

TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS

PERRY, FLORIDA

WEDNESDAY, MAY 5, 2021

5:00 P.M.

201 E. GREEN STREET

TAYLOR COUNTY ADMINISTRATIVE COMPLEX

OLD POST OFFICE

THE CHAIR CALLED THE WORKSHOP TO ORDER AT 5:00 P.M. THE MEMBERS OF THE BOARD ATTENDED THE MEETING AS FOLLOWS:

<u>DISTRICT</u>	<u>OFFICE</u>	<u>NAME</u>	<u>HOW ATTENDED</u>	<u>PORTION ATTENDED</u>
1		JAMIE ENGLISH	IN PERSON	ALL
2	VICE-CHAIR	JIM MOODY	IN PERSON	ALL
3		MICHAEL NEWMAN	IN PERSON	ALL
4		PAM FEAGLE	IN PERSON	ALL
5	CHAIR	THOMAS DEMPS	IN PERSON	ALL

COUNTY STAFF ATTENDED THE MEETING AS FOLLOWS:

<u>POSITION</u>	<u>NAME</u>	<u>HOW ATTENDED</u>	<u>PORTION ATTENDED</u>
COUNTY ADMIN.	LAWANDA PEMBERTON	IN PERSON	ALL
ASST CO ADMIN	MARSHA DURDEN	IN PERSON	ALL
COUNTY ATTORNEY	CONRAD BISHOP	IN PERSON	ALL

COUNTY CONSTITUTIONAL OFFICERS ATTENDED THE MEETING AS FOLLOWS:

<u>POSITION</u>	<u>NAME</u>	<u>HOW ATTENDED</u>	<u>PORTION ATTENDED</u>
CLERK OF COURT	GARY KNOWLES	IN PERSON	ALL

DOCTORS' MEMORIAL HOSPITAL (DMH) BOARD OF DIRECTORS/CEO/ATTORNEY ATTENDED THE MEETING AS FOLLOWS:

<u>POSITION</u>	<u>NAME</u>	<u>HOW ATTENDED</u>	<u>PORTION ATTENDED</u>
CEO	CHRIS SCHMIDT	IN PERSON	ALL
DMH BOARD CHAIR	PAT BARBAREE	IN PERSON	ALL
DMH BOARD MEMBER	BILL BRYNES	IN PERSON	ALL
DMH BOARD ATTY	CLINE MOORE	IN PERSON	ALL

THOMAS DEMPS LED THE BOARD IN PRAYER, FOLLOWED BY THE PLEDGE OF ALLEGIANCE TO THE FLAG. BUSINESS WAS TRANSACTED AS FOLLOWS:

THE CHAIRPERSON READ INSTRUCTIONS FOR CONFERENCE CALL-IN LINE AND FACEBOOK LIVE STREAM.

3. THE BOARD TO DISCUSS DOCTORS' MEMORIAL HOSPITAL (DMH) BOARD OF DIRECTORS.

ATTORNEY RAY CURTIS APPEARED AND GAVE A PRESENTATION ON A HISTORY OF THE TAYLOR COUNTY HOSPITAL.

MAY 16, 1955 – SPECIAL ACT 31319 – ALLOWING TAYLOR COUNTY TO USE TAX DOLLARS FOR A HOSPITAL – REQUIRED A HOSPITAL BOARD OF TRUSTEES APPOINTED BY THE GOVERNOR.

1966 – TAYLOR COUNTY PAID OFF THE LEASE AND OWNED THE HOSPITAL.

1978 – SPECIAL ACT FOR REFERENDUM VOTE TO GIVE COUNTY COMMISSION THE POWER TO APPOINT THE HOSPITAL BOARD.

FEBRUARY, 1982 – COUNTY COMMISSION ENTERED INTO A LEASE AGREEMENT WITH CREST.

1992 – DMH, INC. WAS DEVELOPED AS A NON-PROFIT. THE LEASE AGREEMENT STATES THE COMMISSION WILL MAKE FIVE (5) APPOINTMENTS TO DMH, INC.'S BOARD, WITH THE CITY OF PERRY APPOINTING TWO (2) MEMBERS. THE COUNTY ATTORNEY ADVISED THAT THE CITY APPOINTS 2 MEMBERS AFTER A BOND ISSUE WAS USED, TO BE PAID BY THE 1-CENT SALES TAX.

JUNE, 2020 – TAYLOR COUNTY APPOINTED A MEMBER TO THE HOSPITAL BOARD. THEY RECEIVED A LETTER FROM DMH REFERENCING A CONFLICT WITH TMH, DUE TO THIS PERSON BEING EMPLOYED BY TMH.

THE ETHICS COMMISSION STATES THIS PERSON IS A PUBLIC OFFICER. THE HOSPITAL BOARD SHOULD BE OPEN TO THE SUNSHINE.

THE COUNTY ATTORNEY STATED THAT THE DMH BOARD COMES AND PRESENTS THEIR AUDIT REPORT TO THE COUNTY COMMISSION ANNUALLY.

CLINE MOORE – IN 1992 CREST WENT UNDER AND THE HOSPITAL BECAME THE BURDEN OF THE COUNTY COMMISSION. THE COUNTY COMMISSION APPOINTED DMH BOARD, HAS

BEEN OPERATING FOR THIRTY (30) YEARS, AS DIRECTED BY THE COUNTY COMMISSION. THE HOSPITAL LICENSE IS IN THE NAME OF DMH, INC. IT IS DMH, INC.'S POSITION THAT THE INTENTION WAS TO NOT OPERATE AS A PUBLIC HOSPITAL. THE DMH BOARD WANTS TO DO WHAT THE COUNTY COMMISSION WANTS US TO DO.

COMMISSIONER FEAGLE – I DID NOT READ CHAPTER 155, BUT WE HAVE BEEN APPOINTING PEOPLE SINCE 1992. WE APPOINTED OUR NUMBER ONE CANDIDATE AND THE DMH BOARD DOES NOT WANT HER.

CLINE MOORE – THE DMH BOARD DID NOT TELL HER SHE CAN'T COME, SHE IS ALLOWED. WE POINTED OUT THERE MAY BE A CONFLICT, AS TMH'S POLICY STATES THAT ONE OF THEIR EMPLOYEES CANNOT SERVE ON THE DMH BOARD. SHE CAN'T VOTE ON TMH ISSUES.

IF THAT IS THE POLICY OF TMH, THEN WHY DID A TMH EMPLOYEE APPLY FOR A POSITION ON THE DMH BOARD?

COUNTY ATTORNEY – I AM NOT SURE THE COUNTY COMMISSION HAS DONE ANYTHING WRONG. THE COUNTY COMMISSION WAS DOING THE BEST THEY COULD DO WITH THE DMH SITUATION. WE CAN FILE A FRIENDLY LAWSUIT TO GET A DECREE FROM THE COURT.

BILL BRYNES – IF DMH GOES IN THE SUNSHINE, TMH PARTNERS WILL PROBABLY NOT CONTINUE.

COMMISSIONER FEAGLE – IF YOU DON'T WANT TO FOLLOW THE SUNSHINE LAW, WHAT ARE YOU HIDING? DO DMH BOARD MEMBERS HAVE SUNSHINE TRAINING?

CLINE MOORE – THERE IS NOTHING TO HIDE, SOME ISSUES IN PRIVATE BUSINESS CAN'T BE DISCUSSED IN THE SUNSHINE. THE DMH BOARD MEMBERS DO NOT RECEIVE SUNSHINE TRAINING.

CHAIRMAN DEMPS – THE HOSPITAL HAS BEEN HERE SINCE 1954, IT HAS BEEN IN SOME BAD SITUATIONS, TAKING OVER FOR CREST HAD TO BE TOUGH. I WANT TO DO WHAT IS RIGHT, BUT YOU CAN'T OPERATE EVERYTHING IN THE SUNSHINE.

COUNTY ATTORNEY – MR. CURTIS HAS GIVEN YOU TWO (2) OPTIONS:

OPTION 1: FOR THIRTY (30) YEARS DMH HAS OPERATED THE BEST IT COULD. APPOINT MEMBERS TO A HOSPITAL OVERSIGHT AUTHORITY AND CONTINUE TO APPOINT MEMBERS TO THE DMH, INC. BOARD.

OPTION 2: OUR FIVE (5) BOARD MEMBERS WOULD SERVE DUAL ROLES AS THE HOSPITAL AUTHORITY AND THE DMH BOARD.

COMMISSIONERS, DMH IS NOT EXEMPT FROM THE SUNSHINE OR PUBLIC RECORDS. IN MY EXPERIENCE WITH BOARDS, I HAVE DONE 4 OR 5 MEETINGS OUT OF THE SUNSHINE.

BILL BRYNES – THE REASON DMH IS NOT OPERATING IN THE SUNSHINE IS BECAUSE THEY COULD BE A PASS THROUGH TO SOMEONE.

COMMISSIONER FEAGLE – IF WE COULD, WE NEED TO GET EACH ATTORNEY TO GIVE AN OPINION ON THEIR POSITION, WITH OPTIONS.

CHAIRMAN DEMPS – WAS TMH HERE BEFORE?

CLINE MOORE – THE COUNTY COMMISSION LEASED THE HOSPITAL TO TMH AND THEY SUB-LEASED IT TO CREST.

PAT BARBAREE – TMH FUNDS 50% OF THE LOSSES EACH YEAR.

THE HOUR BEING APPROXIMATELY 7:40 P.M., AND THERE BEING NO FURTHER DISCUSSION
THE WORKSHOP WAS CLOSED.

BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA

BY: _____
THOMAS DEMPS, Chair

ATTEST:

BY: _____
GARY KNOWLES, Clerk