 100% BASED ON WHAT HE HAS HEARD.

COMMISSIONER ABBOTT REFERENCED THAT COUNTY MANAGER JOYNER HAS BEEN THROUGH TWO BUDGETS SINCE HE HAS BEEN HERE AND BOTH OF THEM COMBINED IS \$1.7 MILLION DOLLARS THAT HE HAS HAD TO CUT FROM THE BUDGET.

CHAIRMAN BUSH ADDRESSED COMMISSIONER ABBOTT SAYING WHICH IS 15% - 20% CUT.

COMMISSIONER PATE ADVISED THE BOARD OF THE LEGISLATIVE MEETING WEDNESDAY AND THURSDAY. HE ASKED THAT THE OTHER TWO ATTENDING LOOK OVER WHAT HE PASSED OUT TO SEE IF THERE IS ANYTHING THEY WANT TO COVER SO THEY WILL HAVE A PLAN WHEN THEY GET THERE.

COMMISSIONER BROCK ADDRESSED THE BOARD IN REFERENCE TO THE DIRT POLICY. IF YOU LOOK AT THE SPOIL DIRT

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HAULING YOU WILL SEE SUBSTANTIAL LOADS OF DIRT BEING
HAULED BACK TO THE PIT AND IT WILL BE A COST SAVING IF
SOME OF THAT CAN BE GIVEN AWAY IN THE AREA WHERE THE
SPOIL DIRT IS LOCATED TO SOMEBODY THAT NEEDS IT. HE
WOULD LIKE TO SEE THE DIRT POLICY REVISED.

COMMISSIONER PATE ADDRESSED CHAIRMAN BUSH THAT THIS
ISSUE HAS BEEN BROUGHT UP AND IF YOU DIG IT OUT IT
MUST GO; YOU CAN'T HAUL IT OFF TO OTHER PEOPLES
PRIVATE PROPERTY AND DUMP IT. HE DISAGREED WITH
COMMISSIONER BROCK.

IN RESEARCH HE DONE IN 2009 IT TOLD EXACTLY WHERE
THOSE LOADS OF DIRT WAS AT AND THE GAS SAVINGS THERE
WAS NOT WHAT COMMISSIONER BROCK SAYS THAT IT IS.

COMMISSIONER ABBOTT ADDRESSED COMMISSIONER BROCK THAT
THEY NEED DIRT TO RECLAIM SO OF THE DIRT PITS AND THEY
ARE GOING TO BE IN THE POSITION WHERE THEY HAVE TO BUY
DIRT. THAT DIRT IS USABLE.

**COMMISSIONER BROCK OFFERED A MOTION TO PUT THE DIRT
POLICY BACK IN EFFECT FOR 2 LOADS SPOIL DIRT PER YEAR,
PER PROPERTY OWNER, SECONDED FOR DISCUSSION BY
COMMISSIONER GOTHARD.**

COMMISSIONER GOTHARD ASKED TO HEAR FROM ATTORNEY
GOODMAN.

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ATTORNEY GOODMAN ADDRESSED THE BOARD IN REFERENCE TO A MEMO HE DRAFTED WHICH WAS GIVEN TO THEM DECEMBER 7, 2012 AND ALSO GIVEN AT THE LAST WORKSHOP.

CHAPTER 274 FLORIDA'S STATUTE GOVERNS THE DISPOSAL OF TANGIBLE PERSONAL PROPERTY OWNED BY WASHINGTON COUNTY. THE ULTIMATE QUESTION OF THE ABILITY OF WASHINGTON COUNTY TO DISPOSE OF DIRT WHICH HAS BEEN ACQUIRED BY THE COUNTY VIA ROAD WORK, MAINTENANCE OR OTHERWISE BY DONATING IT TO THE GENERAL PUBLIC DEPENDS LARGELY ON WHETHER THIS BOARD DETERMINES THE DIRT HAS COMMERCIAL VALUE.

ATTORNEY GENERAL OPINION - IF THE DIRT HAS COMMERCIAL VALUE IT SHOULD BE SOLD TO THE HIGHEST AND BEST BIDDER.

ALTERNATIVELY THE COUNTY HAS THE OPTION, PURSUANT TO 274.05 CLASSIFY THE DIRT AS SURPLUS AND OFFER IT TO OTHER GOVERNMENT UNITS. IF THE DIRT HAS NO COMMERCIAL VALUE AND ISN'T WANTED BY OTHER GOVERNMENTAL UNITS IT COULD BE OFFERED TO THE PUBLIC FOR FREE, HOWEVER IN THE EVENT THE DIRT HAS NO COMMERCIAL VALUE AND IS OFFERED TO THE PUBLIC, NO ADDITIONAL COST BE INCURRED IN DELIVERING OR TRANSFERRING TO PRIVATE PERSONS OR CORPORATIONS SINCE TO DO SO COULD BE A VIOLATION OF

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ARTICLE 7, SECTION 10 OF THE FLORIDA STATUTE'S FLORIDA
CONSTITUTION.

IT WAS NOTED THAT THE FLORIDA CONSTITUTION PROHIBITS
COUNTY'S FROM USING THEIR TAXING POWER OR CREDIT TO
AID PRIVATE PERSONS OR CORPORATIONS.

- COMMERCIAL VALUE - THE BOARD CAN'T DO IT.
- NO COMMERCIAL VALUE - IT CAN BE DONE ONLY IF YOU PUT
SAFE GUARDS IN PLACE TO MAKE SURE THERE IS NOT THE
EXPENDITURE OF PUBLIC FUNDS IN DELIVERING AND
TRANSPORTING THAT DIRT.

COMMISSIONER GOTHARD ASKED MR. DALLAS CARTER WHAT IS
CURRENTLY DONE WITH THE DIRT THAT IS TAKEN OUT OF
DITCHES.

MR. DALLAS CARTER ADVISED HER THAT IF IT IS SAND IT'S
MIXED WITH THE CLAY AND PUT BACK ON THE ROAD. IF IT
HAS DEBRIS IN IT ITS PILED UP AND USED ON THE
SHOULDERS WHEN THAT WORK IS DONE.

CHAIRMAN BUSH ASKED WHO ON STAFF CAN DETERMINE IF THE
DIRT HAS COMMERCIAL VALUE.

MR. DALLAS CARTER ADVISED THAT WOULD BE HIMSELF.

CHAIRMAN BUSH ASKED COUNTY MANAGER JOYNER WHAT IS HIS
AND DALLAS' RECOMMENDATION.

COUNTY MANAGER JOYNER ADVISED HIM THAT HE HAS TALKED
WITH MR. DALLAS CARTER AND HE LIKES IT AS IT IS AS FAR

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AS STALK PILING DIRT AND HE GOES WITH HIS
RECOMMENDATION ON THAT.

COMMISSIONER GOTHARD ASKED IF THERE IS A LOT OF PEOPLE
THAT WANT DIRT.

MR. DALLAS CARTER ADVISED HER THAT WHEN THEY GET IT
STARTED YES THERE IS. THERE WILL BE ONE OR TWO TRUCKS
KEPT BUSY ON A REGULAR BASIS.

CHAIRMAN BUSH CALLED THE DISCUSSION.

ROLL CALL VOTE

COMMISSIONER BROCK - YES

COMMISSIONER PATE - NO

CHAIRMAN BUSH - NO

COMMISSIONER ABBOTT- NO

COMMISSIONER GOTHARD - YES

3-2 VOTE

MOTION FAILED

COUNTY ATTORNEY GOODMAN ADDRESSED THE BOARD IN
REFERENCE TO THE RESOLUTION TO APPLY FOR THE FLORIDA
BOATING IMPROVEMENT PROGRAM. THIS ALLOWS COUNTY
ENGINEER KNAUER TO GO FORWARD AND APPLY FOR THE GRANT.

COMMISSIONER GOTHARD OFFERED A MOTION, SECONDED BY
COMMISSIONER PATE AND CARRIED TO APPROVE THE
RESOLUTION TO APPLY FOR THE FLORIDA BOATING
IMPROVEMENT PROGRAM.

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COUNTY ATTORNEY ADDRESSED THE BOARD ABOUT SEVERAL QUESTIONS THAT HAVE BEEN ASKED BY DIFFERENT BOARD MEMBERS IN REFERENCE TO MEETINGS, WHEN TO VOTE, PUBLIC HEARINGS, ROLES, AGENDA SETTING, ETC. HE PREPARED A MEMORANDUM FOR THE BOARD AS WELL AS A PARLIAMENTARY PROCEDURE HANDBOOK FOR THE BOARD MEMBERS.

COMMISSIONER ABBOTT ASKED IF THE COUNTY HAS PREVIOUSLY APPROVED AN MSTU FOR FIRE DEPARTMENTS TO FUND THE FIRE DEPARTMENTS.

COUNTY MANAGER JOYNER ADVISED HIM THAT HE BELIEVES THAT IT HAS BUT IT ISN'T ACTIVE.

COMMISSIONER ABBOTT ASKED TO HAVE THE INFORMATION BY THE NEXT WORKSHOP.

DEPUTY CLERK BRANTLEY AGREED TO GET THE INFORMATION FOR COUNTY MANAGER JOYNER.

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

ATTEST: _____

DEPUTY CLERK BRANTLEY

CHAIRMAN BUSH