

the Board, a plaque "1984-85 Award Of Appreciation"; Waldron thanked the Jaycees for the Board.

(06/25/85 - 5 - 2.1050)

Lydon reported that staffer Dale Pifer had an energy audit of the Courthouse performed, resulting in redoing the lights, ballasts and starters, and purchasing from a new chemical company for the cooler, conserving many dollars for the County, and that he did a good job. Waldron will write Pifer a letter of commendation and appreciation. Harrington stated his appreciation also.

(06/25/85 - 5 - 2.1090)

Lydon commented on the telephone emergency number E-911 system, that the legislature passed that we can tack cents on phone bills to pay the initial costs and allowed the counties to identify reserves to Southern Bell. Sisco added that he understands that now the County can agree with Southern Bell to pay Southern Bell's debts if they mess up on the E-911 system. Waldron asked Lydon to be the committee and put together this information and bring it back to the Board.

(06/25/85 - 5 - 2.1190)

Lydon remarked about the concession stand operation at the pier; Waldron have a contract, which has been inactive, and he will talk to the man and see whether he is still interested, and if not we will go back to bid.

(06/25/85 - 5 - 2.12xx)

Lydon asked Harrington about the beach accesses; Harrington reported the cost will be \$8,000 to \$10,000 per walkover, adding that he will go ahead and make application to the Department of Natural Resources for the required permits. Waldron instructed Harrington to proceed but to get a report on locations, etc., back to the Board for more definitive decision.

(06/25/85 - 5 - 2.1300)

Lydon reported she, and Bailey also, will attend the meeting tomorrow from 10:00 a.m. to 2:00 p.m. in Lake Butler on the review with County Commissioners of the legislative session.

(06/25/85 - 5 - 2.1340)

John Morris, attorney for Herberts Garbage Service, was present with his client; and Jim Sinella of Tomoka Refuse was present, regarding the complaint by Herberts of infringement into their exclusive franchised area by Tomoka Refuse; both Herberts and Tomoka having been notified by the County Attorney and furnished a copy of a resolution to be considered today that would request the State Attorney to investigate and prosecute if warranted. There was lengthy discussion with the parties regarding the construction sites being serviced by Tomoka. (2.2045) Sinella stated they did not intend to do anything wrong, had never intended to do anything wrong, and that if the County tells him that he is in violation then we will remove the containers. Sisco asked that if the Board does not adopt this proposed resolution requesting prosecution, but that this Board's position is that Tomoka is infringing on the franchise, is Tomoka going to walk away from it; Sinella responded, "Definitely". Thereupon, Sisco made a suggestion to the Board, that rather than adopting the proposed resolution to prosecute, they consider a resolution which he dictated (2.2490); the newly proposed resolution was discussed and words "by hire" added; and upon motion by Lydon, seconded by Brubaker, carried 5/0 was adopted: Resolution No. 85-90.

RESOLUTION NO. 85-90

RESOLVED, that the Board determines that removal by hire of construction trash and waste in an area that is franchised by a person that is not the franchisee for the area is a violation;

That Tomoka Refuse of Ormond Beach is requested and instructed to cease doing that within the area of Herberts Garbage Service's franchise within one week.

85-90