

OCTOBER 10, 2013
BCC - SPECIAL MEETING

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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 CHAIRMAN BUSH, VICE-CHAIRMAN ABBOTT, COMMISSIONERS, ABBOTT, BROCK, AND GOTHARD PRESENT. CLERK COOK AND COMMISSIONER PATE WERE NOT IN ATTENDANCE. DEPUTY CLERK BRANTLEY AND COUNTY COORDINATOR DAVID CORBIN.

I. PROCLAMATION - DEPUTY TRENT HATCHER

A. CALL TO ORDER - CHAIRMAN BUSH

B. INVOCATION/PLEDGE - MR. DAVID CORBIN/CHAIRMAN BUSH

II. PUBLIC HEARING

LAND DEVELOPMENT CODE AMENDMENT - SECTION 9.02.04 MEMBERSHIP AND SECTION 9.02.05 TERMS MEMBERS

MR. DERUNTZ BRIEFED THE BOARD THAT MR. MILES ANDERSON HAS PROPOSED AN AMENDMENT TO THE LAND DEVELOPMENT CODE. SECTION 9.02.04 MEMBERSHIP AND 9.02.05 TERMS OF MEMBERS.

MR. ANDERSON COLLABORATED WITH CHAIRMAN BUSH, COUNTY COORDINATOR CORBIN, AND SENIOR PLANNER DERUNTZ FOR THE CURRENT FORM OF THE AMENDMENT. ANY AMENDMENT OF THE LAND DEVELOPMENT CODE REQUIRES HEARINGS BEFORE THE PLANNING COMMISSION AND THE BOARD OF COUNTY COMMISSIONERS. THERE ARE TWO PUBLIC HEARINGS SCHEDULED AS FOLLOWS: OCTOBER 10 AND OCTOBER 24, 2013.

THE FOLLOWING IS A SUMMARY OF THE PROPOSED AMENDMENT CHANGES:

- LIMIT ANY PLANNING COMMISSION TO A TOTAL OF AN EIGHT (8) YEAR TERM, AND WOULD INCLUDE NON-CONSECUTIVE YEARS OF SERVICE.
- THE EIGHT (8) YEAR TERM LIMITATION WOULD BE RETROACTIVE.

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- A TEN (10) CONSECUTIVE YEAR SPAN MUST LAPSE BETWEEN EIGHT (8) YEAR TERMS OF SERVICE.
- VACANCIES MUST BE ANNOUNCED IN A BOARD OF COUNTY COMMISSIONERS MEETING, THEN ADVERTISED, AND POSTED AT LEAST 30 DAYS PRIOR TO A VOTE ON A NEW PLANNING COMMISSIONER APPOINTMENT.
- IF A TERM IS EXPIRING, THAT SHALL BE INCLUDED IN THE ADVERTISEMENT, AND PRESENTED WITH ALL OTHER QUALIFIED APPLICANTS TO THE BOCC.
- ALL PLANNING COMMISSIONER APPLICANTS SHALL FILL OUT AN APPLICATION AND PROVIDE SUPPORTING QUALIFICATIONS. NO OTHER FORM OF COMMUNICATION WILL BE ACCEPTED.
- PLANNING COMMISSIONERS ARE CONSIDERED COUNTY EMPLOYEES AND ARE SUBJECT TO THE SAME RULES AND REGULATIONS OUTLINED IN THE EMPLOYEE HANDBOOK.
- PLANNING DIRECTOR SHALL KEEP ON RECORD ALL APPLICATIONS AS TO SUCH TIME A VACANCY.
- THE DISTRICT COUNTY COMMISSIONER SHALL NOMINATE A REPRESENTATIVE FROM HIS DISTRICT. AN OPEN DISCUSSION SHALL BE ALLOWED AT THE BOCC MEETING.
- IF A NOMINEE IS NOT APPROVED THE NOMINATING COMMISSIONER WILL OFFER ANOTHER NOMINEE.
- IF AN UNEXPECTED VACANCY OCCURS, THE DISTRICT COMMISSIONER WILL TEMPORARILY APPOINT A PLANNING COMMISSIONER TO FILL THAT SEAT UNTIL A PERMANENT NOMINATION IS APPROVED.
- AMENDMENT TO THESE SECTIONS CAN ONLY BE APPROVED BY A SUPERMAJORITY VOTE OF THE BOCC, ALONG WITH THE WRITTEN APPROVAL OF THE PLANNING DIRECTOR AND THE COUNTY MANAGER/COORDINATOR.

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COMMISSIONER ABBOTT ASKED MR. DERUNTZ WHAT CONCERNS HE HAD WITH THE PROPOSED CHANGES.

MR. DERUNTZ ADDRESSED COMMISSIONER ABBOTT THAT HE BELIEVES THAT THE TIME FOR GETTING A PERSON UP TO SPEED AND LEARNING THE LAND DEVELOPMENT CODES AND COMPREHENSIVE PLAN TAKES TIME.

LIMITING TO EIGHT (8) YEARS IS DEVELOPING INSTITUTIONAL KNOWLEDGE OF THE ORDINANCES AND THAT WOULD HAVE TO START OVER WITH NEW PLANNING COMMISSIONERS.

A TEN (10) YEAR PERIOD BETWEEN TERMS IS EXCESSIVE.

CURRENT CRITERIA STATES IF THERE IS ISSUES WITH A PARTICULAR PLANNING COMMISSIONER AND THE BOARD DOES NOT FEEL THE MEMBER REPRESENTS WHAT THE COUNTY STANDS FOR THE BOARD HAS THE POWER TO REMOVE THAT INDIVIDUAL.

MR. MILES ANDERSON, MR. JIM ACKERMAN, AND MR. JIM TOWN ADDRESSED THE BOARD ON THE PROPOSED CHANGES.

MR. RANDALL TRUETTE ASKED THE BOARD TO GIVE MR. ANDERSON ADDITIONAL TIME IF NEEDED.

MR. MILES ANDERSON ADDRESSED THE BOARD THAT HE CAME BEFORE THE COMMISSION MONTHS AGO TO ADDRESS A PROBLEM THAT HE HAD WHICH IS A REASON WHY HE THINKS IT IS IMPORTANT TO PASS THIS CHANGE TO THE ZONING AND PLANNING CODE.

MR. ANDERSON ADDRESSED THE BOARD THAT HE WORKED WITH COUNTY COORDINATOR CORBIN, CHAIRMAN BUSH, AND SENIOR PLANNER MR. DERUNTZ ON THE PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE.

MR. ANDERSON ADDRESSED COMMISSIONER BROCK THAT WHEN HE INITIALLY CAME BEFORE THE BOARD, COMMISSIONER BROCK SAID HE WOULD ADDRESS HIS ALLEGATIONS OF MISTREATMENT AND HE HAS DONE NOTHING TO DO THAT.

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MR. ANDERSON ADDRESSED COMMISSIONER BROCK IN REFERENCE TO THE CONCERN HE FELT HE EXPRESSED FOR THE MINORITY REPRESENTATION IN DISTRICT 3. IF THE PROPOSED AMENDMENTS WERE MADE THAT, WOULD OFFER THE OPPORTUNITY HE FELT COMMISSIONER BROCK DESIRED FOR THEM TO SERVE AND REPRESENT THE POPULATION.

MR. ANDERSON ADDRESSED CHAIRMAN BUSH THAT IN A MEETING WITH HIM HE ADVISED HIM THAT HE FELT COMMENTS THAT WERE MADE BY MRS. MORRIS IN REFERENCE TO THE AM VETS POST MOVING IN NEXT DOOR TO PROPERTY OWNED BY MRS. MORRIS HE FELT AN IMMEDIATE INVESTIGATION SHOULD HAVE BEEN CALLED FOR. HE FELT A THREAT TO HIM, HIS FAMILY, AND THE MEMBERS OF THE VETERANS ORGANIZATION.

MR. ANDERSON ADVISED CHAIRMAN BUSH THAT HE FELT THAT HE ALONG WITH THE MEMBERS OF THAT ORGANIZATION SHOULD HAVE BEEN NOTIFIED OF A POSSIBLE OPEN THREAT THAT MAY BE CONSIDERED PHYSICAL.

HE WENT ON TO SAY IF MRS. MORRIS OR HER HUSBAND ARE PRESENT HE REQUESTS THE BOARD TO NOTIFY THE LAW ENFORCEMENT OFFICER PRESENT AT THE MEETING TO MOVE TO THEIR LOCATION FOR HIS PERSONAL PROTECTION AND TO QUESTION THEM IF THEY HAVE ANY WEAPONS IN THEIR POSSESSION UNTIL THE MATTER CAN BE INVESTIGATED AND A PROPER CONCLUSION OBTAINED.

IN TODAY'S CLIMATE OF VIOLENCE, HE BELIEVES THE COMMISSION HAS AN OBLIGATION TO TAKE ALL AVAILABLE PRECAUTIONS NECESSARY TO PROTECT THE PUBLIC FROM ANY HARM IN THE BUILDING.

MR. ANDERSON REQUESTED THEY BE BANNED FROM THE BUILDING UNTIL SUCH TIME A PROPER INVESTIGATION COULD BE CONDUCTED TO THE PERSON(S) INVOLVED IN THAT STATEMENT; THAT IS A THREAT.

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DOING NOTHING TODAY MEANS THE BOARD IS TAKING FULL RESPONSIBILITY BECAUSE THEY HAVE BEEN NOTIFIED AND ARE AWARE OF THE ALLEGATION AND IF SHE HURTS ANYBODY OR PROPERTY THE BOARD HAS MADE WASHINGTON COUNTY RESPONSIBLE FOR BOTH THE FINANCIAL AND SOCIAL LIABILITY.

MR. ANDERSON ADDRESSED COMMISSIONER GOTHARD THAT SHE HAS NOT GIVEN HIM ANY OPPORTUNITY TO ADDRESS ANY ISSUE CONCERNING THE ZONING AND PLANNING COMMISSION.

HE FELT THAT AFTER CHAIRMAN BUSH REMOVED HIM FROM THE AGENDA COMMISSIONER GOTHARD SHOULD HAVE DONE SOMETHING BECAUSE HE FOLLOWED THE PROCEDURES THAT SHE DIRECTED HIM TO IN ORDER TO GET ON THE AGENDA.

MR. ANDERSON ADDRESSED COMMISSIONER GOTHARD THAT HE REQUESTED TO SPEAK TO HER IN REFERENCE TO THE PLANNING MINUTES APPROVED BY MR. MORRIS. THERE WAS NO DISCUSSION ON THE MINUTES WHEN THEY WERE APPROVED, NO REVIEW BY THE COMMISSION AND NO READING OF THE MINUTES.

MR. ANDERSON ADDRESSED COMMISSIONER GOTHARD THAT SHE STATED SHE HAD NO PROBLEM WITH THE MINUTES AND THAT SHE WAS THERE FOR THE ENTIRE MEETING. HE ASKED HER IF SHE READ THE MINUTES OR WAS THERE FOR THE ENTIRE MEETING. HE COULD BE WRONG BUT HE DOES NOT THINK SO AND HAS EVIDENCE THAT CONTRADICTS THAT.

MR. ANDERSON ADDRESSED COMMISSIONER GOTHARD THAT IN MARCH SHE PUT THE COMMISSION ON NOTICE THAT SHE WOULD HOLD THEM RESPONSIBLE FOR ANY DEVIATION FROM THE OPERATIONAL PROCEDURE, EMPLOYEE HANDBOOK, FLORIDA STATUTES, OR THE ORDINANCES OF WASHINGTON COUNTY.

MR. ANDERSON ADVISED COMMISSIONER GOTHARD HE DID NOT FEEL SHE HAD DONE THAT.

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MR. ANDERSON ADDRESSED CHAIRMAN BUSH THAT HE AUTHORIZED MR. HYATT AND MR. CORBIN TO REVIEW THE INITIAL RECORDING AND THEY CAME TO AN AGREEMENT THAT HE HAD BEEN MISTREATED. HE HAS YET TO HEAR OF ANY TYPE OF ACTION TAKEN AGAINST THE MEMBERS OF THAT BOARD OR COMMISSION THAT TREATED HIM OUTSIDE THE BOUNDARIES OF THE RULES.

SINCE ITS INCEPTION THE ZONING AND PLANNING COMMITTEE HAS RECEIVED A 100% APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS THE ENTIRE TIME IT HAS BEEN IN ITS INCEPTION THE BOARD HAS ALWAYS VOTED FOR THE RECOMMENDATION FROM THE ZONING AND PLANNING COMMISSION.

WHEN PEOPLE ARE UNCHECKED AND UNSUPERVISED, THEY DO THINGS THEY SHOULD NOT DO.

MR. ANDERSON ADDRESSED THE BOARD THAT GENERALLY IS INSERTED IN THE REQUIREMENT, WHICH IS NOT USED. GENERALLY, A ZONING AND PLANNING COMMISSIONER SERVES UNTIL THEY ARE READY TO STOP SERVING AND NOT WHEN THE COMMISSIONER LEAVES OFFICE, AS THE RULES STATE.

THE REQUIREMENTS TO FILL OUT THE PROPER PAPERWORK IS POLICY. EVERY VOLUNTEER TO INCLUDE ZONING AND PLANNING COMMISSION, FIRE DEPARTMENT, AND ANY OTHER VOLUNTEER THAT COMES IN THE BUILDING IS REQUIRED BY THE RULES AND REGULATIONS OF THAT DEPARTMENT IT IS OFFICIAL THE APPLICATION MUST BE FILLED OUT ON AN ANNUAL BASIS AS WELL AS A BACKGROUND INVESTIGATION.

MR. ANDERSON ADDRESSED THE BOARD THE ONLY REAL CHANGES ARE THE TERM LIMITS AND ADVERTISING.

MR. ANDERSON ADDRESSED THE BOARD THAT HE WILL CONTINUE TO MONITOR THE BEHAVIOR OF THE ZONING AND PLANNING COMMISSION. NO MATTER THE OUTCOME, THE BOARD HAS NOW HAD TO DO SOMETHING OTHER THAN MSBU, FIRE DEPARTMENT, ROADS, AND

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MILLED ASPHALT. THE BOARD NOW HAS HAD TO DEAL WITH POLICY AND PROCEDURE WITHIN THE COUNTY AND THAT IS A WIN. DO NOT UNDER ESTIMATE WE THE PEOPLE BECAUSE WE WILL CONTINUE TO FIGHT FOR POSITIVE CHANGE IN GOVERNMENT ESPECIALLY WHEN IT IS UNCONTROLLED AND UNCHECKED.

MR. JIM ACKERMAN, MEMBER OF THE PLANNING COMMISSION AS WELL AS A CITIZEN OF WASHINGTON COUNTY ADDRESSED THE BOARD ON MEMBERSHIP AND TERMS OF MEMBERSHIP. HE DOES NOT FEEL THE COMMISSION MEMBERS ARE EMPLOYEES OF THE COUNTY. IF THEY WERE, HE WOULD EXPECT TO HAVE THE SAME REPRESENTATION AND THE ADVANTAGES THE COUNTY HAS. HE IS A VOLUNTEER WITH EXPERIENCE IN THE PLANNING COMMISSION THAT HAS SERVED AS CHAIRMAN 6 TIMES AND VICE CHAIRMAN 3 TIMES, RECEIVING PAY NONE DURING THIS TIME PERIOD.

THERE ARE 83 PAGES IN THE EMPLOYEE HANDBOOK AND ASKED THE BOARD TO ADVISE HIM OF THOSE PAGES WHAT IS IN THERE THAT THEY SHOULD BE DOING AS AN EMPLOYEE.

IN THE EMPLOYEE HANDBOOK, THERE IS CONFLICT OF INTEREST AND THE PLANNING COMMISSION SHOULD FALL UNDER THAT.

THE PROCESS OF APPLICATION IS SOMETHING THAT NEEDS TO BE DONE AS WELL AS ADVERTISEMENT.

IN THE EMPLOYEE HANDBOOK, IT SPEAKS OF EDUCATION AND REIMBURSEMENT.

AS HE IS LOOKING TO ATTEND THE AMERICAN PLANNING ASSOCIATION FOR TRAINING, HE WOULD LIKE THE COUNTY TO PAY FOR THE EDUCATION AS WELL AS TRAVEL.

AS A PLANNING COMMISSION MEMBER, HE ADVISED THE BOARD THE MEMBERS FOLLOW THE REGULATIONS OF THE LAND DEVELOPMENT CODE. THE BOARD CAN MAKE CHANGES TO THE LAND DEVELOPMENT CODE AS THEY SEE FIT.

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REMOVAL OF SOME OF THE PLANNING COMMISSION MEMBERS WOULD BE A STEP BACK IN TIME.

MR. ACKERMAN ADVISED THE BOARD TO LOOK AT SECTION 10 OF THE LAND DEVELOPMENT CODE FOR ENFORCING THE CODE, WHICH THE BOARD IS NOT PRESENTLY DOING BY THE LAND DEVELOPMENT CODE AS IT IS SPELLED.

MR. ACKERMAN ADDRESSED COMMISSIONER ABBOTT THAT HE IS NOT AGAINST TERM LIMITS.

MR. DERUNTZ ADDRESSED THE BOARD THERE ARE TERM LIMITS WHICH ARE FOUR (4) YEAR TERMS THAT CORRESPONDS WITH THE TERM OF THE COMMISSIONER. COMMISSIONER GOTHARD, BUSH, AND BROCK'S REPRESENTATIVE TERMS ARE COMING UP IN NOVEMBER.

MR. JIM TOWN ADDRESSED THE BOARD THE PLANNING COMMISSION EXIST AS A STATUTORY REQUIREMENT THAT THE COUNTY COMMISSION DELEGATES CERTAIN AUTHORITIES TO A PLANNING COMMISSION AND THERE IS A MECHANISM FOR APPOINTMENTS.

THE TOURIST DEVELOPMENT IS SIMILAR. THE TOURIST DEVELOPMENT BYLAWS ESTABLISHED A FOUR (4) YEAR TERM AND ROTATES. A PERSON CAN SERVE TWO (2) FULL CONSECUTIVE TERMS AS WELL AS A PORTION OF A RESIDUAL TERM. AFTER TWO (2) FULL TERMS ARE SERVED, A ONE (1) YEAR BREAK IS REQUIRED.

MR. TOWN IS IN SUPPORT OF TERM LIMITS.

HE PREVIOUSLY SUGGESTED TO THE PLANNING COMMISSION TO CHANGE THE FOUR (4) YEAR TERM CYCLE TO BE AN OFF YEAR ROTATION SO THAT THE PLANNING COMMISSIONER TERM DOES NOT RUN CONCURRENT WITH THE COMMISSIONER'S TERM.

THE PLANNING COMMISSION NEEDS TRAINING. THERE SHOULD BE A METHOD PERIODICALLY AS LAWS EVOLVE TO UPDATE THE PLANNING COMMISSION.

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COUNTY COORDINATOR CORBIN ADDRESSED THE BOARD THAT HE AGREES WITH THE TRAINING AND IS CURRENTLY WORKING ON TRAINING FOR THE COMMISSION TO ATTEND. THE TRAINING WILL BE HANDLED BY ATTORNEY GOODMAN'S OFFICE THROUGH F.A.C.T.

COMMISSIONER BROCK ADDRESSED THE BOARD THROUGH THE YEARS PLANNING COMMISSION MEMBERS HAVE BEEN HARD TO GET.

HE HAS A PROBLEM WITH MEMBERS GETTING ON THE PLANNING BOARD WITH AGENDAS FOR CERTAIN AREAS. THE MEMBERS SHOULD BE NEUTRAL.

MR. TOWN ADDRESSED THE BOARD THAT HE FEELS MEMBERS SHOULD BE UPDATED PERIODICALLY. DOING THE JOB FOR YEARS THE WAY YOU DID IT THE LAST 10-12 YEARS IS NOT NECESSARILY DOING THE JOB THAT NEEDS TO BE DONE TODAY BY THE PLANNING COMMISSION.

EXPERIENCE IS A BENEFIT AND A DETRIMENT IF THE MIND IS CLOSED.

MR. TOWN ADDRESSED THE BOARD IF AN APPLICANT HAS MET THE LEGAL REQUIREMENT THE BOARD DOES NOT HAVE A BASIS TO TURN IT DOWN REGARDLESS OF PERSONAL AGENDA.

MR. TOWN ADVISED THE BOARD THE COMP PLAN, LAND DEVELOPMENT CODE, AND FUTURE LAND USE MAP SHOULD BE CURRENT AS WELL AS IN CONJUNCTION WITH MODERN PLANNING TECHNIQUES.

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

DEPUTY CLERK BRANTLEY

CHAIRMAN BUSH