

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON APRIL 20, 2010 AT 9:00 A.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

PRESENT: Doug Croley, Vice-Chair, District 2, Presiding
Gene Morgan, District 3
Brenda A. Holt, District 4
Sherrie Taylor, District 5
Nicholas Thomas, Clerk
Debra Minnis, County Attorney

ABSENT: Eugene Lamb, Chair, District 1

Invocation and Pledge of Allegiance

Vice-Chair Croley called the meeting to order, asked that all cell phones be turned off, then called for a moment of silent prayer followed by the pledging of allegiance to the U.S. Flag.

Approval of Chair Lamb's Absence

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE ABSENCE OF CHAIR LAMB.

Amendments and Approval of Agenda

Add: Hospital Update by Attorney Mike Glazer (Added to Awards, Appearances and Presentations)

Add: Gadsden Express Update as Item A-1.

Add: OMB-BA# 1000066 to the Receipt and File Agenda

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE AMENDED AGENDA.

Awards, Presentations and Appearances

A-1. Gadsden Express Update

Mr. Williams reported that the Gadsden Express (Shuttle Service to Tallahassee) was already up and running and it cost only \$1.00 to ride from Quincy to Tallahassee.

1. Revenue Update (Material Attached)

Tax Collector Dale Summerford addressed the board. He referenced the attached material, which was the Certified Tax Roll Recap. He pointed out that the total dollars to be collected for the year was \$26.2 million. Of that amount, he reported that he had already collected \$23.6 million, leaving a balance of \$2.6 million to be collected. He said, "In a perfect world if everything went as planned,

in other words, if collections came in over the course of next five weeks and we have a tax certificate sale at the end of May and I sold every tax certificate that is available, I could look at bringing in \$2.5 million. The difference between the total unpaid balance and the net unpaid balance – if you will look toward the bottom there, you will see some status code there dealing with bankruptcies. I've got about \$162,000 that is tied up in bankruptcy cases currently. There is one particular large taxpayer that is involved in that. So, we will continue to monitor that. I have spent about \$15,000 out of my budget for legal counsel representing me in the bankruptcy court. So, I will continue to work on that. It is a Chapter 13 – Re-organization, excuse me, Chapter 11- Reorganization. Hopefully, they will soon be emerging out of bankruptcy and we will start seeing some payments in the near future.”

He then turned his remarks to the Board of County Commissioners General Revenue dollars. The total Tax Roll to be collected was \$12.3 million. The Total Payments to Date was a little over \$11.1 million giving a net balance of unpaid taxes of \$1.2 million. He went on to say, “In a perfect world, I would hope to see that \$1.2 million between now and the first of June after the tax certificate sale. But, I want to give you a heads up like I did last year. The Tax Certificate business has changed in this state. They are not as successful as they used to be primarily because the investors that participated in this process simply are not there anymore. We don't have nearly the number of investors buying tax certificates as we once did. Last year during the tax certificate sale, I had \$1.8 million that was available and I only sold \$1.2 million. So, you see there is a difference in what we can actually sell at the sale and what winds up being struck off to the county in the form of county held tax certificates. We do eventually get that money, but I cannot guarantee you that we are going to see it during this fiscal year. I don't know what to expect on May 28th. I hope that I will have a lot of investors participating. We have put that sale on-line now. There are probably 50 counties doing it that way. The idea there is to spread it out all over the world. Of course, most of them are in the United States. The idea there was to open it up because we simply don't have the investors. If we were relying on the local folks here in this county to buy tax certificates, we would certainly be in a lot worse shape.

Anyway, we are anticipating that things will probably go the same way as last year, which will leave some funds out there uncollected. They will go in the form of county held tax certificates. Last year, we had quite a bit. We had roughly about \$400,000 that wound up going to county held tax certificates. As of about a month ago, we had collected – we had either sold certificates to individuals or collected those funds to the tune of all but about \$ 40,000. So, the money does eventually come, but you might not look for it before the end of the fiscal year.

In terms of the parcels that we have that are delinquent – a lot of people like to know how many parcels we have that are delinquent right now. We have 4,102 parcels that remain unpaid. That is out of roughly 25,000 that do receive tax bills from us. So, you have a little more than 4100 that have not paid. When we go to advertising here in about a week and a half, I anticipate advertising about 3,500 parcels. Last year, we advertised about 3,100. I think we will have a bit of an increase. I cannot see 1,000 parcels being paid between now and next Friday.

So, that is where we are at currently. I hate to be the bearer of bad news. This is mainly a word of caution. Like I said, in a perfect world, I would hope that we would have a lot of tax certificate investors and everything would be sold and that the county, the school board, and the cities would

receive the money that they budgeted for. But, it is not a perfect world, unfortunately. That is where we are right now.”

Taylor:

I do have a couple of questions. What would have helped me is to see where we were last year in comparison to where we are this year. For example: You have on here “Total Roll to Be Collected - \$12.3 Million.” Were we at that same level in 2009 or is that an increase?

Summerford:

It is a slight decrease. It is \$20,000, roughly. So, we are pretty close with 09 compared to 08, in terms of what you can expect or what you all levied, so to speak.

Taylor:

So, this is pretty much what our budget said we should be collecting?

Summerford:

Correct.

Taylor:

Now, you also indicated down here where –

Summerford:

Commissioner Taylor, I am sorry, I didn't mean to interrupt you.

In your budget process, you do not budget for the entire 100% of this. State Statute requires, I think, 95%.

Taylor:

Yeah. Thank you.

You have also indicated with bankruptcy included in the TDA (I am not sure what that code stands for) and litigation. These are monies that are not going to be collected unless they are spent outside of what the county should get?

Summerford:

No, they will eventually be collected. It is just that we have to show them in a little bit status while they are in bankruptcy or in litigation. However, we have no idea or have any way to know when those funds will come in. We will eventually see them, but it may be two or three years from now.

Taylor:

My last question. Give me a case scenario that would decrease your tax roll. In other words, you just said a moment ago that it now decreases \$25,000 from last year. What will happen, give me an example of what will happen that will decrease it. If it is taxed one year, it seems to me that it should be taxed the following year.

Summerford:

Well, your next speaker will answer that question for you. It has to do with property values and, of course, millage rates. There are several things to be taken into consideration that will affect that.

Croley:
Commissioner Holt, any questions?

Holt:
Oh, yeah, I do.

Would you explain for me and for others the situation of the three-year process of allowing citizens of Gadsden County to pay their property taxes? That became an issue last year over in the governor's office.

Summerford:
What happens, in terms of paying property taxes, to take you from start to finish – I send out a tax bill in November. The taxes become delinquent on April 1st. On or before June 1st, I am required to have a tax certificate sale. On those parcels where we sell tax certificates, the taxpayer technically has two years before a tax deed can be applied for. That is two years from the date of the delinquency. So, using this year as an example, the 09 taxes went delinquent on April 1, 2010. So, come April 1, 2012, if the property owner has not paid their taxes, then there could be a tax deed applied for. Now, the key word there is "could." It doesn't necessarily mean that it will. Usually what drives that is the interest rate that that tax certificate investor is getting on that tax certificate. The lower the interest rate, which is good for the taxpayer, the drawback is the tax certificate investor may apply for that tax deed as quick as they can. If they are only getting 5% on their money, they will want to try to apply and get that money back where they can reinvest it on something else at a higher return.

Now, those tax certificates that are sold at higher rates, those investors may hold that tax certificate for 4 – 5 years before they put any pressure on the property owner. A tax certificate is good for 7 years. So, it is not me that dictates when the tax deeds are applied for, it is that investor. They all think differently, depending on what they are expecting.

Holt:
What the interest rate is?

Summerford:
Right.

Holt:
The reason I asked that is because when I was in the governor's office, that is one issue that was brought up by his attorney. At different places in the state, they look at this differently. In Gadsden County, the legal process, as I said, is what we base it on. That is the same thing that you are saying. But, there are people in Gadsden County that do not understand why it worked. They knew that it did work, but they did not understand why. As I told the governor, "I am sure it will continue to work that way." The reason it will continue to work that way is because no one will get re-elected if they don't or if they try to get rid of it.

The second thing is that I see on here that you have interest rates. That is interest rates paid to the county for property taxes that are paid late?

Summerford:

I am not following you. Where are you?

Holt:

Second page. Total Interest rate – on the certificate.

Summerford:

Yes. No, that is actually interest that is paid to the taxing authorities on a quarterly basis on those tax dollars that are in the bank account. So, the money that we collect, I am required to invest it. Quarterly, what we do is disperse that money back to the taxing authority on a pro-rata basis. Unfortunately, the banks aren't paying anything in terms of interest. So, this amount is relatively low compared to where it has been when banks were paying more.

Holt:

Do you have a number on here that states what is paid in late payments? I mean, interest that is paid on late payments? Surely, there is some kind of mechanism.

Summerford:

No. That information could be gathered. But, in terms of being any kind of routine information that we look at, I am sure I can capture it in some way, but that information – we do pay certificate holders interest, which, is what you are getting at with the late payments.

Holt:

I said, "What you are receiving for the payments being late." Do you receive any? Does your office receive any of the late payment?

Summerford:

When the taxes become delinquent on April 1st, there is a mandatory 3% penalty or interest that is added immediately. That covers the interest for the month of April and May. Yes, I can generate that information real easy. Those funds come back to the taxing authorities. Anything after tax sale time, that is in the form of a tax certificate. The county does not get anything on those. The county gets the taxes when the certificates are sold, naturally, but the interest is paid to that investor.

Holt:

Right. After those two months. O.K. Thank you.

Croley:

Commissioner Morgan?

Morgan:

Thank you, Mr. Chair, we appreciate you coming and updating us and communicating with us. I don't want to put words in your mouth, but I believe I heard you say the word "cautious" and

“concerned.” The fact that our major source of revenue, and, we have over 4,000 unpaid parcels due to the current economic environment and the fact that you said there is an increase in unsold certificates last year and it will probably be the trend this year, maybe even for the next few years, - How should we, in your opinion, move forward for the rest of this fiscal year from a financial management standpoint?

Summerford:

Well, I don't work for the board, but – simply caution, that is the key in the economic climate. Caution is the key word.

Morgan:

Do you think there is a potential need for us to be conservative and perhaps, and I know that Clay is coming here to talk to us in just a second, but, do you think it would be wise for us build up our cash in the bank and be very conservative in how we manage our programs and funds?

Summerford:

Yes, it is wise, but, I mean, that will be the call for this body, here.

Morgan:

I am just asking your opinion. That is why I said “your opinion.”

Summerford:

I would think so, yes. We are all having to do it in all our offices, so, yes, you are correct.

Morgan:

O.K. Thank you.

Croley:

The only question that I have for you, Mr. Summerford, is about the 4,102 parcels. Could you roughly give an idea of what percentage of those would be commercial agriculture versus residential.

Summerford:

I don't have any idea.

Croley:

Ball park?

Summerford:

No. That type of information doesn't concern my side of the shop.

Croley:

I understand. I was just curious as to whether or not it was one more than the other.

Summerford:

I don't have any way of breaking that out.

Croley:

Well, thank you for coming and providing us with this information. Certainly, we will be able to make use of this data and information in conjunction with the Clerk's office in the budget process.

I believe we have Mr. VanLandingham coming up next.

Holt:

Thank you, Mr. Summerford, I forgot to mention that.

Property Appraiser Clay VanLandingham

VanLandingham:

Good morning, Commissioners. I want to thank you for inviting Mr. Summerford and myself up here to address you all concerning the current year's taxes and the coming tax roll for 2010/2011. What I have for you (in the way of a handout) is a just a little bit of history to look at the trends that are happening in the county as far as real estate is concerned. The very top row is the number of single-family residential sales beginning with the year 2006 thru today, 2010. There next to the number of sales is the median sales price. If you will note that price in 2006, that median sales price was \$150,000; in 2007, it was \$160,000.; in 2008, it was \$151,700; last year in 2009, it was \$150,000. So far this year, the median sales price of a single-family residence in Gadsden County is \$129,450. That is a 14% decrease from last year.

The next column down deals with vacant land sales – 50 acres or more. In 2006, the median sales price per acre of 50 acres or more was \$5500 per acre. In 2009, it is \$2,300 per acre. It is almost in half. Vacant land sales (going across) of 10 acres to 40 acres vacant –in 2006, that price was \$7394 per acre; in 2009, it is \$5500 per acre.

All these trends indicate that we are going down in real estate values. I think we have probably hit the bottom as far as single-family residences are concerned. We may have a little bit further to go. Farmland, I think, has bottomed out.

If you will look at the next column, it is new construction. This has been the saving grace for our tax rolls for the last three or four years. In 2006, we had \$62.3 million worth of new construction. 2007 was our banner year. We had \$79.3 million worth of new construction. If you will look at 2010, we are down to \$23.4million. That is quite a drop. That is more than \$50 million in the last three years that we have lost in new construction. For the tax roll coming up – 2011 – I look for that \$23 million number to be cut in half at least, gauging from the number of building permits we have seen from the building department.

If you will go across and look at the foreclosures, you can see that they are trending upward. What I have done is go to the Clerk's office and looked up the number of certificates of title that have been issued. That is usually the last document in a foreclosure proceeding. In 2006, we have 284 foreclosures. In 2009, we had 439. So far, to day in 2010, we have 140 and if that trend keeps up, we will be near 600 foreclosures by the end of the year.

There are currently 260 parcels of land listed for sale in the county. So, we have quite a saturation of the market. A lot of these will be short sales and foreclosures. As these sales hit the record, we are going to see the prices continue to drop. The lenders that own these foreclosed properties are not in the business to own property. They are in the business to open that envelope every month and get that mortgage payment. We have seen some sales that – I won't say defy logic, but, they come real close to it – based on our assessed value and what they are selling for. If that continues, I see the market going down even more.

The very last column I show is the total taxable by the county from the year 2001 up through the present. If you go down to the year 2007, which was our banner year, the total taxable value was \$1.4 billion. That was an increase over the prior year by \$197 million. In 2010, it looks like we are going to be down some \$30 million dollars, based on where we are right now. In taxes to the Board of County Commissioners, that is a little more than a quarter of a million dollars.

If we see this 14% drop in values as indicated by the median sales price, in 2011 and in 2012, you could look at losing well over a million dollars in taxes.

Any questions?

Croley:
Commissioner Taylor?

Taylor:
Why don't you start at the other end this time, if you don't mind this time?

Croley:
You want to start Commissioner Holt?

Holt:
I am still writing.

Morgan:
I'll go first.

Croley:
Go first.

Morgan:
You are the grim reaper this morning, aren't you?

VanLandingham:
Yes, sir.

Morgan:
Thanks again. As I mentioned to Dale, we appreciate you all communicating with us. You came before us maybe a year ago, but you forecasted that 2011 and 2012 to unfold exactly like what we

are seeing right here and the potential negative impact on the dollars to this board on how we spend our money.

If I heard you correctly, we could be looking at a quarter of a million dollar decrease in revenues, in our revenues. Is that what you said?

VanLandingham:
For this year.

Morgan:
For this year. We have six months left in this year's budget. This fiscal year's budget. Do all those dollars affect this fiscal year – is that what you are saying?

VanLandingham:
This fiscal year. Yeah. This quarter million is in this fiscal year.

Morgan:
O.K. I don't have any other questions. Thank you.

Croley:
Commissioner Holt, are you ready?

Holt:
Yes. I was just jotting down a couple of things. Thank you.

Thank you, Mr. VanLandingham, but I don't know for what yet. (Laughter) When you look at those numbers, it's like – I don't know what all of us are doing anyway. But, how has Amendment 1 affected the real estate market and sales?

VanLandingham:
Do you mean the Save Our Homes?

Holt:
Right. How does it affect the property value? Don't say anything bad now.

VanLandingham:
No. No. I don't think Save Our Homes has really affected property values. What we've got to go along with Save Our Homes now is that "Portability," which is, - I don't know, I think we had several hundred thousand dollars worth of portability used last year. I don't think we will have quite that amount this year.

Holt:
The reason I asked that is because we went on and on about that. You went with us to the communities on those issues.

VanLandingham:

One other thing that we have is the Conservation Easements. You can put 40 acres or more in conservation easement in perpetuity and that value comes off the tax roll completely. So far this year, we have had about 1500 acres put into a perpetual conservation easement and that money has come off the tax roll.

Holt:

That was the next item I was writing about. So, how does that look? Do you think that is going to increase?

VanLandingham:

I look for the conservation easements to increase as more and more of our large property owners see that the market is stagnant at least. There are two types of conservation easements. One is for perpetuity and one is over a period of years. But, once they are perpetuity, they come completely off the tax roll. The ones that are set up for 10 years, that assessment is ½ of the Agriculture value. That is how they are assessed. That would make *some* impact, but not a *great* impact.

Holt:

Right. That will be. The 10 years - if they wanted to pull it off and sit back and wait until the market gets better, they could go into those developments or those items that we argued about before the Committees over at the Legislature. What we know is that the economy is bad. We know that the sales are not there. But, I was interested in seeing how ours compare to the rest of the state. When I was in a workshop down in St. Petersburg, our housing market seemed to be dropping slower than others were.

VanLandingham:

We did not have the run up in values countywide that many of the larger counties in South Florida and Central Florida experienced. So, therefore, our decline is going to be - Number 1 is going to be slower and Number 2 - not as much each year. The last few years, we are probably down 5% overall since the boom, or since the bust. I always say that things come a few years later to Gadsden County than they do anywhere else in the state. I think these numbers are probably going to indicate that. **It is looking like 2011 and 2012 are going to be the worst years we have seen yet for a budget. Especially if the prices continue to fall.**

On these median sales prices, in 2006, the first quarter of that year, we had 101 sales and the median sales price was \$120,000. But, by the time we got the fourth quarter of that year, we had 122 sales and the median price had climbed to \$155,000. In 2007, we had 445 sales. By the time we got to the fourth quarter of that year, there were 91 sales and the median sales price was \$158,000. So, it has been going up and staying fairly steady. The first quarter of 2009, there were 30 single-family residential sales and the median price was \$159,400. This year to date, we have had 32 sales. The median price is \$129,400.

Holt:

Right. Thank you for that. At the State Association, when we looked up at the screen, they were using Gadsden County as the only place in the state that it wasn't dropping. I said that depends on whether you have money to buy and whether the market will hold.

I noticed that there are a lot of foreclosures. The money is not moving. In fact, I dealt with a young man yesterday who was evicted from his home. The government programs don't seem to be moving. He was one of those that applied, was approved, never received any funding, and then had to be evicted. Do you see anything coming up in your office or any of the tax offices, (I see you shaking your head, there.) Anything that you are hearing that will help any of these people who are losing their homes.

VanLandingham:

If the federal government does not extend the first time home buyers credit, I know that is helping this market some, but, if the federal government fails to extend the deadline on that, (I think that is the end of this month), I think we will see sales almost come to a standstill.

Holt:

I know that they went by that, Amendment One, supposedly to stimulate the market. In his case and in some others, they have changed jobs because of layoffs, but they are making less money. They are still trying to pay them, but they are making less money. I don't know if that foreclosure is going back and sell. I am sure it probably will not because it is not a prime property, but it was all he had. So, that situation, maybe if we hear of anything, not just them, but if we hear of anything that will help some of these folks, I would appreciate it.

Croley:

Commissioner Taylor, questions about the information we got here – anything?

Taylor:

Yes. Thank you. First, thank you, too, Clay for coming and Dale.

It seems like the stellar year was 2007. We need information as to what happened that year so we can repeat it if it can be repeated. That is one thing that I am going to be looking for – to see what actually happened. According to the trend that we are now in, there was still recession going on. Part of that year, or it had just begun in that year. So, I need to know what happened so that either we can get with the Chamber or we can get with the staff and see if we can motivate that same kind of activity or something in the way of it.

Commissioner Holt did touch on some of the issues that I was going to raise. That was – we did allocate a little over \$200,000 to prevent foreclosures and to help with first time homebuyers. Now, those dollars are available and have been available, I know, for a little over a year. But, it seems to me, and I am talking now with the board, that there is a trend. I am seeing that the average home cost is \$129,000. According to the criteria for those dollars, you couldn't use those dollars for things over \$110,000 to \$120,000. So, that knocked those dollars out of play that could have very well have been used by someone trying to get into a home.

As well, Commissioner Holt mentioned that revenues that a person in foreclosure has a bearing on whether or not they qualify. We should have looked at this some time out so that what programs we had could have met the need of the public.

VanLandingham:

You could have custom tailored them.

Taylor:

Exactly. We have what we call “Home Rule,” which means that this government can fit what is going on in our home as opposed to making it a universal thing. So, we dropped the ball in trying to help stop off some of these folks that are losing their homes and these folks that are trying to get into homes. I have someone who is trying to get into a home. I have gotten to the point that I don’t even feel comfortable telling them to call here anymore because it looks like 95% of everyone that I have sent has to come back and not get any services for some of the same reasons – that they simply don’t qualify or whatever else the case may be.

I am hearing you say \$250,000 as a deficit for this year. Now, Dale said something just before you came up and that is that we don’t budget 100% of our revenues.

VanLandingham:
Correct.

Taylor:

Now, the \$250,000 – Will it fall somewhere within that 5% that we didn’t budget? Are we O.K.? In other words, do we need to go back after you all have a seat and come up with a budget workshop to reduce our budget by \$250,000? Or, are we O.K. because you are not going to give us all the money anyway. So, this \$250,000 that you are now talking about really won’t impact us at this point.

VanLandingham:

The monies that Dale talked about were current budget monies. This fiscal year that we are in now. The monies that I am talking about are for the tax roll and the budget that starts on October 1. So, what you are looking at – my numbers are for next year’s budget.

Taylor:

Got you. That is clear. What you are collecting this year will be used for our 2010/2011.

VanLandingham:

That is the numbers that I am reporting. Right.

Taylor:

So, there is a little padding, but, we need to be mindful going into our next budget sessions that we need to decrease it to this tune and maybe even a little bit more for comfort sake.

VanLandingham:
Correct.

Taylor:

Got you. I just didn’t want to look at this thing as if we needed to come back first thing in the morning and try to fight.

Now, I did hear a couple of questions being posed to Dale about fiscal issues. I can comfortably say that if this board stays within they have budgeted, then we should be fine – if it stays within what we have budgeted. For example, we budgeted for the T.V. and we budgeted for non-profits. Those things are already budgeted, so if we are not going outside of that, then we should be fine, based on the revenues that are coming in. Now, that is not a question, that is a comment.

VanLandingham:
Right.

Taylor:
All right. That is it.

Croley:
Thank you, Commissioner.

Mr. VanLandingham, again, thank you for coming in and delivering a report. While it may be dismal on the financial side, it certainly was comprehensive and very useful information.

Mr. Administrator, I would encourage you to have both these reports posted on the county's website for the benefit of the public. I think it will be useful for people to see that.

Just a point or two, here. When we look at the type of development that goes on in the county, particularly like Gadsden where we are adjoining a more urbanized county like Leon where you have a lot of properties being put in perpetual conservation easements and other things that restrict their ability for affordable housing and commercial development and some other things along with the various higher fees, that causes one to ask the question. When you are looking at the services that have to be delivered, becoming the affordable track-housing backyard for Tallahassee/Leon County might not be the best strategy for the long-term financial interest of this county. (Given the number of foreclosures, the average size home, and the demand for services as opposed to a concentration on commercial and AG balance.) Would you say that that has merit?

VanLandingham:
I would think that any development that we get in Gadsden County should probably encompass everything. Commercial, light industrial, and certainly, residential. I think that if we concentrate on just becoming a bedroom community, we have limited ourselves somewhat to future revenues. Of course, as people come and demand services, sure, the county has to produce more. But, that will also bring some commercial development with it once the number of heads per square mile count increases enough to satisfy the statistics of restaurants and grocery stores and stuff like that.

Croley:
My point is - since we are in the process now of looking at future land use changes with this EAR report, these are the kind, (since I saw the planning folks back there) this is the sort of information that needs to be laid out carefully in how this commission and other elected officials in the county move forward in the future.

Commissioner Morgan?

Morgan:

Thank you. I just had one point because Commissioner Taylor raised a very good issue about the budget. I just wanted to ask you - you have a certain amount of dollars budgeted in your office every year.

VanLandingham:

Correct.

Morgan:

Do you spend all of it?

VanLandingham:

I haven't in the past.

Morgan:

What happens to that money when it is unspent?

VanLandingham:

I give it back to ya'll.

Morgan:

I believe Mr. Summerford had the same issue. History of money being brought back to the county. So, what you are telling me is just because you have a certain amount of money budgeted, you don't spend all of it every year.

VanLandingham:

I try not to.

Morgan:

Why is that?

(Laughter)

VanLandingham:

Mainly because I try to be a good steward of the tax payers dollars.

Morgan:

Thank you. I appreciate that.

Holt:

Good comment, Mr. VanLandingham.

Taylor;

Let me make a comment. Just one quick comment. That is a great question. And, Commissioner Morgan, I notice that you and I are probably go back and forth and I want to say this. We need to be

mindful of quality services and our citizens. We take sometimes 3, 4, 5 weeks to sit here and come up with a budget. We go over it. We mill over the numbers and we make sure that what we put down is conservative but that we still provide quality services to our citizens. You and Dale are probably the only two constitutional officers that are able to turn money back over. According to what I have reviewed in some of those line items that this county has budgeted, there are times when we don't expend all of the dollars out of line items that we have budgeted for. So, I think that we all can comfortably say that we don't spend it all. But, I still want to be able to insure that we provide quality services to the citizens in a conservative manner. I am not asking to give volunteers checks and I am not asking to spend \$3,500 to feed folks. I am saying to continue quality services and not demise that and stay within our budget. That is all I am trying to get across.

Croley:

Commissioners, thank you for your comments. Mr. VanLandingham and Mr. Summerford, thank you for coming in to share this information. Again, I hope that the county administrator will see to it that this information gets posted. We will look forward to continuously moving forward.

VanLandingham:

Well, I am due on June 1 to give you another estimate to which you are supposed to begin your budget process by. Hopefully, the numbers won't be any lower than they are now. We do see a couple of things happening on commercial properties and rental properties. There are so many of them. We are seeing the rental rates starting to drop a little bit and other things like that which will probably have an additional impact on next year's budget.

Croley:

Well, again, we thank you and for the sake of time, we need to move on to other items. But, Thank you so much for coming in and you all have a good day.

1-A. Hospital Update

Glazer:

Good morning, Commissioners. My report will be brief. We are moving forward with a million details. I am not even going to try and summarize all of them for you. I do want to hit a few highlights. Things are busy and accelerating and will continue to accelerate through the time that the hospital opens. Craig McMillan, Arthur Lawson, Clyde Collins continue to work diligently on a variety of things. We are still shooting for approximately June 1 as the opening date. That date has still not yet been set. There are still some variables there, but, that is the time frame that everyone is still shooting for. The pace of work out there is accelerating daily. There are a few construction things that are going on as I reported before – extension of the awning over the ambulance bay – that is proceeding. There is some work being done on the pharmacy to reconfigure it to make it a more advanced facility. What has really been taking up a bit of big focus of work over the last few weeks is beginning to get the equipment and furniture ordered. I think Arthur Lawson has processed something in the neighborhood of 85 purchase orders for everything in the world that will be needed for the hospital. But, I am very pleased to report that we continue to think that the bottom line numbers are going to be well below what we thought. Everyone has been a real good steward. Craig McMillan has been all over them about a lot of things as has been Arthur and Clyde.

Again, not final numbers, but we are still looking at \$2.5 million range, we think, for furniture and equipment as opposed to over \$3 million that we had originally come in with. So, that is some good news. But, there have been some other expenses. For example: Because we have moved to the point because things are beginning to arrive, it is important that there is security at the site. So, at nights and on weekends, there is the Sheriff out there and there is security that we are paying for and we will cover up until the point when the hospital opens.

We are going to be meeting tomorrow with some folks at Capital Regional Medical Center to talk about many logistical things. Just the process of – because the county is buying the equipment, as we have talked about all along, we don't have to pay tax on it and so forth, but, ultimately, as stuff arrives, it is going to be important for the hospital folks to be involved in helping catalog it, unpacking it, with installing it, getting it all ready to go. Again, just a million things. We are going to be meeting with them tomorrow to go over some of those issues.

I have had a number of folks ask about the issue about jobs. What I would encourage folks to do at this point would be to contact the Human Resources Department at Capital Regional Medical Center in Tallahassee. I will ask them tomorrow what the current plan is. I don't have an update from them. What I have been told all along, though, is that will be handled through their HR department. Frankly, getting people, I think, is going to be one of the easier things. There are a lot of folks that are interested in working at that hospital. Both in the existing staff as well as folks here in Gadsden County. Although, I think some of the existing staff are actually Gadsden County folks. So, we'll see how that is going and get an update on that. They will be bringing those staff on for the most part. Typically, what happens is that in the last couple of weeks, they get the actual line staff in place and begin to get them acclimated to the facility. They are healthcare professionals to begin with, but, begin to get them acclimated.

Couples of other things that we are beginning to focus on, too, as well as just the process of getting the hospital open. We are going to have to wind down Urgent Care. Yesterday, I met with Pat Faircloth over at EMS who has been running that facility. By the way, it has been reported to me, I haven't actually seen the numbers, but it has been reported to me that since the County actually took over the Urgent Care, it is carrying itself. Like I say, I haven't been able to see the actual numbers, but several folks have reported that to me. I am really hoping that is the case. I think ya'll made a good decision by taking that back over. Of course, the plan is to wind that down. We begin to talk about the logistics of that, getting notice out to folks, maybe even having somebody at the facility for a few days after it closes just to make sure that folks get directed. We will work through all of those details. You've got supplies there, you've got equipment there. Again, just a lot of things will need to happen as that facility closes down.

The other bigger project that we are beginning to focus on, too, is unfortunately going to take a little while. By the way, you have heard me say this from time to time, the ghost of Ashford continues to haunt us. One of the problems that we have had, and I don't want to overstate it, but, one of the issues we have had as we have started to buy equipment is that we will send in these purchase orders and these big companies will go out and they will start checking on the credit. They will come across something that says that the hospital is in bankruptcy. And so, they say, "oh, no." They get all nervous. So, we have had to explain to several vendors that "No, that is not us.

That is somebody else.” We will work through all those issues.

Medical Records

But, the other thing is the volume of medical records that is out there that the county is not the owner of, but possession in 9/10th of the law. They are in our possession. There is a massive amount of old medical records, old billing records, old x-rays, and ultimately, some of that is actually in space that we have leased to Capital Regional. Others are in other parts of the space. It is all within the confines of the building. But, we are going to ultimately have to do something with that. There is some law in the bankruptcy laws about disposing of those and I have been in touch with your bankruptcy counsel. We have started drafting a motion. Unfortunately, that process may take some time. We may ultimately have to move those into a different part of the building, but, hopefully, not off site. But, we are beginning to look at a process. Personally, my goal is to get permission that those records can be destroyed. Some of them literally go back to 1994. It is a huge volume of stuff. My biggest fear is that someone is going to want them to be cataloged. I will fight that tooth and toenail in terms of having the county having to do that because that would be a massive undertaking. But, I know that Ms. Pat over at EMS said that she got a request for records again just within the last week or two. They continue to float in from time to time. So, that is something that we are going to be focusing on, but I think that project will go on for quite some time.

Grand Opening

As I said, there are a million things going on. I don't want to take up a lot of your time this morning, but I did want to give you this little report and see if you all have any questions. We will continue to try and keep you updated. Of course, the minute that we know of an actual date, we will certainly send a note around to everybody so that ya'll can plan your schedules. There will be some sort of grand opening ceremony of some sort. It is actually somewhat tricky about when you actually plan that. If you do it too early, then people will start showing up before the hospital is actually open. If you do it too late, it becomes a problem because it is difficult to run something like that if you've got patients coming in and out. So, the timing of that is still a little bit in the works. But, we will talk more about that with the HCA folks tomorrow.

That is my report, Mr. Chairman.

Croley:
Thank you, sir.

Commissioners, let's keep our questions confined to the subject here so that for everyone's sake and everyone's time. Anyone have any comments or questions today?

Commissioner Taylor?

Taylor:
I will yield.

Croley:
Commissioner Morgan?

Morgan:
Yes, thank you.

Mr. Glazer, thanks for the report. Specifically regarding the medical records for our past patients, are there any HIPPA compliance issues about how to manage those or destroy them that we are going to be held to that you are aware of?

Glazer:
Well, it is actually more bankruptcy. We always have to be sensitive to HIPPA. For example, the EMS folks would love to tell people when they come and request records, "Well, if you really want them, you go look at them." That is somewhat of a flip response because, of course, we can't do that. For them to start flipping through boxes and boxes and boxes of records would implicate privacy concerns. So, that is not really a solution. So, we have to be mindful of that. Of course, they are kept in locked areas now and we will have to make sure that whatever we have to do with them while we go through the bankruptcy process that we are respectful of those. We continue to take the position that they are not really ours. But, we are going to be held to be responsible.

Croley:
Commissioner Holt.

Holt:
Thank you. On the patient records, what if the patient requests them – Do they have rights to those records?

Glazer:
Well, if there was a way realistically to find them, then the answer to that would be "Yes." But, I certainly encourage you to go out and take a look. It is just massive.

Holt:
I understand what you are saying. But, I am asking about our legal obligation. If we or one of those patients get into a litigation and they say, "My records are at that facility." If those records are destroyed by the county, then are we legally held responsible for those records?

Glazer:
We are not responsible forever. There are time limits.

Holt:
What are those?

Glazer:
Pardon me?

Holt:
What are those?

Glazer:
Well, actually, there is not a limit for hospitals. Physicians have to keep records for seven years. Of course, some of these are much, much older than that. I am not comfortable recommending to this commission that we unilaterally destroy even the old stuff. My recommendation is that we go back to the bankruptcy court. If we can get the court to approve a disposition plan, then we will have the protection of that order.

Holt:
Well, there have been patients requesting their records for years. I know that we have had people in our audience requesting their records while we were in bankruptcy. We were not allowed back then to give them anything. But, I would hate for them to think that now that we are going to open that they cannot get their records for whatever reason. But, I think that is something that we need to look at to make sure that they are comfortable with this situation. They have requested them before and couldn't get them. It wouldn't be that they did not meet a timeline because there were people requesting their records from the day it closed.

Glazer:
I am confident that part of the process that the court approves will include some public notice. What I want to avoid is individual notice. That would be just a nightmare.

Holt:
A facility that wants to lease space in the hospital. I was contacted by a group out of Jacksonville that has a base out of Washington, D.C. They are interested in any facilities, but they are interested in private also. They go into private facilities. Private areas. They do medical work.

What is the policy on that? What do we need to do?

Glazer:
Well, we still have over 30,000 square feet of space available in that building. So, that remains the county's. Our only obligation under the lease agreement is to consult with Capital Regional to make sure it is not terribly inconsistent. Here is going to be the practical issue because we would love to find a way to lease out that space. The practical problem that we are going to have to grapple with is – How do we fix it up? Course, most of that space is very unfinished. The difficulty would be in coming up with the funds to make the leasehold improvements necessary to make it rentable. If we find a tenant that is particularly interested in helping contribute towards those leasehold improvements, maybe in return for a lower rent, we need to start looking at those things. I think that is a role that GHI may help you play on a-going forward basis. They can help the County Commission look at some of those issues and provide some recommendations.

Holt:
I am going to make this very short and the reason I wanted to ask that is because they were looking for some information back. The first thing they asked about was a certificate of need and I explained that situation as to where we are right now. The other was that they do that type of

thing. They come in and they fix it up. But, they are talking about using federal dollars to come in. They wanted to be – if you are in those low-income zones, where you can go in and levy that money in order to get that. We have several zones in the county, but also, private properties are in those areas also.

Croley:

We would ask you, Commissioner Holt, to please convey the name of that organization to Mr. McMillan and he will take that up.

Holt:

Mr. Chairman, I am sorry, but I have to take that up. That is the reason that I am asking that question.

Croley:

You have to do what, ma'am?

Holt:

I have to take that up with that organization. That is why I am asking those questions.

Croley:

The organization, if you can facilitate putting them in touch with Mr. McMillan.

Holt:

I will do that as soon as I finish getting this information.

I just have one other question about the facility.

Croley:

Yes, ma'am.

Holt:

How much of that is leased to HCA. Is it the whole entire facility? That is another question they asked.

Glazer:

The facility is about 77,000 square feet. The lease is for 44,000 ft. That leaves 33,000 square feet. Now. I think that the county plans to move EMS out there. But, I don't think that is going to be a huge amount of space.

Holt:

O.K. Thank you.

Croley:

Let me again say, "thank you, Mr. Glazer for the good job."
Is there any estimated target deadline for opening that you have?

Glazer:

We are still working off that June 1 date, plus or minus. I am hoping to have a much better handle of that tomorrow. As soon as we have something firm, I will send an e-mail out and we will get the word around.

Croley:

My final question is – Mr. McMillan, do you have anything you would like to say or add on behalf of the hospital board?

McMillan:

No, sir.

Croley:

Well, thank you again for coming in.

Taylor:

Mr. Chairman. Just one more little small question. Thank you.

At some point in time for public information, we might need to put our info sheet on the name that the hospital will fall up under. I think that is going to be important information so that everyone would understand how it will be named.

Glazer:

One of the things that I expect to get an update on tomorrow is they are working on an actual marketing plan for the facility. I am sure that will be a highlight for that marketing plan.

Croley:

Thank you, again, Mr. Glazer and Mr. McMillan.

We will move on to the next item, the consent agenda.

CONSENT

Items 5, 6, & 8 were pulled for discussion.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE TO APPROVE ITEMS 2, 3, 4, AND 7 LISTED BELOW TO WIT:

2. Approval of Minutes – February 16, 2010 – Regular Meeting
3. Ratification of Approval to Pay County Bills
Accounts Payables Dated: April 2, 9, & 16, 2010
Payroll dated: April 8, 2010

4. Approval of Revenue Sharing Application for Fiscal Year 2010-2011
5. ~~Approval of Signatures for Special Assessment Lien and Rehabilitation Contract – Impact Fee Proviso (IFP) and State Housing Initiative Partnership (SHIP) Programs (Clyde Collins, Building Official)~~

This item was pulled for discussion. See below.

6. ~~Approval of Resolution Number 2010-013 Amending the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan and Resolution Number 2005-008C for Fiscal Years 2005-2006, 2006-2007 and 2007-2008 (Clyde Collins, Building Official)~~

This item was pulled for discussion. See below.

7. Approval of Contractual Agreement with the Clemons Rutherford and Associates per the Award of RFP Number 03-20 Architectural Services for the Apalachicola Northern Railroad Depot Preservation Project
8. ~~Approval to Award the Dupont Road Resurfacing Bid to Peavy and Son Construction Co., Inc. (Robert Presnell, Public Works Director)~~ – This item was pulled for discussion. See below.

CONSENT ITEMS PULLED FOR DISCUSSION

5. Approval of Signatures for Special Assessment Lien and Rehabilitation Contract – Impact Fee Proviso (IFP) and State Housing Initiative Partnership (SHIP) Programs (Clyde Collins, Building Official)

Taylor:

Again, I have asked and I am going to continue to ask, I guess I am going to have to wait until we can see a change, I don't know, but, Mr. Chairman, I have asked on several occasions for a list of how these names are being pulled. Maybe one is available today. Over the last three months, I know we have had a huge number of recipients of these dollars go towards Midway. I am not questioning as to why or where or what. I just need to see a list as to how these names are coming about. I am concerned about whether this thing is subjective, if it is done according to feelings and not necessarily the rules that have been set down to us by the state. So, again, the list is ready today. Mr. Administrator, I don't know.

Williams:

I am a little bit dismayed myself because I have directed staff at least three, four, five times to provide this list to you. I am dismayed that it has not been done. I was not aware that it had not been done. So, I don't know.

Croley:

Mr. Collins or Ms. Kemp.

Commissioner Taylor, let's first respond to the item here and then we are going to address your

question about the request for information.

Taylor:

The item here, the reason why I am asking for that question is because I want to vote on an item that is done correctly. I can't vote on an item that is not done according to the laws and rules that was set down to us by DCA. So, if I got a list sat down in front of me, Commissioner Croley, and I can see where these names are coming off in sequential order, then I am comfortable in voting for this. But, until I've got that in front of me, I am not comfortable in voting for this. In my opinion, the intelligence of this board is being compromised. If we have asked for a list on several occasions, I am sure that you have heard that request. That is in your official record. You and I have talked and I want to thank you for your assertiveness.

Williams:

Well, I want to apologize to you because I have directed this list to be made available to you as much as months ago. I am totally dismayed that it has not been done.

Taylor:

That is my only concern. That is why I am uncomfortable in voting on this at this time.

Croley:

O.K. Let's give Mr. Collins and Ms. Kemp an opportunity to respond .

Moore:

Good morning, my name is Mrs. Phyllis Moore.

Croley:

I am sorry, Ms. Moore. I am sorry. I didn't mean to say that.

Moore:

The list you are talking about, first let me tell you that the work that we are doing are the people who were in the Impact Fee Proviso Program. This list was already provided to you all and approved by the board. That is the same list that we are working from.

Taylor:

I have not seen that list. I need to get another copy.

Moore:

O.K. That is no problem. But, it is the same list that we are working on. That is the money that we had to spend and be completed by June 30th of this year. That is the same list that we are working from. O.K.

Our agenda item is approval of SHIP Lien. The Impact Fee Proviso Program – from the list of the people you are talking about. Those are the people we have the liens on. The same list that has been approved by the board. What I will do is put a copy of the minutes where it was approved by this board and a copy of the list and I will personally give it to you. That is not a problem.

Taylor:

You just give it to the administrator.

Moore:

I will personally give it to you. I don't have any problem with that.

Taylor:

Excuse me, just a moment. Let me say this, Mr. Chair.

According to rules – You may not know this, but – according to the rules and protocol, you don't have any direct contact with me. You have to go through the administrator.

Moore:

I understand. I understand. As a matter of fact, I have 30 years next month, I surely know about the rules of the county.

Taylor:

Well, you just made an error in that statement.

Croley:

Excuse me. Hold on.

Ms. Moore, I do apologize. I know who you are. I just had my mind on how best to handle this. Let me ask you in follow up with what your instruction is from the manager.

Please get this list before the sun sets today and put it in all the commissioners' boxes, Mr. Administrator. And not just minutes, but, the list as requested by Commissioner Taylor.

Williams:

Not just the Proviso Program, but all programs.

Croley:

Provide the list as the commissioner has requested and put it in the boxes. That will solve this problem before the sun sets today. I think, Commissioner Taylor, that should address your request for information.

Taylor:

That will and, Mr. Chair, that will address my issue and my concerns, but, here again, without a board – that should be an active board. I don't know how or where these names come from to make this list. It is too subjective. We each nominated a board member to sit over in there. I don't know if it is an active board that can sit and look at these applications as they come in and then derives the list. I am concerned that it is done just by one person. That concerns me. There are some issues there that I have been talking about all along with the county administrator about.

Croley:

I don't think there is a board.

Taylor:
Yes, there is.

Williams:
No, there isn't.

Moore:
We do have an advisory board. We have had several meetings. Every time we have a meeting, only one, maybe two will actually show up. We never have a quorum. We can't just stop because we get to this point. We have to keep going on because we are in a time frame. So, we have a problem with this board. I will bring them to you all if you want them. Whatever you want me to do, I will gladly do it.

Croley:
Ms. Moore, let me make this suggestion to you. Again, Mr. Administrator, you are the one and Mr. Collins that has to direct this.

Mr. Collins was shaking his head that there wasn't a board and you were acting puzzled about the attendance of the board. So, here is what we need to do. We need to know who is on the board, who represents each district, who is appointed to it and add that to the information. Then, maybe we can agenda this item in the future for a proper discussion and review as to how the process is working. That will make life easier for Ms. Moore in trying to do her job and satisfy your concerns.

Now, Commissioner Morgan.

Morgan:
You said exactly what I was I was going to say, Mr. Chairman. I would recommend putting a contact number in there as well for these board members. I don't see anything wrong, as a matter of fact, I would encourage the commissioner, not only theirs, but the other members of that board and get input all the way around to see what is going on on it.

Croley:
O.K.

Commissioner Holt, do you have any comments on this item?

Holt:
I was just about to ask you who the board members are. But, on this item, as far as giving us the list, Ms. Moore has done that. But, what we need to do is what you said earlier. Give us a list of the board members. If the board members aren't meeting, it is our responsibility to make sure we appoint new board members. That way, it will come back to us. It is fine if we just establish the board. There is no problem with doing that. Then we are not working staff to death trying to get some of these things done. There is a deadline. These houses and these programs are not run and the money is not spent, then they don't meet those deadlines. We can lose the opportunity to get it again. If our board is not working, it is up to us to get it working. Also, in those areas, I am sure that

there are people, as Commissioner Taylor is saying, there are people that are in and out there and they are asking me the same thing. They need to get funded. They are trying to get funded and there is not enough money to go around. It becomes frustrating. That \$800,000 will not last anytime. That is a cut from what we were getting. We were getting quite a bit more money, but we are not getting as much now, so, it becomes tense. But, I would think – Mr. Manager, I would expect you to make sure that we get that information. To say to that you are dismayed in a public meeting isn't going to help us one bit and it is not helping them. So, we need some help from you to get this done.

Williams:

Mr. Chairman, may I make a clarification?

Croley:

Sure.

Williams:

We have more than one list. I assume you are wanting all of them.

Taylor:

All of them.

Croley:

We need all the commissioners to be given the list that Commissioner Taylor is requesting, and a list of the board members, a copy of their appointment dates and terms of service, who is attending and who is not. Obviously, this is causing some stress for you with Commissioner Taylor's expectations not being met. Mr. Collins, if you see that is done today, that will be a great help to everybody – just as the administrator has instructed.

Collins:

Any of these people that we work on, we bring these to the board. I will get you the list of the people that we have worked on and hopefully (inaudible)

Croley:

Well, under the circumstances and given the points that have been made and accepted, we need to move on this item.

Taylor:

Let me make this one point. Yeah. I'm not going to vote on anything until I see a list because I think we are out of compliance. I want the people who want to be served to get to understand that some 6, 7 of 8 years ago, one of my strongest desires was to help improve our county. We just got a grim report from our property appraiser and our collector. When these houses are rehabbed and new homes are built, that builds your tax base. So, I am a proponent of doing it. I want to see houses redone. I want the process done. I am very mindful of time constraints and timelines and getting it done right. I want to see these houses done – as many as we can possibly do because it helps our bottom line. I just want to be assured that the process is fair. That the people who submitted their applications some time before are the ones who are being considered first and according to what rules have been set down to us. So, I am proponent of this. I want to see it work. This is one of the

things that we worked on did extremely well, but, we had boards in place, then it was brought back to us from the board's recommendation. That is how it was done when we worked with the City. But, I am not seeing that. I am glad it came up today that the board that we have is inactive. So, we can make calls and get this back active so they can make the decisions and that takes staff out of the way. Now, you've got a board making a decision, which obviously, is not happening at this point.

I am through with this item, so you all can make a motion for –

Holt:
I move approval.

Croley:
I will second the item.

All in favor of moving item 5, signify by saying "Aye."

Holt:
Aye.

Croley:
Aye.

Croley:
All opposed?

Morgan:
No.

Taylor:
No.

Croley:
O.K. Well, the item fails at this time.

Holt:
Mr. Chairman, I have a question for staff, please.

Croley:
Pertaining to this item?

Holt:
Yes.

I need some clarification. What is the deadline on this item?

Moore:

This is Item 5. We have already addressed these houses. They are completed. This is just a lien that has to be recorded.

Holt:

That is what I was about to say, Mr. Chairman. This is a lien and we need to approve it because you don't get any money.

Williams;

That is for our protection.

Taylor:

Well, here is the thing. It can come back to us in two weeks. But, again, the process is not correct. The process is not correct because we should be given an authorization to say go forward or not go forward before you go out and do the work. You are spending dollars that no one person has authorization without board approval.

Holt:

Mr. Chairman, What I am saying is that we approved it. This board approved the work already for the work to be done. That is why it is done. It came before us. But, the list, you are saying has not. That is what you are saying. But, this work has already been done and we need to get paid.

Croley:

Hold on, Commissioners. What is the issue – Commissioner Holt is correct, if I understand this right. The Commission did approve this list of names. This is now to protect the taxpayer's interest by approving this item for these liens. Now, we are on the failing side of the motion. The motion has failed because of the tie vote. Unless one, either Commissioner Morgan or Commissioner Taylor would recognize the importance of that effort, then so move it.

Morgan:

What is the deadline date for us to approve this, Ms. Phyllis?

Moore:

Well, the work has been completed, the contractor is gone, the homeowner has gotten the lien, and that is up to you all.

Morgan:

Is there any harm is us delaying this?

Moore:

If something happens and somebody decides to sell this house or something, if you don't have a lien recorded, there is nothing you can do about getting your money back.

Croley:

In addition, there may be a liability to the individual commissioners up here under this by you failing to exercise due diligence.

Taylor:

Mr. Chair, each homeowner has been given an orientation about what they can and cannot do with that house. They have already been given that. They know that if they move out of that house within that 7-year period, they will be held liable. So, for you to say that they don't know, that they aren't aware – no homeowner is going to move out a house and sell it with the fact that they have already been verbally told that there is already some obligations there on their behalf in receiving these services. They were told that before one nail was put in that house. That they would have to live in that house. So, I am asking for two weeks. That is all I am asking for.

Croley:

Well, Commissioner, the only thing that is at risk is if there is a death and this

Taylor:

That has already been recorded, too. So, this whole thing is thought out. If there is a death, according to the process that should have been in place, a beneficiary should have been named and that beneficiary should have received that same orientation as that property owner. So, all of that is already established, or should have been, according to what I am used to or what we were exposed to at the City. I don't know very much about this one.

Croley:

Well, Commissioner, we fix it. Don't get too emotional. We are all right.

Holt:

Was I emotional? I thought I sounded like I knew what I was talking about.

Croley:

Well, you do. I am impressed. I am impressed.

Ah, Commissioner Morgan had asked a question before.

Morgan:

My question, Ms. Moore, other than what you had stated in response, if we bring back these two items at our meeting in two weeks. In that time, we will have our package that Commissioner Taylor has requested and I think that should be before us and so we are more informed. We can approve that at that time – Is that correct? Are we missing any deadline date?

Moore:

Item 5, I don't have a problem with that. But, Item 6, our auditors have come and they completed our audit. WE have a homeowner, a guy that purchased a house in the Greensboro area, and the house sold at \$125,000. Our cut off is \$110,000. His income is moderate and he could afford that unit, so we helped him purchase that house with down payment and closing cost at the price of \$125,000. That is it for that. Other than that, I don't

Morgan:

Yes, Ma'am, and I may have

Moore:

I will have to take this back to the auditor. As a matter of fact, you should find a copy of our audit report.

Morgan:

I may have not been listening as carefully as I should have. Did we just approve 5 and 6? Or just 5?

Holt:

No, you didn't approve 5.

Morgan:

I mean, did we not approve 5? Or not approve 5 & 6?

Croley:

We did not. We did not. It

Taylor:

I am willing to go with Number 6, Commissioner Morgan.

Croley:

Wait, wait, wait a minute. Hold it commissioners, ya'll are getting out of order here. Wait a minute.

Item 5 has failed because of a tie vote unless you or Commissioner Taylor wishes to change your vote.

Morgan:

Was number 6 included in that vote?

Croley:

No.

Morgan:

O.K. Then I will move that we approve Number Six.

Croley:

Well, we haven't gotten to number 6 yet.

Morgan:

I thought 5 had failed and we had moved on to number 6.

Croley:

Well, 5 has failed now.

All right. Ms. Moore, Mr. Administrator, Mr. Collins, if you will bring Item 5 back after you have provided this information today to Commissioner Taylor.

Holt:

Before you move on, I just have a statement right quick. That was on 5. After Commissioner Morgan. This is to the manager and to staff. This is definitely not your fault. This is our fault and I just wanted to let you know that because we are not supposed to attack you. That is in our Policy and Procedure. If we address it in a negative way or a positive way, we have to address the manager. I just wanted to let you know that there is no problem with what you are doing. We have to, as a commissioner, say that.

Thank you.

6. Approval of Resolution Number 2010-013 Amending the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan and Resolution Number 2005-008C for Fiscal Years 2005-2006, 2006-2007 and 2007-2008 (Clyde Collins, Building Official)

Croley:

Now, we are going to Item 6. Commissioner Taylor, you pulled the item. We've had all this discussion. I doubt that there is anything new to add.

Taylor:

Well, just a question because the information that I have gotten in the last couple of weeks was that if it is a new home, the max is \$140,000. If it is a rehab, the max, I thought was \$120,000.

Moore:

No. An Existing unit is \$120,000. This is a 2007/2008 unit.

Taylor:

So, you are asking – let me go through the administrator because I don't want it to sound -

Mr. Administrator, this morning you are asking that we increase the \$120,000 or the \$110,000. I am confused.

Williams:

\$110,000.

Taylor:

\$110,000 to \$125,000.

Williams:

Yes, ma'am.

Taylor:

O.K. Are we not also going to look at the new because I don't see brand new homes everyday for \$140,000. Can we also increase it, Mr. Administrator to \$150,000, \$165,000 or is that something that you don't want to address at this moment.

Williams:

Well, this is the only one that has been brought to us. There is a reason for that. This is to increase the availability of houses. I would defer to Phyllis.

Is there a need to revise the others – for the new construction?

Moore:

Well, I was listening to what Mr. VanLandingham has said a while ago when he was talking. He was talking about the foreclosure rates. I deal directly with the State. From what I gathered for Gadsden County, Gadsden County has had only two foreclosures out of a period of more than 10 years. The reason why is that we put people in homes that are affordable for them. Most people in the Gadsden County area will fit into the “extremely low income” bracket to “Low.” There are very few moderate. If you put people out there – for instance, we will take the Midway area. The houses out there are selling for \$175,000 to \$180,000. All the foreclosures are in that area. They can’t come through our program. But, the ones that come through our program, we have no foreclosure problems to speak of. The one that we have now is because her house payment was like \$500-\$600 per month. She decided to buy her an SUV. So, that meant that she couldn’t make her payments. As far as our price limits and our area, I think it is tremendous. But, it is up to the board. If you all want to put people in houses that cost \$180,000 to \$190,000, that is up to you. But, the income of the people won’t allow for it. The banks will not finance it because of their low income.

Williams:

So, we should stick with our limits.

Taylor:

I will stick with just what is on this thing. I don’t want to go any further.

I motion for approval of \$125,000. Mr. Chair, Mr. Administrator, never mind. We will leave it as it is. I move approval.

Moore:

As a matter of fact, Commissioner Taylor, for 2007/2008, we have no more money. We have depleted that program. All the money is gone.

Taylor:

We only have the Impact Money.

Moore:

Impact money will expire as I said on June 30th. For first time homebuyers, we have money allocated for first time homebuyers. There is no problem. But, this right here that we were talking about is closing out. This man – he was served.

Croley:

Now, wait just a second. From a legal standpoint, Madam Attorney, I noticed that this is a resolution. Does this require a public hearing?

Moore:

Yes, the State requires that. Yes. If you go back to the back.

Croley:

Hold on Ms. Phyllis. Let the attorney respond. This is a resolution. It is changing some values. I wonder if this has been agendaed properly. It is the legal reason that I am asking. You will see that you are talking about a resolution for 2010 – 013 approving Gadsden County Local Assistance Plan for Fiscal Year 2005/2006; 2006/2007; 2007/2008. It's like we are going back.

Moore:

According to the State, where there is a finding, you have to complete it by resolution. I also have to go back and amend my Local Housing Assistance Plan (LHAP) and resubmit it back to the State.

Croley:

Well, what I am trying to say is – Is this something that requires a public hearing? Or, is it properly agendaed under the Consent Agenda? It is just a legal question.

Minnis:

I am looking at the fact that since this is closing out a program and it deals only with this limited area, that a public hearing may not be necessary. Now, if we get into changing the requirements of the program that we have in place now overall that will affect the public at large, I could see a public hearing required for that. But, given the limited and narrow nature of this, unless I am told otherwise, I don't know that a public hearing would be required on this particular resolution because of the narrow focus of it.

Croley:

Thank you for that clarification.

Minnis:

I think Commissioner Holt has a concern.

Croley:

Yeah, I just wanted that clarified.

Holt:

I am kind of concerned about that resolution part. But, the attorney has given the advice and we are covered, I am O.K. with it. But, I think you are right, Mr. Chairman about the resolution issue. I have some concern there. I have no problems with approving it and to move on. She is telling us that there is a close out date and we need to meet that date. But, I must say this. Everything that you do is going to be behind because you are going to have to move up to that point. The list is behind and it always will be because these people are poor.

Croley:

Commissioners, we have a motion to approve.

Holt:

I will second it.

Croley:
We have a second.

All in favor signify by saying, "Aye."

Morgan: Aye.
Holt: Aye.
Croley: Aye.
Taylor: Aye.

Croley:
All opposed?

(no response)

It passes unanimously.

But, do let me remind you, Ms. Moore, and especially Mr. Administrator, it is obvious that once this information is provided, at Commissioner Taylor's request, to all of us, that it may be that you want to put this under General Business and have a proper discussion. If we are going to change anything, if the attorney, Ms. Minnis, you might need to review that and see if we have to have a public hearing. Right now, this is sort of all up in the air.

Commissioner Taylor, on these items, I appreciate you bringing it up. You are very knowledgeable and you have brought forth a lot of information.

And, Ms. Moore, we always thank you for what you do. It is just a matter of everybody getting on the same page.

8. Approval to Award the Dupont Road Resurfacing Bid to Peavy and Son Construction Co., Inc. (Robert Presnell, Public Works Director)

Commissioner Taylor had requested that this item be removed from the consent agenda for discussion. She asked for an explanation of the change order.

Public Works Director Robert Presnell explained, "We negotiated with the low bidding contractor and basically cut his bid in about half to match the grant amount that we received – this particular grant – to the dollar. We got him to that figure to do the job. The change order will be to reduce the contract amount from the \$600,000 or something down to \$313,000. The change order is a reduction to get it to the negotiated price.

Williams:
Mr. Chairman, we need to note that this Dupont Road.

Presnell:

That is correct. This is a contract for the resurfacing of Dupont Road.

Taylor:

I so move to approve. I just wanted to understand that change order.

Morgan:

Second.

Croley:

It has been properly moved and seconded that Item 8 be approved. Is there any discussion?

(There was no response.)

All in favor signify by saying, "Aye."

Holt: Aye.

Morgan: Aye.

Croley: Aye

Taylor: Aye.

Croley:

The "Ayes" have it.

Citizens Requesting to be Heard on Non-Agenda Items (3-minute limit)

Howard Kinch, 240 Mockingbird Lane, Chattahoochee, FL – Paving of Mockingbird Lane

Mr. Kinch told the commissioners that the population on Mockingbird Lane had increased to the point that maintaining the road had become impossible. Delivery trucks and the garbage pickup service trucks have had to delay service because of the condition of the road. He was quick to point out that he was not complaining about the public works department service because they always gave good response to their plight.

He then presented a petition signed by all residents on the road requesting that the board consider the road for paving.

Commissioner Morgan noted that he had talked with Mr. Kinch on at least three occasions. He clarified that there is a road paving priority list. He asked Mr. Presnell and the administrator to be in touch with Mr. Kinch and report to him what position Mockingbird Lane is on the priority list.

Dave Dempsey –540 Mockingbird Lane, Chattahoochee, FL

Mr. Demsey added that there is an impact on the people who live on the roadway. He asked to be put on the road-paving list and be considered for paving.

Public Hearings

GENERAL BUSINESS

9. Approval of Grant Writer Position

This item was deferred from the last meeting pending advice from the county attorney. Based upon the attorney's research, the staff was given a favorable review to move forward to hire a grant writer.

Attorney Minnis:

I will tell you my thought processes on this. My understanding is that the individuals who were laid off were not specifically grant writers. As part of their duties, they did provide some grant writing services, but, so do a lot of the other employees in the district. There is not a concentrated position or a person that is called a "grant writer" that we laid off. We laid off individuals that, as part of their overall duties, they did write some grants. But, everybody else in the county also writes grants. Mr. Presnell writes grants, Mr. Collins writes grants, the Growth Management Department would write grants. So, we did not have "a" grant writer. So, this is a new position for the district. It would basically coordinate all of the efforts of the employees that are already writing grants. So, I saw it as completely different. It is not similarly situated to the individuals that we were dealing with.

Taylor:

I am glad you put it that way. I am sorry, just one comment and then I am done.

Maybe the way that I addressed it would probably look like I was talking about one particular person or position like you just explained. But, the overall reason for the reduction was fiscal issues. That was the overall reason. You are right. We should not point to a particular position because no one person held it. But, your overall reason for laying off 13, 14, 15 people was fiscal issues. To come back in the middle of a year and say, "Well, let's just pan out \$40,000 for salary plus another \$15,000 or \$20,000 for benefits, then, now you have countered your overall reason for your reduction.

Please, don't misunderstand me. We definitely need a grant writer. But, at this point, at this juncture, when we have laid people off in this fiscal year, it is just counter to come back and say, "Let's put this person on now." We have made it through. We are fiscally o.k. But, to get a decent grant writer, I would appeal to this board to wait until we get into our budget year, then look at it seriously. I concur. The only way that we are going to get the dollars we need now – obviously, it is not going to come from our tax appraiser. They came before us this morning with their report. So, it is not going to happen there. It is going to have to be new dollars. But, not now. We would be setting ourselves up. We are giving them credit (I am talking about the people who are going to be suing us) We give them credit to come back in the middle of the fiscal year and hire a person. It concerns me at this point, fiscally. I understand your rationale.

You are talking about a position. I am talking about our reason for the layoffs. That is where I am going back.

Croley:
Commissioner Holt?

Holt:

Some of the positions that were laid off, I was not in favor of because they were bringing in large dollars. We don't have those large dollars, so we have to have someone to go and get them. We have to have someone that is in that area that can draw down those dollars. Now, I am in favor of that. I am not in favor of standing still simply because even though the State is in debt, there are a certain amount of dollars that they are going to send out anyway. They are going to be sent out. We are not going to get those dollars because we are not going to be, as we were told eight years ago, "shovel ready." We were not shovel ready then and we will not be "shovel ready" in the future for those grants. We have to have a point person to go after that funding. If we do not have anyone, we are going to miss the funding.

As the tax collector said and the property appraiser said, we are going to be down "X" number of dollars. How do we go after the funding to replace those dollars? We are going to be sued anyway. O.K. We are being sued and we are going to be sued. That is just the way it is. That is the way it has worked in the past. You just haven't heard about it because the county has been very creative. But, what I am saying is that we need those dollars. Those dollars are not in the door here. Now, I am not for writing a position for a person. I am for providing a position in order to accomplish the goal, but not for a person. I will be the first one to raise sand about that.

But, we have not gotten out there and met deadlines to get money. AS those deadlines pass us by, and, I was told by one commissioner that running that sewer line out at 267 – at one time, they were not in favor of it. And I said, "You will not get the people, you will not get those hotels out there if we don't run that line." Now, we have the hotels out there and they are making money.

"We don't want to be responsible for those dollars," that is what the commissioners said (two of them on this board) if we do it, we'll have to be responsible."

The only way that we are going to draw down the dollars that we need to draw down from the state and federal government is that we are going to have to put in sewer lines. They have already told us that. They are not accepting anything else. They are not sending money for anything else. So, we have to have people to go after this funding. They are going to have to run lines down U.S. 90. They are going to have to run lines out there on 27 no matter what the communities want. Everyone is looking for those dollars.

We got zero in the humanities. The funny thing about that is that there are large numbers of dollars in the humanities. When I asked about the issue of the hospital – about companies trying to come in – they want to service a certain population in this county. That grant right there, that money right there in the federal government in those hospitals is \$224 million. So, we have to have someone who can go after that funding. They know specifically what they need to do, but we don't. We are not ready. We don't want them to pass us over again as they did with a lot of

the incentive money and regular dollars that we didn't get.

So, we have to have someone. If we do not, we are going to lose the \$250,000 that the property appraiser and the tax collector say that we are going to lose, we are going to be stagnant, and we are going to have to have another layoff. So, we are perpetuating the problem by standing still. We cannot stand still. That is why you see there is an uprising among the Association of Counties and the League of Cities saying, "Can we go and get other dollars?" They are trying to fill those holes. If we don't fill them, then, we are going to be stuck, we are going to be stagnant and we are going to be broke because of the Portability Amendment One. We are going to be broke because Amendment One is a grinding amendment. It cuts every year. So, even with the portability, there are not many people coming in from the coast. Selling off, coming in and buying again and getting that big tax break. The next hurricane hit, they are going to come. That is going to be another cut. We have to have a grant writer or someone as a point person. We also have to have someone to monitor grants. That is something that we lost. You've got to have someone to monitor grants coming in. If that is not filed correctly in those reporting quarters, we will be liable and we will have to pay money back.

Croley:

Thank you, Commissioner Holt.

Commissioner Morgan, do you have any comments?

Morgan:

Yes, briefly. Thank you and I appreciate it.

Just a couple of things. I think, from what I am hearing around the board, the grant writer position is something that we certainly need to consider. I think it would be wise right now to table this issue until we can do a couple of things. 1) Better define how that position is going to be carried out within the county. It may be that we should contract these services out rather than have a fulltime employee. In my opinion, I don't think we have an opportunity to get any grant dollars between now and the end of this fiscal year. I think we have a better chance of catching a flight out of Iceland this morning than that. But, I think because of that, it would probably be wise to table this right now. Plus, we only have a board of four here this morning and this is an important position. I would like to see us consider ways that we could maximize this position, as I said in the past. There may be ways that this position could work with our TDC. We ought to get input from them about how they might like to see that done. I think we ought to look and see how other small rural counties are addressing this issue where they have a fulltime position for this with benefits. Or, again, is it a contracted position? I think that we need to consider if it needs to be a salaries position or a position where they receive dollars based on how much they bring in. I think there are a lot of questions to be asked.

Croley:

Thank you, Commissioner Morgan.

Well, Mr. Lawson , Mr. Administrator, I would tend to concur with the points that Commissioner Morgan is making and Commissioner Taylor's concern about the fiscal impact at this time. I do

agree that this is one of times where I think there is a consensus of opinion up here, but for different reasons. Commissioner Holt's point about the need for an effort on the grants would be logical and certainly appropriate. But, again, I don't know if we need a salaried position. I don't think it is very clear here what our plan and what type grants this person would go after. I think you need to be able to answer all those questions and it may be that might be better and we move into next year's budget to consider. So, on that basis, I need a motion to table this as suggested. Would you make that motion?

Morgan:

I move that we table this.

Taylor:

He had already made it, so I will second it.

Croley:

Then questions?

Holt:

Yes, thank you. One point that I want to bring up, if you are going to table it, and it seems that is the way this is going, that we bring this information back with all the information. WE need to look at some deadlines and see if we pair up with other counties. We paired up before with Palm Beach County to look at draw down dollar and the things that we went after. We have paired up with a group on the federal level. So, if we can do that, as we have done before (you can get with the Association and they can tell you some of the things we had.) We had and "Adopt a County" where large counties adopted smaller counties. That is how we ended up with Palm Beach. We tried to get paired with Collier because they were the wealthiest county in the State. But, Palm Beach was the second wealthiest. They gave us a lot of things that they were discarding and they were not necessarily interested in. But, if we would bring the issues back along with this item. There are some deadline dates with the State and Federal Government. I don't know who is going to do that. As Commissioner Morgan said, he doesn't know which ones. I don't know which ones. Other people on this board – we don't know because that is not our area of expertise, but we need someone in the room to tell us some things. I don't know if we need to invite over a grant writer from Leon County or another area to come back with this item.

Croley:

Commissioners, we have a motion to table this item. I would request that the administrator to bring this back for further review after we have developed some information during the budget process. I think that would satisfy the majority of the board.

Williams:

During the budget process. O.K.

Holt:

What is that date?

Williams:

June.

Croley:
In June or July.

Holt:
O.K. Thanks.

Croley:
We have heard the motion. All in favor, please signify by saying, "Aye."

Croley: Aye.
Morgan: Aye.
Holt: Aye.
Taylor: Aye.

Croley:
All opposed?

(No response)
Make that unanimous.
"

10. Approval of Resolution Number 2010-016 Supporting the City of Tallahassee for the Reconstruction of the Corn Hydroflow Dam on Lake Talquin

Vice-Chair Croley pointed out a minor change in the wording of the resolution as it was posted.

Charles Chapman clarified a small change. Gadsden County is expressing its support of the City of Tallahassee to the Northwest Florida Water Management District (not to the Florida Department of Environmental Protection.)

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER MORGAN TO APPROVE THE RESOLUTION.

The following question was raised: How did this resolution originate?

County Administrator Williams:
I believe it had to do with the group down around the lake having conversations with the Chairman that we needed an actual position. We rejected the previous position, which left this board without a position. So, there was the feeling that the board needed to be on record as having some sort of a position. I think the request came to the chairman and Ed's group down there around the lake.

Croley:
That is still not very clear. Who wrote this resolution up?

Williams:

Charles is actually the author of it at my request.

Croley:

Mr. Chapman, who instructed you to write the resolution?

Chapman:

Mr. Williams, as he just indicated. He gave me the direction to write this agenda item. From what I believe, the Friends of Lake Talquin had taken a position with the chairman and it was approved by this board to be brought back at a later date for approval. It was also expressed to the Tourism Development Council that this was a concern. Defining the lake and the things that would change pending not doing this improvement that would possibly affect the use of the lake from a recreational property to a flood control, which could affect various aspects of local business, property values, and having an echo effect with the economy, especially with the Tourism Development Council for concern.

Morgan:

That answers my question.

Holt:

The resolution, if I am not mistaken, the chairman told us and the commission agreed that when you brought these items back, it had to be voted on, and it was not voted on.

Croley:

Well, this is that opportunity, then.

Holt:

No, I am saying that in order for it to be put on the agenda, it was not voted on. That was specifically -

Croley:

I would have to go back and check the minutes. I don't know whether we approved this item to be put on the agenda.

Holt:

Not a resolution. We did not approve the support for Liberty County, but neither did we approve placing another resolution on the agenda.

Taylor:

Mr. Chair.

Croley:

Yes, Commissioner Taylor.

Taylor:

That particular night, or maybe the following meeting, I made the statement that we have not stated our position on this issue. I knew that there were other counties that were presenting a position to the City of Tallahassee as to where they were. Then I asked that particular night that we do a resolution to state our position as far as what we want to see to make it clear that we did not want it to become a flood control lake. That we did not want to take the recreational aspect from it and certainly not compromise the value of the property. Those statements were made by myself. Then we said, "Let's bring a resolution back so that we can present to Tallahassee our clear position on it." That is how this resolution derived.

Yes, there were conversations with the chairman as well as Lake Talquin. But, around this diocese, I made that comment that we needed to set a position.

Holt:

Mr. Chairman, I have no problem in supporting it if it was put on the agenda correctly. Not necessarily correctly because that policy has been shaky anyway for putting items on the agenda. But, that is the only reason I am bringing it up because it has been very shaky.

Croley:

O.K. Well, let's

Holt:

Sir, if you will allow me, I wanted to finish and I will make it very short.

But, I will vote for it contingent upon those minutes and that it was put on there by the recent procedure of this board. This board has never really followed that procedure.

Croley:

O.K. We have a motion and a second on the floor.

All in favor of this resolution, signify by saying, "Aye."

Morgan: Aye.

Croley: Aye.

Holt: Aye.

Taylor: Aye.

Croley:

All opposed?

(No response.)

Croley:

Make it unanimous.

Holt:

Mr. Chairman, if I may.

Mr. Manager, I would like to see those minutes.

Croley:

Well that would have to come from the Clerk's office. If you will, please provide that to Commissioner Holt.

Holt:

That would be the manager.

Morgan:

I believe in your book, in the February 16th minutes, I read them last night.

Holt:

Right. But, I need to make sure that I have a copy. And that will be through the manager.

Croley:

They are in your book.

Holt:

I saw that. But, I wanted to see the other copy.

Thank you.

Croley:

If they are in the book, then she has a copy. If that is not satisfactory, she can get with Mr. Williams.

Holt:

Right. I will get with him.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AS AMENDED.

11. Request from Office of the Medical Examiner for Fee Increase

Mr. Williams pointed out that the last increase in the medical examiner's fees was in 2007 and the list provided in the agenda report reflects a 5% increase across the board.

Clerk Thomas had no comments or objections to the increase.

It was noted that this increase would not go into effect until October 1 in the new budget year.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE REQUEST FOR THE FEE INCREASE TO GO

INTO EFFECT ON OCTOBER 1, 2010.

Revisit of Item 10

Commissioner Holt stated that she had read the minutes of February 16 and it did not reflect that a resolution was to be brought back in support of the City of Tallahassee and the Lake Talquin Dam issue.

The County Administrator was instructed to get with Commissioner Holt on providing the minutes she has requested.

12. COUNTY ADMINISTRATOR

Update on Board Requests

Mr. Williams referenced the summary sheet at the front of the commissioners' agenda packets, which noted the progress being made on each of the requests made of him by the individual commissioners. (It is noted here that this sheet was not available in the clerk's agenda packet.)

Vice-Chair Croley called for questions from the commissioners.

12. COUNTY ATTORNEY

It was noted that Attorney Minnis had distributed several opinions by email to each of the commissioners and is provided for the record as attachments to the minutes. Some of them were discussed as follows:

12A Opinion on Small County Sales Surtax Passed in Accordance with Section 212.055(3), Florida Statutes

This opinion limits the use of the Small County Sales Surtax to the maintenance of infrastructure defined as public works projects, water/sewer systems, and fire protection.

Taylor:

When you went over the one-cent sales tax, at one point in time, from my understanding coming up here, there were dollars being allocated to the Sheriff's Department from that one-cent sales tax. Is that correct?

Minnis:

I don't know if that is correct. I dealt with going forward. I did not review any prior or past expenditures. I didn't make any opinions as to those past expenditures. My opinion is from the date of the opinion going forward. This is my suggestion as to how the money should be spent. So, I have not delved into what those past expenditures were. That would be something that the Clerk would have to say. And, I don't know that they have been expended for those types of projects at all.

Taylor:

Can I yield to the Clerk for that?

Croley:

Yes, I was going to ask Mr. Thomas that question.

Thomas:

Not for operations. There was money for capital projects that they were supposed to do – repairs and all at the jail. I am not sure if all of them were ever completed. But, there was money from that particular tax allocated for that purpose.

Taylor:

So, based on the opinion that you have given, going forward – would that expenditure be allowed to continue?

Minnis:

No, it would not. Now, the commission does have the authority to amend its ordinance to broaden the category of items that it wants to spend that tax on. My opinion was solely based on what I read and interpreted the ordinance and the type of projects that the ordinance indicated that the money should be spent on. Again, I did not make any opinion as to prior expenditures. The appropriateness, viability of them or anything like that. Mine was from date forward.

Taylor:

One final question to the Clerk.

Was there language in there to amend this ordinance so that the sheriff will have access to those dollars for infrastructure or did the then attorney read into the language that the sheriff could have those dollars – reading into the existing language? Is that clear as mud to you?

Thomas:

The prior attorney had a more broad interpretation. But, still, in terms of operating, the money has not been used for that purpose yet.

Taylor:

I understand. So, it has been strictly infrastructure – what it was used for. Now, you are saying that going forward that it cannot be used.

Minnis:

Yes. Since there was an opinion on the books, I gave no opinion as to prior expenditures because that was based on your prior opinion and I have not made any judgment or value as to that. It is just in my reading of the ordinance, going forward, this is my recommendation to the commission.

12B Expenditure of Public Funds to Benefit Private Property

Taylor:
O.K. Going forward.

Now this last one you had about public property.

Minnis:
Public property or public funds?

Taylor:
Public funds for private property. I am sorry. There are a few “ps” in there. Once I read what you had issues, you had indicated that each county has home rule.

Minnis:
Correct.

Taylor:
And, that we can look at – per our conditions – and kind of curtail to our needs. Then you went on to say, “Since it is a private road and it is specifically for private residents, it would not be considered a countywide need.” I think that is how you put it. Then, I thought to myself – well, every road is private and it only satisfies those who live on it. So, that opinion was kind of – not compromising you because you are the attorney around here, but, I can see where we could have some wiggle room. The gentlemen that was here, Commissioner Morgan, I don’t know if Mockingbird Lane is a private road,

Morgan:
It is a county road.

Taylor:
But, I do know that there are several of these roads that they are willing to give their roads back to the public – to the county.

Minnis:
Perhaps I can clarify what that means.

Yes, the counties have home rule. However, you have home rule unless it is inconsistent with the Statutory provision issued by the Legislature. The Legislature has issued provisions regarding the use of public funds on private property. Basically, unless it is a county road or one that serves a countywide purpose for all the citizens of the county, they have limited your ability to use funds on that road. Now, what they have allowed is that if it is a private road that has not been dedicated to the county or that the county has not taken over, then you can work with the citizens who live on that road to make the repairs at their expense. Sort of like a special assessment situation. They can request that you use your equipment, your manpower, and then pay you the actual cost for doing the paving or repairs for them. But, the Statute looks at that as more of a narrow purpose serving those particular citizens and not the county as a whole.

Taylor:

I saw that and I still at the point, not compromising your opinion, it is very clear that you are quoting statute on that, but, what it did to me was make me look at another avenue to try and still get this done. That is one reason that we are here. That avenue is that we now look at the possibility of adopting the roads. I have said at one point in time, and I talked to the administrator about it as well as he had shared with the director of Public Works that each commissioner might be given the consideration to adopt at least a mile. That is various roads in the district that are private that we can get some kind of legality ruling or document that could be signed off on and allow those roads to come back into our coffers. Then we can use it once it did become a county adopted road. Then we could use public funds to pave those roads.

Minnis:

If it becomes county property and a county road.

Taylor:

Yes.

Minnis:

When it become county property, that puts it into a different category.

Taylor:

That is it. That is it. Thank you.

Croley:

Any other questions for the county attorney?

Holt:

Yes. The Drug Abatement Committee –

Croley:

Excuse me, would you repeat that?

Holt:

The Drug Abatement Committee.

Croley:

The Drug Abatement Enforcement Board.

Holt:

O.K. Enforcement Board. O.K. I will put Board on it.

On that board, no matter what they look at or what they decide, they have to report to the Sheriff. How does that work? We are looking over into Law Enforcement side of government and I wanted to know how that would work – right quick.

Minnis:

Well, I have just started looking into that area. There is an ordinance that the county did pass

back in the early or late 90's – somewhere thereabouts. The Statutes does allow for the creation of an abatement board. It would work similar to the board you would have controlling nuisances with property. Even though those boards are in effect, they don't really usurp the Sheriff's authority. They are more of a civil kind of penalties and fines and those kinds of things. So, I think they work in conjunction with the criminal system and the legal system. They don't usurp those authorities.

Holt:

Well, I wasn't looking at them taking over any authority from the Sheriff, but I am looking at the fact that once you know something, you become liable in certain instances as far as real knowledge of those issues. I think that if we are going to look at a board looking at those issues throughout this county, we need to make sure that they are reporting to right authorities, the correct authorities to report to this board. We are elected officials and once you become aware of something, to a certain extent; you may be liable for what you are aware of.

Minnis:

I think in those kinds of situations, constructive knowledge could also fall into play. If you don't have a board in place and the citizens bring to your attention that there are issues going on, you are going to have the same type of issue. My understanding is that with this board, it is an effort to be more organized with that kind of situation. Like I said, I am only beginning to look into that process. I am beginning to look into the ordinance and dissect the ordinance that was passed and compare it with the Statute to make sure that it is in line with what the Statute permits the boards to accomplish. If there is a concern that the commission has about having more information brought back to it, or more information provided to the Sheriff in advance – as long as it is permissible under the Statute, I have no problem with amending the current ordinance to meet those needs.

Holt:

Thank you, Mr. Chairman. I would like for that to be looked into simply because of that issue of who they would be reporting to; what type of time frame – because if you know of any of these items that were brought up under that Enforcement Board, if you look at any of those items, once that they are reported to you, that becomes another whole animal and it also has to be looked at as a time factor when someone is breaking the law.

Croley:

Well, Commissioner, I believe that the Board is set up in the county ordinance, and it is intended – I know that we had a petition – I don't know what happened to it, Ms. Minis, but you may have gotten a copy of it – from individuals who are complaining about drug related activities on properties that are adjoining them. It has been going on for a long time. Officers go out repeatedly to these same properties trying to do their job at public expense and risk of their life and personal safety. But, the authority of these boards under State Statute is to bring action on a civil basis against the owners of that property that are allowing these activities to go on on their premises. It goes beyond that of the regular law enforcement activity. I am not even sure that it involves this board, as the Board of County Commissioner. This is a separate entity that is set up to deal with those type problems. When citizens bring these type criminal violations and is predicated, you know, they can look at the number of calls sent out to a property. So, the idea

that the State Legislature seems to have had, and Ms. Minnis, I am sure you will elaborate more when this item is brought back, our responsibility would be to appoint the members of the board.

Holt:

Right. I don't have a problem with the concept.

Croley:

That would not involve us being involved in it beyond that. The Board would take the actions. The Board is indemnified under the State Statutes as no liability on them for their work. I think that it is on the books. We have citizens complaining. It is a question whether we make those appointments to that board or not.

Of course, Ms. Minnis, I guess you will get back with the administrator and follow up. Those are good concerns and I am glad you mentioned them.

Holt:

I have no problems about it – whatever is legal. But, she just mentioned that you can change certain items and those items may be brought back before us. If we see that there is a conflict in there any kind of way, I want to make sure that we are working with law enforcement and not when people get on boards and committees. We have appointed them before and we have some now, but when they get on boards and committees, a lot of times they start dictating to other citizens what they are supposed to do. Then, they do step over those bounds. When they go out there saying, "You can't do this on private property. You can't do that." Then they are stepping out into an area, and they are appointed by this board, I don't want to make us liable because you went onto someone's property and say "Well, you are having a party and there is someone over here smoking pot." Then you have got to go – If they say to me, "Ms. Holt, they are out there smoking pot." Then, that can be a problem. I want to make sure that we are working very, very close with what law enforcement says to do. I do not want those citizens to take it upon themselves. You know how that works sometimes.

Croley:

This has nothing - this has no law enforcement aspect. As she said, it is strictly a code enforcement aspect for property owner.

Commissioner Morgan, do you have any questions for the county attorney?

Morgan:

I do not.

Croley:

Thank you for all the information you provided. You did a good job with all these write-ups.

12C Gadsden County Tourist Development Council – Code of Ethics

This opinion was not discussed.

13. Discussion Items by Commissioners

Commissioner Morgan, District 3

Morgan:

I've got a few comments. I do appreciate it, Mr. Chairman.

Resolution in Support of City of Tallahassee and Lake Talquin Dam Repair

First of all, I believe I may have misinformed on the February 16th minutes in our book. We were talking about Commissioner Stoutamire's resolution. So, to clarify that – it originally talked about his request and our comments to issue a letter of support. I believe it was the following meeting, so I want to make sure that I stand corrected on that. I made an error on that.

Code Enforcement Issues on Hardaway and Atwater Road

Secondly, I wanted to ask about an issue on Hardaway Road. I know that I mentioned it to Mr. Collins and maybe he can give us an update on it. We have a situation out there, just past Atwater Road, and I just want to make sure that we can be updated on that and a couple of other issues over there.

Collins:

This is out there at the railroad tracks out there. Randy (inaudible) is the property owner. We have issued him all the letters. He has requested a hearing with the county administrator and we set up that date for sometime next week. One afternoon so that he can come in and discuss it.

Morgan:

That is a deal out there. I don't know what that is all about. Just stuff strewn everywhere.

Collins:

There is junk just piled up everywhere out there in the yard.

Morgan:

So, we are doing what, legally, we have to do on our end to make sure that is taken care of?

Collins:

Yes, we have posted the property and actually have contacted the owner and we have had conversations with him and he has formally requested a hearing with the county administrator.

Morgan:

O.K.

Code Enforcement Issue on Hardaway and Bonnie Hill Road - RVs

Then, I just had two other quick issues.

There is right at the end of Hardaway Road, and the Bonnie Hill Road, I know you are aware of an abandoned RV there. It looks to me like they have started to get that out of there.

Collins:

Yes, we posted that property. We had a hard time finding who owned it. But, we finally posted the property and kept on until we tracked him down. They are tearing those down. They have asked us to give them a little bit more time to get the rest – the other camper that is there – torn down and moved.

Code Enforcement Issue – Bonnie Hill Road and I-10 Area – Abandoned Cars

Morgan:

Then, the last thing, Clyde – right there at Donnell's where you turn to go to the Interstate there on Bonnie Hill Road, it looks like there are some cars starting to pile up actually on the other side of the road there that I notices. Have we addressed that as well?

Collins:

Yes, we have addressed that and given them a time frame to move them.

Possible Enhancement to Code Enforcement Ordinances – Possibility of Magistrate

Morgan:

The reason that I bring those three things up is that I wanted to highlight to the Board, and I am sure this is the case throughout the county. But, Clyde and his crew are doing a great job in District 3 addressing some issues that have been ongoing over there and we are making progress and I just want to tell you that I really appreciate it. I am hoping we can get these other ones down.

Collins:

They are working in all the districts. We sent out 10-15 letters a day.

Morgan:

The only reason that I bring it up is to see if there are things that we can do to tighten up those codes that will make it easier for us to enforce. Maybe not easier, but, be able to hold some of these folks more accountable? Can we tighten these things up?

Collins:

We can use some help. Most of the time, 99% of them will comply. They will clean up. It takes a little coaching and stuff like that, but they usually do. But, it is the other 1% that just will not do it. And, I don't know that we have the laws on the books for us to start issuing monetary citations and stuff like that, but we need something like that. We do.

Morgan:

I wish that would be brought before us, Mr. Administrator, to look at that.

Croley:
Are you making a motion?

Williams:
I would be referred to a county judge, would it not?

Morgan:
I am sorry.

Williams:
I would think that it would be referred to a county judge.

Morgan:
I don't know. But, I would move that we get some information to us and if it is o.k. with the board, just see how we can move forward on this.

Croley:
Are you making that as a motion?

Morgan:
Yes.

Taylor:
Well, I will second the motion, but, with a comment. I did talk to the retiring judge who would consider sitting as a magistrate. I did talk to him and he will consider doing that. It is down here as my No. 6 item for Code Enforcement – to put more teeth in the policy.

Croley:
Well, Commissioners, we have a motion and a second for this item to be properly agendaed at some point in the future and allow the county attorney to review the codes and find out what we need to do to strengthen them and explore Commissioner Taylor's suggestion about a magistrate to try to clean this up.

All in favor?

All: Aye.

Croley:
All opposed?

(no response)

O.K. Mr. Administrator, sometime in the upcoming weeks, months, you, and the attorney see what you can do to strengthen Code Enforcement – or consider.

County Newsletter

Morgan:

I just had another couple of quick issues. I appreciate your patience and I will get through this pretty quick.

I did want to recognize for the public, that our county newsletter update is out. There is very good information in that and I believe that Charles may still be spearheading that. But, I think that has really been good and I know that it is also on the web.

Staff Interaction with Constitutional Officers

I want to thank Dale and Clay for coming by and giving us an update and for the fact that the Clerk is now attending our meetings and listening in and making comments. I really appreciate that what you office does and how they are working with Ms. Chess and how she is responding.

Mr. Administrator, I am hearing really good things on how we are communicating on either side of the street. I think our citizens are benefitting from that.

Financial Updates

To that end, our second quarter financial update is due – I just want to confirm that it will be on our next meeting. I think that is what Ms. Chess had said.

Williams:

Yes. Well, we want to make sure that we wait until everything is closed out. Last month, we only had two months of actual.

Morgan:

But, if I understood that, she said that we would have that.

Williams:

Assuming that everything, Mr. Clerk, is closed out for the second quarter.

Library Commissioners Retirement and Replacement Appointments – to be placed on agenda

Morgan:

And the last item that I had – I just want to agenda a couple of items for our next 9:00 a.m. meeting, (not the following meeting) with the board's approval.

I have two library appointees that have requested to not continue in that capacity. I would like to recognize those ladies. They have served for 20 plus years on our library board and I would also like to formally appoint their replacements. Again, I would like to request this at our next 9:00 a.m. meeting. I don't have the date for that, but –

Croley:

Are you making that as a motion?

Morgan:
Yes.

Holt:
I will second it.

Croley:
O.K. It has been properly moved and seconded that this item be placed on the agenda. All in favor please signify by “Aye.”

All: Aye.

Croley:
All opposed?

(no response)

Motion passes.

Is there anything else?

Morgan:
That is it. Thank you.

Commissioner Holt, District 4

Comprehensive Plan Workshops Requested to be Placed on an Agenda

Holt:
Thank you. I would like for this board to really consider having some Comp Plan workshops. I can't reiterate this enough. I am going to tell you another thing that property appraiser said when he was standing up there.

Any development, and do it across the board, and we definitely need training for this board and for our Planning and Zoning Board. We need to be able to look at those areas that you want to develop in the county. In order to attract the type of businesses that we want and the type of jobs that we want. Until we sit down to look at the Urban areas and we look at the I-10 exits, we look at 27, 90 and the railroad. If we don't look at those mechanisms, we are going to be behind in development. We will develop in the places where we do not want the development at. You cannot stop a property owner from selling their property. When the next person comes in under that zoning, they may stretch that out a little bit further than you may want. Once development starts, it is too late to look at the Comp Plan workshops. We need to do that and we need to start matching up our Land Development Code to match the Comp Plan.

Now, we can do that by bringing in specialists. We are right next to Tallahassee, so we would not necessarily have to leave to go to workshops. But, those individuals have sight over the whole state and they know what is going on a lot better than we do in small counties and small counties surrounding large counties like Leon. Like Henry County and the rest of them in south Florida that surround these large counties. But, they are getting the benefits of developing in certain ways.

Commissioner Croley, you brought up about you may not want to be the bedroom community, but we need to look at that now before development starts back. And, it is going to start back. We have to know what we are going to do coming from east, coming up from I-10. Where do you want this at? I noticed that there are members in here from Lake Talquin. You have to look at that area also. All of your resources – where are they? What do you need to do? How do we do it? Because we are going to end up with problems.

I would like that to be looked at at a certain time. It doesn't have to be in the next month, but we do need to look at that.

Croley:

If I may respond, Commissioner. I remind you that we are being required, as you are suggesting, by the DCA for the EAR report, which, is why you have the Preble Rish Group assisting with the Planning and Zoning. So, you will have that back.

Also, I believe that you are aware that the Settlement Agreement required that the Urban Services Boundary be determined. All of those things are a part of that Comp Plan and in determining the growth.

For clarification, let me make correct something there that you said there. I did not mention about bedroom community, what I was referring to is the "affordable tract housing" back yard. Leon County and other adjoining counties may be crowding out people by some of their restrictions. As Commissioner Taylor was saying, we need to identify what process we want to use for the citizens who live here who need help with their housing. Not be the accommodating factor for somebody else. But, the items you are requesting are going to have to occur in the coming next few months.

Williams:

They have a series of meetings set up, I understand. I have not seen the schedule, but I think this is going to happen anyway.

Croley:

She is asking.

Holt:

It is, but, what is happening is when Preble Rish and the company that was doing before, what they are looking at is – they are doing the surveys, they are doing everything that they were doing before. What I am saying is that this board and the Planning and Zoning Board – there are two or three members there that have, in the past, asked for workshops. The reason they are asking for workshops is not just so that we can do our EAR report. Not just so that we can report to the

State, but, they want to look at things that are going on in different areas that we may want to bring in. So, we need to workshop that separately from a regular meeting. We don't need to have just what Preble Rish is saying that they are going to give us. Once they give it to us, we have to say - Do we want to do this over on 267 at Highway 12? Do we want to go here, I am sorry, I-10 and SR 12. What do you want to do out there at the High Lai area and that intersection? The report gives you something to go by, but we have to make a decision as to what you are going to do. In order for you to do that, you either have to go to those other locations in the surrounding states, or the surrounding counties, or to south Florida. You have to go and look at those areas and see if this is something you want in Gadsden County. So, we can either go and look or we can have those people come in they can bring it at a loss less expense. We are right next to Tallahassee. That is what I am saying. We need to schedule those workshops so that this board and other boards can look at it. Especially, Planning and Zoning. Then, they can see what it is that we should be doing.

Croley:

I believe that part of this process will have to have some workshops. I am sure your staff will be bringing this back to do just what you are saying.

Holt:

If I can get some joint meetings, as I have said, with Planning and Zoning so that we all see the same thing. That way, we don't have something coming to us and they are thinking, "Well, this is what you want." This has happened before. Planning and Zoning thought we wanted "A" and when it got to this board, it got to be "B." They were upset because they thought we were not working with them. So, we can have some cohesiveness.

Croley:

Your point is well made.

Holt:

Thank you, Mr. Chairman. If I can get that looked at. I know you are saying that the EAR report has to come.

Resolution in Support of City of Tallahassee for Lake Talquin Dam Improvements

On the resolution. I am glad that you brought that back up. I looked again Commissioner Morgan and I did not see that in there and I would like to see those notes on that for safety reasons – on that resolutions. We didn't have to put it under General Business for what we needed to do with it.

Hospital Name

That is about it except for the hospital name. On the naming of the hospital, I saw the information that Mr. Glazer sent to us about the Medicaid and Medicare naming so that they can be a provider. HCA and their facilities are already providers for Medicare and Medicaid, but, I would prefer that the building itself stays Gadsden Memorial Hospital and they can put their

name up there. For the building itself. That is what we told the citizens we were going to do. We said, “We are going to re-open Gadsden Memorial Hospital.” We did not say that we were going to name it something else and put it there. So, we may get around that by naming the building itself and not necessarily the organization. That way, they will still be able to go about and do what they need to do.

Croley:

Thank you, Commissioner Holt.

Commissioner Taylor?

Commissioner Taylor

Tornado in Shiloh Community

Taylor:

Mr. County Administrator, I want to personally thank Clyde, Earl, the Florida Baptist Association, Shawn Wood, Red Cross, and Robert Presnell for coming out to Shiloh. And, as well, Commissioner Holt, for coming out to the Shiloh community and helping with that tornado that touched down. I have the highest regard and respect for Clyde and Earl that stayed out there through all of that rain and worked to restore those people’s houses in the back level. I just wanted to recognize them, Mr. County Administrator. Of course, yourself, as well, and Charles, I think, came down there and made an assessment and took pictures. We were really blessed and fortunate that it was not as bad as it could have been. But, those people who came out and worked diligently to restore and give those people down there confidence and compassion, I just want to personally thank you all for the overwhelming support.

SHIP Funds

I was going to talk about the SHIP program on foreclosures, but I don’t want to open up that can of worms. But, I would like to know if we were able to save any property through that program. From my understanding, Commissioners, if those dollars are not expended at a given time, then they can roll over into the rehab program. That they don’t have to be turned back over to the State. We have to meet all the deadlines and to have done the best that we can to spend those dollars in the categories allocated, but, if they are not, then we can use those dollars to rehab houses. I am sure there are plenty of houses still left that can use those dollars.

Employee Sick Leave Bank

One of the city commissioners called me and asked a question about whether or not we bank sick leave. I am understanding that one of the county employees was in a very serious car incident and they had used all of their time on some other situations. If there is something like that that we have,

Williams:

We don’t have a bank. I am sorry.

Taylor:

I certainly would like for it to be looked at. We have a valued employee that goes out on some unfortunate unexpected situation that we be able to support that person until he/she can return to work. So, Mr. County Administrator, could you kind of look into that? It is something that is being done in and at other municipalities. It is certainly something that we could consider.

Williams:

That would require a change in our personnel policies and procedures.

Taylor:

I just want it. So, we can bring it back through HR or however method you want so that we can at least look at it.

But, I think, you said at this juncture, what you do have in place is that employees can volunteer to give them sick time.

Williams:

Yes, ma'am. They can. They can do that.

Hospital Jobs

Taylor:

All right.

Then I was going to ask about jobs at the hospital and he has already mentioned that. I wanted to talk about real quick something that I wanted to bring back up. That is the work schedule down at Public Works to see - what is it? 7:30 a.m. to 4:00 p.m. Is that being effective? Based on what I am getting, any and everything after 12:30 is pretty much downhill. They have 30-minute lunch, 15 minute break, then, of course, the time to get back to the barn. So, is the work being productive? Are we getting our bang for our buck by going to this five-day workweek or are we getting a shortfall on work being done to the district? It is summer, it is spring. The rights-of-way are about to get into the streets now. There are cutbacks that are needed to cut back the rights-of-way. So, my question to you all is – Is this five-day workweek working? That is a question that I want to ask and see if I can get a response at this time, Mr. Administrator.

Williams:

Well, we changed to it last summer at the request, I believe, of the chairman. I have not – I have heard the same thing that you have heard. That is sometimes shorts the afternoon. I have not really heard any real complaints out of Robert or anybody down there that it is not working.

Robert, do you have an opinion on it, maybe?

You know, I was under the impression that it was working very well.

Presnell:

It did work very well through the winter due to the daylight hours and all. We have been following it as well as we track our work with the work programs that we do now. But, in the afternoons, I would tend to agree with the commissioner. That it hampers the type of jobs that you can schedule after lunch. The crews eat lunch from 12:00 – 12:30. They get a break at 1:15 and they leave the job site at 3:30. So, you are down to 1.5 hours of work in the afternoon. You haven't put in any pipe or you are not going to clay a road. JB. Is not going to pull a half mile of road. So, it hampers the type of job that you have to schedule for the afternoon. You can't do any large jobs.

Williams:

You can't accomplish any major jobs after lunch.

Presnell:

With the lunch and the break in there, then, you know, them knocking off a 4:00 p.m., You can't do any large jobs whatsoever. But, that's

Holt:

Mr. Chairman?

Croley:

Commissioner Holt, no. This is Commissioner Taylor's time.

Taylor:

I will yield.

Croley:

Well, you can't – Here is the thing. If we are going to talk about work hours, we need to put that on the agenda properly. I don't think - he would need to have report time and all that. Otherwise, we are just editorializing.

Presnell:

Right. You know, I mean.

Taylor:

That is all this is. I am not asking, I simply made an inquiry.

Croley:

O.K. And, it is your time, so, you ask all the questions you want.

Taylor:

Well, I was going to yield if somebody wanted to comment, but I will get back to my time if that is what you want.

Holt:

I have a question.

Croley:
Let us stay on

Holt:
It is about this – I don't want a big discussion.

No, what I wanted to say is that when it comes back, bring back a comparison in numbers. That is all. If there is a comparison brought back with numbers and dollars. A four-day workweek and a five-day week.

Croley:
O.K. Commissioner Taylor, your turn.

Taylor:
Yes, thank you.

I wanted to come back to this because I did make a notation about code enforcement and here again how it impacts our bottom line. If we have properties out there that have devaluated, then, of course, the taxes are not collected properly. So, I would like to see if we could put in our budget process, whatever we need to do to put teeth in it. If we need to bring on a magistrate, that might cost. If we need to be able to go before and file with the court system a little bit more, that may be a cost. So, if we are going to make a difference, then we need to step up the game. So, I am saying to the administrator, see if this is an item for budgeting. I don't want to get into the middle of next year and see that we don't have the dollars to do this when we are hoping and praying that these people follow the codes. That is just not what we are here for. We need to enforce our policy and procedures at a measure that it has been adopted and enforced.

That is all that I have.

Thank you.

Commissioner Croley, Vice-Chair, District 2

Croley:
First, let me say, "Thank you" to each one of you commissioners here for your cooperation today with me serving as chair in Commissioner Lamb's absence. I appreciate your cooperation and I think that everyone sees that if we day on the agenda, we have very civil discussions and are able to keep moving forward.

In closing, let me say, Commissioner Taylor, I saw some of the damage down in your district and certainly, as you have so articulately said, we can be thankful that no lives were lost. You had some pretty severe wind, obviously, from the trees that were broken off and the houses damaged – (inaudible) Thank you for the acknowledgment of the EMS folks.

In closing here, I don't really have any items other than, again, to say thank you to the staff this

morning for your reports. We will call this meeting closed.

Thank you.

Receipt and File

14.

- a. For the Record: Budget Amendments – Approved by Administration (Additional Budget Amendment Attached)
- b. For the Record: Memorandum from the Clerk Regarding the Summary financial Statement
- c. For the Record: Memorandum from the Clerk Regarding the Cash-In-Bank Summary Report

May Meeting(s)

- May 4, 2010, Regular Meeting, 6:00 p.m.
- May 18, 2010 Regular Meeting, 9:00 a.m.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 11:39 A.M.



ATTEST:

Muriel Straughn

Muriel Straughn, Deputy Clerk

Doug Groley

Doug Groley, Vice-Chair, Presiding