

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON MAY 4, 2010 AT 6:00 P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.

PRESENT: Eugene Lamb, Chair, District 1
Doug Croley, Vice-Chair, District 2
Gene Morgan, District 3
Sherrie Taylor, District 5
Nicholas Thomas, Clerk
Deborah Minnis, County Attorney
Johnny Williams, County Administrator

***District 4 Seat was vacant due to resignation of Commissioner Holt

***It is noted here for the record that a digital audio recording of this meeting can be found on the Clerk's Website at www.clerk.co.gadsden.fl.us under the link titled, "Meetings."

CALL TO ORDER

Chair Lamb called the meeting to order and called for a moment of silent prayer as the invocation. He then led in pledging allegiance to the U.S. flag.

AMENDMENTS AND APPROVAL OF AGENDA

The following items were added to the agenda:

- A-1. Hospital Update (Material Attached)
- B-1. Census Update

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

2010 Census Update

Ms. Evelin Ramirez, U. S. Department of Commerce, Census Bureau, addressed the Board. She reported that the census participation of residents in Gadsden County has been good, but there are still many who have not completed their census questionnaires and the census takers are now beginning to call on the non-responsive residents. She noted that the takers will not ask to go inside a person's home – the interview will be taken entirely outside the home. They must also wear a census badge and carry a census bag.

She thanked the board for their support, but she especially thanked Charles Chapman, the chair of the Complete Count Committee, an intergovernmental partnership that the Census Bureau has with Gadsden County.

HOSPITAL UPDATE

Hospital Security – Approval of GHI Request for \$30,000 for Security of Off Duty Sheriff Deputies

Craig McMillan:

Good evening, Commissioners. I am here tonight for a couple of reasons. One is – I don't know if you all are aware or not, but we have had to provide security at the hospital facility because of all the equipment that is arriving. We are a little bit concerned about something happening – vandalism or anything else that might cause us to have a delay. We sort of did a risk management assessment of the site and decided that we needed to have security out there for the hours that there are no workers there. That means that on the weekends, we've got security 24 hours a day for those two days on Saturday and Sunday. During the week days, I think it is from 6 p.m. to 6 a.m. Is that right, Clyde? We felt like that was a position that we needed to take. We talked about it earlier and we felt like that we needed to have that security out there. The last thing we want to do is come before you and report there had been some vandalism or report that something had been stolen which would prevent us from meeting our deadline. So, in an abundance of caution, that is what we have done.

We thought that would not be a big issue. That it could be handled through the Clerk's office, but what we are doing is hiring off duty deputy sheriffs to provide that security. I have been told by the Clerk's office that there is really no way they can "1099" these people because they are employees of the county already. So, you would end up having to pay benefits, higher rates, the whole thing. So, what we have done is - we have decided that the best way to handle that would be to pay them on contract from GHI. In that way, we would not have to get into the expenditures of benefits and we can 1099 them at the end of the period. This is only for a short period of time. This will cover us until the opening of the hospital.

As you see in the request that I have for you, I also added monies for legal fees to get me through the end of this fiscal year, which is September 30th. If you recall, last year, in the last fiscal year, ya'll gave us money for legal fees. In opening, we have actually expended way beyond that amount. I think we have been good stewards of the county funds and we wouldn't be coming to you tonight if it wasn't for the security issue. But, we've got to come to you because that is an added cost and we are asking you to transfer \$30,000 to us to get us through September 30th.

I will be glad to answer any questions.

Lamb:

After the opening of the hospital, that would cease, right?

McMillan:

Exactly. We are looking toward sometime in June for that to be over with.

Lamb:

O.K. Commissioners, do ya'll have any questions? If not, I will entertain a motion to grant him that request.

Taylor:

The only thing, of course, whatever it takes to get it open, but, I am just concerned about the process of approving dollars without having the issues properly advertised. I know this is moving dollars within the budget, and, I don't know if this is a process that would apply to this tonight. I guess this is a question to the attorney. It was raised about –

McMillan:
May I speak to that, Commissioner Taylor?

Taylor:
Sure.

McMillan:
That is fine if we need to delay it. That will be fine. I was just bringing it before you right now. I actually have enough money in my budget to carry it for a period of time. But, I didn't want to have to come back to ya'll later. I would like to get it all done at one time. We can delay it if it needs to be advertised differently. It matters not to me.

Taylor:
If it is not a requirement, then I am ready to go forward tonight.

Have we identified the funding source?

McMillan:
I would say – Mr. Glazer and I discussed it and we thought it could come out of the ½ cent sales tax.

Taylor:
Is the availability there?

McMillan:
Oh, yeah.

Taylor:
Is it within the guidelines that we have set forth for those dollars?

Minnis:
Yes.

Taylor:
I am just waiting for her opinion on whether or not we can go forward tonight.

Minnis:
About the ½ cent sales tax?

McMillan:
That is above my pay grade.

Taylor:

Minnis:

As to the half cent sales tax – it has been approved to be used for hospital expenditures.

Taylor:

My other question was whether or not this item needs to be properly advertised since we are moving money. I know it applied to another issue we have at a previous board meeting. What is your opinion?

Minnis:

I don't see this – moving money – it is coming out of a fund that is already approved for expenditures of the hospital . I would ask the clerk if he has any different take on it, but I see it as just part of being a part of the ½ cent sales tax. It has been approved for expenditures associated with the hospital.

Clerk Thomas:

In the past, issues like this, the commission would vote to approve the issue, and an actual budget amendment would be brought back, then you would approve the budget amendment – whether it is at a public hearing or simply place it on the agenda. That is how it was done in the past. You vote to approve this action, then there would be a second vote to approve the actual budget amendment when it is brought back at the next meeting on the agenda.

Lamb:

Question, Commissioner Croley.

Croley:

I want to follow up on Commissioner Taylor's point. Are you saying that the procedure that we need to follow is – if we approve it now, it will need to come back as a budget amendment? Is that what I am hearing?

Thomas:

Yes. You approve the action. Then a follow up budget amendment gives us the financial authority to implement your action.

Glazer:

Which you could simply put on the Consent Agenda for the next meeting.

Croley:

That is fine. I just wanted to make sure that I understood what he was recommending that we do.

Lamb:

O.K. Commissioners. Are there anymore questions?

If there are no more questions, I will entertain a motion to approve his request.

Taylor:

So moved.

Croley:

I second it.

Lamb:

It has been moved and properly seconded that we approve the \$30,000 as requested by Mr. McMillan. You have heard that motion. We are ready for questions.

(No response.)

We are ready to vote. All in favor, let it be known by saying, "Aye."

All: Aye.

Lamb:

Opposes?

(no response.)

The "Ayes" have.

Thank you.

Is there anything else?

Hospital Job Fair

McMillan:

Yes, a couple of other items. First of all, I hope that all of you were able to see the job fair that took place out there on Saturday. I can't tell you how excited the people from Capital Regional Medical Center are. They got there, and if you recall, it was advertised and it was supposed to start at 10:00 a.m. with Workforce Plus. Actually, when they got there at 9:00 a.m., there were over 100 people waiting. That gives you an indication of just how bad we need jobs in this community I think. But, it was a great success. They said that they had over 600 people come through the program. Some of them, I think, were coming just to go through the Workforce Plus part of it. It may not have been just hospital type employees. In fact, when I got there about 10:15, I think there were more people there than there were at Quincyfest. I was afraid that it was going to affect them, but later on, Quincyfest got a lot of people, too. I thought it was a resounding success. I know that HCA was extremely happy.

Strategic Planning for the Build Out of Hospital Space

The third item that I wanted to ask ya'll is for you to be thinking and give me some direction. Since this is your facility, not mine – we gave you the lease back. I think we need to do some strategic planning on the use of the rest of the facility. We have some legal obligation through the lease with HCA. I know that there has been talk that the county has been talking about moving EMS out there. I think what we need to do is to sit down and come up with a plan. We don't need to do this haphazardly. I think this

building will fully occupy eventually, but we have got to plan how that happens. I have had a lot of people showing interest in it. HCA has a doctor right now that wants a place in there. But, we've got to plan for that. I want ya'll to give me some direction on how you want to proceed.

Lamb:

O.K. Give us an opportunity to think about it and we will come back.

McMillan:

That will be fine.

Lamb:

But, you mentioned about the job fair. I had the opportunity to ride out there on Saturday. I was very excited. I talked to some of the people that were there. I didn't know that so many people were looking for jobs. They had over 300 to come through. I thought that was a very good thing that Capital Regional was holding out there this past Saturday. To those who did not get to go, it was very exciting and very touching that this county has something like that going on. But, I need to go a little bit further – I had the opportunity to go to the hospital today. I was very touched by walking through that hospital and I thought about this commission. I said to myself, "I am proud of what this commission has done for the citizens of Gadsden County." If the citizens of Gadsden County, everybody, knew what has been done out at that hospital site, they would be proud of their county. That is one facility that I think is second to none when it comes right down to the facility.

You guys have done a great job. This commission has backed you guys on that. I am proud of what this commission has done. I know that we might not always agree on certain things, but that is one thing that we agreed on for the betterment of this county. You all have done a good job, commissioners, for supporting that hospital. That is one of the best things that has ever happened to this county and I have been here for more than 60 years. I know that is one of the best things I have seen in this county. It was really touching walking through there knowing that we are about to get a facility for the citizens of Gadsden County. It was not easy. We took a lot of slams and knocks from people who really did not understand what we were trying to do. I don't know if they knew what we were trying to do or not, but we took a lot of criticism. We stood firm because we wanted to get that facility opened for the citizens of Gadsden County.

My relatives as well as your relatives and not just for now, but for those who come in the future, that is why we got it. If it doesn't stay open but two years, look at what we have done. I hope it stays open for a hundred or more years. I know it will grow. It is going to be enhanced. One day, I feel personally, that it is going to be a full blown hospital with as many beds as we can possibly get in there. I wish that all of you would go and take a look at what has happened down there at that hospital. You will be proud of what has happened here in Gadsden County.

I am appealing to the citizens of Gadsden County – those who have doubts, those who did not want to come to Quincy to this hospital in the past – you will be proud of what you have here in Gadsden County now. I believe that the citizens of Gadsden County are going to stand firm, going to stand together and will support that facility. That is the only way it can stay open. We've got to support it. We have to do that first.

Again, I am proud of what Craig and the hospital board has done. What our attorney firm has done – headed up by Mike Glazer. Most of all, I am proud of this commission, who stood behind you all and gave you all the support that you needed. You could not have done it without this commission. Again, my hats go off to you guys.

McMillan:

That is not a question is it?

(laughter)

I would like to respond, Mr. Chairman. Without your support, this could not have happened. We have, and I can't take any credit. I am telling you that you've got an employee in Clyde Collins. He has done a wonderful job with that facility. And, Mike Glazer, who has just done an excellent job and knows the "ins and outs". But, with ya'll's support, you have made the job a lot easier and I really do appreciate what ya'll have done and the support you are giving me.

I know that I have to jump through some hoops, Sherrie, and do it legally. I'm not used to doing it that way, but, - Huge laughter but, keep me straight.

I think you will be proud. Clyde can tell you that there is equipment coming in there every day. In the morning, the CT and the XRAY machines will be there – by noon, I think. They will start being installed. I am being told that it will take a week to get them all installed. You know, that is the largest expenditure of the equipment. There is something happening every day. We are also having to walk around little pot holes every day. There is always a mine out there that you've got to avoid. Somebody will come up with something else that you've got to respond to. I think that there is going to be an AHCA inspection on Friday – some kind of preliminary inspection. Everything looks like it is going great guns. We are just tickled to death. I think you will be very proud of it.

Lamb:

To add it up, those citizens, those of us in Gadsden County who grew up here, was raised here and have been here all of our lives, if you have any doubts whatsoever, just come by and view that facility. I think all doubt will be erased from your mind. If you stay back and not observe that facility and tour it, you will never know what is in there. I could not believe what I saw. I didn't think it could be that nice. But, it is first class. It really is.

McMillan:

We are working now – HCA has hired a public relations firm that is handling it and will handle the Grand Opening and all the publicity and everything. You know, the big thing is getting the community to buy into this facility and put in the rear view mirror all the old stuff that went on with the prior operator of the facility. This is a brand new day.

Anything else?

Morgan:

I just wanted to feed off a couple of your comments, Mr. Chairman. Craig, we do appreciate the update.

You know, you and I talked a couple of times and there are a couple of things for our citizens of Gadsden to understand. This partnership with HCA, first and foremost, is the only way that we could have pulled this off as a sustainable facility for us. Because of that partnership, we are also going to have services offered right here in Quincy that are not even being offered in some other areas, such as Tallahassee. This truly is a new “state of the art” facility for HCA. I think that is very important. They are going to be able to learn in Tallahassee from some of the things that we are doing in Gadsden.

McMillan:

To expand on that, Commissioner, I know for instance that the communications systems and the telecommunications system – right now, HCA, companywide throughout the country, has mandates on their facilities that they meet certain standards for wireless and the most up to date IT stuff and all. The hospital in Tallahassee won’t even have what we’ve got. We are up to date on everything that they want to see in one of their facilities. Like you said, you are going to be very proud.

Morgan:

Most importantly, the citizens need to remember that we have done this in a way that doesn’t expose our county from a financial standpoint. That in itself is a success story. We have limited our financial exposure.

Lamb:

Craig, I really want to give thanks, although I know that they are dead and gone now, but, some of their family members are still around – those people who saw a need some 50 years ago and left that Trust Fund here for Gadsden County. I want to give thanks to those families who are left behind here. Let them know how much we appreciate it. I don’t think we could have done this without that trust fund. That is a blessing to us that they saw that there was going to come a need one day.

McMillan:

And, we are only going to use a small portion of that trust fund.

Lamb:

Right. It is a blessing for all of us here in Gadsden County. All you have to do is look around. Ask Franklin County if it is tough. The thing I love about this commission is – We took our time. We had patience. You’ve got to have patience in a situation of this nature. When you are dealing with something of this magnitude, you have to have patience. You can’t let anybody hurry you or try to force you or intimidate you. You have to do what is right and take your time in doing it. It will end up right. This is what this commission did.

In Franklin County, they can’t get a hospital now. They can’t afford it. But, we took our time and did what we had to do. I want to thank this commission for doing that. I can’t thank them enough for doing what they did.

Any other commissioners?

Croley:

Only to say again, I went to the job fair, too, Mr. McMillan. I was impressed with the whole facility and the atmosphere out there.

I also want to thank Clerk Thomas for his leadership, too, as the chief financial officer of the board, here. He certainly played an equally important role in making this happen.

Mr. Glazer, as always, you and your insight is just invaluable. So, from a pure business standpoint, we have taken a situation where we were give a bunch of lemons and with everyone's help, you have made what is going to be some fine lemonade out of the process here. Everyone is to be congratulated. Every citizen in the county owe you guys a debt of gratitude for what you have done. We appreciate you very much.

Mr. Chair, you have said everything very eloquently. We need to move forward.

Lamb:
Thank you.

McMillan:
So, the ball in your court. You are going to get back with me. You are going to think about it and let me know how ya'll want to plan for the future.

Lamb;
Exactly. We will call you in.

McMillan:
Oh, I am sure you will. Thank you all.

Lamb:
Thank you.

CONSENT AGENDA

UPON MOTION BY COMMISISONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

- 1. Approval of Minutes of March 2, 2010 Regular Meeting**
- 2. Ratification of Approval to Pay County Bills as Reflected in Warrant Vouchers dated as follows:**

Accounts Payable:	April 23, 2010
	April 30, 2010
Payroll:	April 22, 2010

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Ms. Brenda A. Holt, former County Commissioner for District 4, addressed the board to explain why she had resigned as county commissioner. She explained, "I kept in touch with the Division of Retirement as recently as January and then again in March. I was informed, and thank goodness someone called me

form the Division of Retirement and said, "Ms. Holt, if you intend to retire any time soon and not sit out six months, you need to do it before July 1st, which was the law that was passed. " I knew about it, but I did not know that it was going to have to be by April 30th. That was a new thing. Before they had told me that during any calendar month would be fine. So, once I heard that, I got in contact with the people at the Legislature, I got in contact with the Senator and the Representative and also with the Governor's office and made those decisions. As soon as I found out that this is approximately 10 days before the deadline. So, then I found out that it wasn't going to move forward and I called Commissioner Lamb, Chairman Lamb and I said, "Look, this seems like it is going to be a "go" whether I really want it to or not. But, under State Statute 121.053, it is required that I resign from the commission. I wanted the citizens to know that and this board to know that. I spent more time running over to the Capital trying to find out if there was something there that would allow any commissioner – it is not a friendly bill for any commissioner. It has been for other elected officials. What has happened with commissioners is that if you are elected the first week in November, you are sworn in on the third week of November, so you don't have the 30 day gap in there for your retirement. But, for other elected officers, they did have that because they aren't sworn in until January – So, they could sit out in December.

I told the Association also and their lawyers looked into it. That is a problem. Now, at least it is a problem across the board. As of July 1st, if any commissioner or elected official takes retirement, then they are going to have to step down for six months. That is why it became very important that if you had to do that, (and several thousand people in the state have taken their retirement by last Friday.) They say they have a big back log over there. Some elected officials in the State are doing the same thing. In fact, one of the secretaries under the governor's office is doing the same thing. It makes more sense because you only have to sit out a small amount of time. Hopefully, you can get back in there and go to work. The only problem is, as I told someone this, it may not be a problem, but it is the law, and the Governor can reappoint after 30 days or he can appoint someone else. So that is the option.

I waited on the letter. I want to explain right quick. The reason that I gave the letter a little bit late is because I was waiting on the scheduling department from the Governor's office. Once they notified me, I said, "Let me go ahead and turn it in. That way, I would have it in in time.

I just wanted to explain that to you. I do appreciate everything that everyone has done, as I said in my letter. I don't know if you have received a copy, Commissioners, but, I did give one to the manager and had one put in the Commissioner Lamb's box. Also, it is required that if you decide to do that, you have to give one to the Supervisor of Elections to turn in.

I just wanted to inform you of that. Are there any questions?

Lamb:

I received a copy of the letter. It was a nice letter. I looked at it twice because I didn't think it was from you. (laughter) Then I said, "She did a good job."

Holt:

The funny thing is that I sat out here for two years and I would argue back and forth with Commissioner Dixon. So, I sat out here for those two years and Commissioner Dixon couldn't believe it. I said that I said one nice thing to him one day when I wasn't fighting with him. He said, "Are you the same person that just got through calling me out in public?" But, thank you. That is politics.

PUBLIC HEARINGS

3. Public Hearing Ordinance 2010-004 Amending the Gadsden County Tourist Development Strategic Plan by Implementing the Revised By-Laws to Comply with Chapter 125.0104

County Administrator Johnny Williams introduced the ordinance saying that it essentially is amending the strategic plan to include the By-Laws which were not included at the time that ordinance was adopted. He then turned the hearing over to Jill Jeglie, Interim Director of Planning and Community Development Department.

Ms. Jeglie explained that there is one amendment to be made to the By-Laws which is only the addition to the Title to Article 9 before the last paragraph. (to say the duties of the secretary/treasurer shall be included, but not limited to....- the heading was left off.)

Ms. Jeglie was administered an oath by the deputy clerk, Muriel Straughn.

She stated that the By-Laws were inadvertently omitted when the Tourist Development Plan was adopted in 2008.

Chair Lamb called for questions.

Morgan:

Mr. Chair, I do have one.

Jill, I did read that and it seemed to look fine to me, but I did have one question with regard to the make-up of the TDC. As you know, one member is from this Board that serves on the TDC. When I was reading through that, I don't think that I saw any mention where the chairman needs to reappoint or appoint a BOCC member each year to serve on that TDC. I didn't know if that would be an issue or not. But, I think it would be appropriate to spell that out. That is just a recommendation to the Board.

Jeglie:

We would add that to Article 2 under membership. The last paragraph where it says "at the expiration of a term, members may continue to serve until the Board of county Commissioners reappoints another member to fill such vacancy." And you are adding that the Board should ?

Morgan:

Just specifically that the commission board member, that the BOCC board member be appointed each year by the chairman.

Lamb:

I think Hemant has something he wants to say.

Be sworn in before you make a statement.

Straughn:

Do you swear or affirm that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

Patel:

I do.

Commissioner Morgan, to answer your question on that, it is actually in the Statutes. It is in the Florida Statutes. The Statutes supersede the By-Laws.

Morgan:

Would it better, in your opinion, to go ahead and clearly state that in the By-Laws so that it would match the Statutes so there will be less confusion?

Patel:

You can. Certainly, you can.

Morgan:

I would agree with that. Just for clarification. Thank you for that.

Lamb:

O.K. Do you want to offer a motion to amend it to that effect?

Do you have anything else?

Morgan:

It was just a comment. If the board doesn't see that as a necessity, then I am good with it.

Lamb:

Well, we will come back to that. This is a public hearing, so I am going to have to hear from the public.

Morgan:

Sure.

Lamb:

Is there anyone in the public that has anything they want to say on this particular item?

Is there anyone who has anything to say against it or for it?

(There was no response.)

O.K. I come back to the commissioners.

Commissioner Taylor?

Taylor:

There was one question that I had. I don't know if this is something that was added or not. I know that this wasn't the normal process. Up under Article 8 – Officers – where it says, “The Council shall elect a Chairman (who must be a bed-tax collector in the private industry) “ - I don't know if that was a qualification required for the previous chairman or if that is something you all are going to do going forward. This is something that is new. I don't think the former chair was a private, well a bed tax collector. That is the part that I don't agree with. The rest of it, I am in line with.

I am sorry.

Patel:

Commissioner, that was, if I am correct, we have not adopted By-Laws before. These are brand new By-Laws. That was my understanding from Ms. Burns. The TDC does not currently have By-Laws.

Taylor:

So, you are saying that what is before us – has it been reviewed by the Council?

Patel:

Correct.

Taylor:

It has?

Patel:

No, it has not been reviewed. The Tourist Development Council at this time has never had By-Laws under the opinion of Ms. Burns.

Taylor:

So, what is before us has not been reviewed by your council? These By-Laws that are before us tonight?

Patel:

This is an administration policy, not a council policy.

Taylor:

O.K. So, Mr. Chair and Mr. Administrator, we are adopting By-Laws tonight for what reason? Is it State Statute?

Patel:

Correct.

Taylor:

Is that what we are looking at tonight?

Patel:

Correct.

Taylor:

And, you don't think your council should look at these before this body does?

Patel:

It is an administrative policy. It is totally up to the administration.

Taylor:

Here is my problem. These By-Laws are outlined for your body to guide itself by.

Patel:

Correct.

Taylor:

If there is something here that your body may feel does not fit what your goals and missions are, then it should not be before us. I understand when you say that it is an administrative responsibility, but I don't want to adopt something that does not fit the mission and goal for the TDC for the County. That is why I am concerned about us adopting just a generic set of By-Laws as opposed to one best fits our county. So, that is where I am at with this. Especially since you are my appointee. I am proud of the work that you have done. Certainly, I am not going to sit here forever. And, who is to say if we have someone who is a bed tax collector on the council year on end.

Patel:

You have to, commissioner. You have to have 3 – 4 collectors.

Taylor:

But, who is to say that the person should or could really be the chairman? Everyone doesn't have the expertise or the capability of being the chair. This is something that is very, very important to the county. That is the only part that I have a problem with. And, of course, the Council not having a chance to review these By-Laws that are before us so that whatever is in here, they can actually do. So, that is it for me.

Lamb:

O.k. Thank you.

Anyone else?

Commissioner Morgan, do you want to add what you mentioned to these By-Laws? If we approve it, Jill can add it to these By-Laws.

Morgan:

I think it would help with clarification issues. I think some of the points that Commissioner Taylor brought up are important. I do think that it is helpful in a lot of ways to keep this By-Laws separate and in fact that our board should determine the By-Laws. I think it would actually be helpful to do that. I do understand your point. **But, with those changes, and specifically, I would ask again that it be worded that the "Chairman appoint the BOCC member to the TDC each year." With those**

changes, I would ask for approval.

Taylor:

Are we going to include taking off the Bed Tax collector as a mandate for the chairman?

Lamb:

Let's look at that as a second amendment. Let's go ahead and deal with this change first.

It has been motioned.

Croley:

Second.

Lamb:

And seconded that the Chairman of the Board of County Commissioners appoint the BOCC appointment to the TDC each year.

Did you get that Jill?

Jeglie:

As long as Ms. Muriel has it.

Lamb:

You got it?

Straughn:

Yes, sir.

Morgan:

So we are moving to approve with those noted changes.

Lamb:

Exactly.

Any other questions?

Ready to vote. All in favor, let it be known by saying, "Aye."

All:

Aye.

Lamb:

Opposes?

(no response)

The "Ayes" have it.

Lamb:

Now, go ahead with yours.

Taylor:

So, what I am saying at this point is that we don't put in specific criteria on who the chairman might be. Just let it be someone who is elected by the majority of the board and that it is someone that can really hold that office and fulfill its responsibility.

Lamb:

She is talking about the council itself, now.

Taylor:

Yes, the TDC Council.

That is the only part that I have a problem with and of course, the fact that the TDC board has not seen these.

Minnis:

You would have to move for an additional change then.

Lamb:

Right. But, we are just discussing it right now. She is just explaining to us what she would like to have changed.

Croley:

Can we ask a question of Mr. Patel?

Good evening, Mr. Patel. I can appreciate the point that Commissioner Taylor is raising here.

Would it do any harm in the process here in the By-Laws if that adjustment was made? Do you see any downside to it?

Patel:

No, sir. But, again, this is an administrative policy. It is at the will of this commission.

Croley:

And, I appreciate that you have to have the number of people that collect the tax serve in accordance with the law. But, you don't know any downside about her suggestion?

Patel:

No, sir.

Croley:

Jill, would you be able to respond as well? Do you see any downside?

Jeglie:

No, I do not. My only recommendation is that if we are going to remove this for us to be specific. That it is Article 8 under Officers where we would be striking.

Taylor:

Yeah, that is it.

Croley:

"Who must be a bed tax collector in the private industry". That would be the only change? Is that correct?

Taylor:

Yes, that is it.

Lamb:

O.K. Do you want to put that in the form of a motion?

Question?

Morgan:

Thank you. Were you through, Commissioner Croley?

Croley:

I am done. I just wanted to make sure that it wouldn't do any harm.

Morgan:

I have a question for Mr. Patel, as well. I am not sure. Other than running the meetings, the function of the chairman on the TDC is primarily what?

Patel:

Lead the Council.

Morgan:

Lead the council. So, there is no other specific function. O.K.

Taylor:

I so move that change, Mr. Chair.

Croley:

I will second it.

Lamb:

That we remove the requirement that the chairman must be a bed tax collector in the private industry. Just strike that.

You have heard the motion.

Croley:
I seconded it.

Lamb:
He seconded it. You have heard the motion. We are ready for questions. All in favor, let it be known by saying, "Aye."

All:
Aye.

Lamb:
Opposes?

(No response)

The "Ayes" have it.

Thank you.

O.K.

Straughn:
I have a question.

Lamb:
Go ahead.

Straughn:
Did we approve the ordinance itself or did we only approve the two changes to the ordinance. I think we need to go back and vote on the ordinance, itself.

Taylor:
She is right.

Lamb:
Did we approve the ordinance.

Taylor:
No. We approved the individual changes.

Croley:
I think we need to go back.

Lamb:

Let me get a motion.

Taylor:
I so move.

Morgan:
What I had said was – and that is why I clarified when you were speaking – what I said was that we were approving that item with the changes noted.

Straughn:
With your changes. But, now, she has made another change after that.

Morgan:
Yeah, that was after that.

Taylor:
Well, then, if you will affirm **Mr. Chair, I make a motion that we approve the item with the changes that have been approved around this board.**

Croley:
And, I second it.

Lamb:
It has been moved and properly seconded that we approve this item with the changes that has been made. You have heard the motion. We are ready for questions. Ready to vote. All in favor, let it be known by saying, “Aye.”

All:
Aye.

Lamb:
Opposes?

(No response.)

The “Ayes” have it.

Now, we will go to our attorney on Item 4.

4. Public Hearing – Citizens Growth Management & Planning Bill of Rights

A digital audio recording of this public hearing is available at the Clerk’s Website at the link titled “Meetings” at www.clerk.co.gadsden.fl.us

On May 19, 2009, the County Commission directed the staff and attorney to draft an ordinance reflecting the language proposed by the 1000 Friends of Florida's Citizens' Bill of Rights and the provisions of the Citizen's Planning Bill of Rights proposed by the Department of Community Affairs.

The draft ordinance was presented to the Planning Commission on two occasions and was amended somewhat by them. As written, the ordinance would require the Bill of Rights to be incorporated into Section 7001.1 of the Land Development Code and will require the preparation of a Citizen Participation Plan, increased public notification, notification of neighborhood associations, require the staff to maintain a list of neighborhood associations, require a seven (7) day "cooling off" period, approval by the BOCC with a super majority vote of no free density and support the establishment of Urban Service Boundaries.

Jill Jeglie, Interim Planning and Community Development Director, addressed the board. She was administered an oath by Deputy Clerk Muriel Straughn. She then introduced the ordinance explaining that it has already been before the board on a previous occasion as well as the Planning Commission. Public Hearings were held with the Planning Commission on February 11 and March 11, 2010. They recommended that the BOCC adopt the ordinance (by a vote of 7 – 1.)

Attorney Minnis pointed out that this proposed ordinance is not the "Tax Payer Bill of Rights." It has nothing to do with controlling the taxing authority or the power of the Board of County Commissioners. It gives citizens additional input into the planning process and the Comprehensive Plan and other Growth Management issues. It is not the same thing as the Hometown Democracy petition. It calls for more citizen involvement than the current planning policy allows, but it is not as rigid as Home Town Democracy which almost requires a referendum before changes can be made to the Comprehensive Plan. From a legal standpoint, she assured the board that they have the authority to adopt the proposed ordinance.

Sworn testimony and comments were received from the following people:

- **James Malloy** – objected to moving forward on this issue in view of the fact that District 4 does not have a seated commissioner to represent them. He stated that he met with the county administrator on Friday of last week and requested that it be tabled until District 4 tax payers can be represented. He also stated that he talked with Commissioner Lamb and Commissioner Croley about delaying the vote. He filed for the record his comments and recommendations pertaining to the ordinance. He stated that he felt that the ordinance did not "have enough teeth" to protect the citizens.
- **Brenda Holt** – She voiced concern regarding the effect that requiring a super majority vote on issues would possibly have on small "mom and pop" type growth. She requested some clarity in that regard.
- **Larry Ganus, Planning Commissioner** - he commented that the Planning Commission held two public hearings on the proposed ordinance and no one appeared at either of those meetings to offer input or express reservations. He stated that the Commission spent many hours in developing the ordinance and "It would have been nice if we could have had this input back then so that it could have been incorporated before tonight. This is sort of a last minute plea for more changes to be made to the ordinance that could have been done, should have been done two or three months ago." He then called attention to Item G of the Ordinance saying that the county still has not established urban service boundaries. He

stressed it as being a very important thing to accomplish and that is why the Planning Commission proposed to set a deadline of 2014. His remarks then turned to the EAR recommendation to establish a zoning map consistent with the Comp Plan and the vision of how the county should grow in the future. He encouraged them to move toward getting those two things accomplished sooner rather than later. (Urban Service Boundaries and Future Zoning Map)

Ms. Jeglie announced there would be a meeting on Tuesday, May 11th to discuss the EAR amendments and the amendments to the Comprehensive Plan.

- **Ed Allen, Planning Commissioner and private citizen** – He reiterated that the Planning Commission had been through the proposed ordinance with a “fine toothed comb.” He encouraged the board to go forward with the ordinance adoption despite the plea by Mr. Malloy to defer it.
- **Dian Sheffield, Chair of the Planning Commission** - She stated that this ordinance gives the people of Gadsden County the right to have more voice and requires a developer to sit down and have discussions with the community people.
- **Brenda Holt** – she remarked that if the Planning Commission wants the County Commissioners to approve growth management issues by a super majority vote, she would expect that the same requirement should be made of the Planning Commission.
- **Ed Allen** – He made note of the fact that the Planning Commission can only make recommendations to the BOCC . It has no power.

Chair Lamb called for other comments from the public. There was no response.

Board discussion followed.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED UNANIMOUSLY (4-0) TO APPROVE THE ORDINANCE 2005-005 KNOWN AS THE CITIZENS’ GROWTH MANAGEMENT BILL OR RIGHTS.

GENERAL BUSINESS AGENDA

5. Approval of the Tobacco Product Placement Resolution 2010-018

This agenda item requested that the board pass a resolution requesting that vendors place all tobacco products behind the counter in stores that sell tobacco products in Gadsden County. While it will not impact sales, it does enable the store manager and the clerk to have greater control during the actual sale of the product. The purpose of the resolution is to help reduce minors’ access. It will also support a federal law that will require businesses that sell tobacco to place all their tobacco products behind the counter. In addition, the new Food and Drug Administration rules which will go into effect on June 22, 2010 will ban the sale of cigarettes and smokeless tobacco in vending machines or self-service displays.

Jowita Cichy, 604 5th Ave., Havana, FI addressed the board explaining the purpose of the resolution.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED UNANIMOUSLY TO APPROVE THE RESOLUTION REFERENCED ABOVE.

6. Approval of Travel for Commissioners Lamb, Taylor, Croley to the Florida Association of Counties Annual Conference and Educational Exposition in Tampa, FI on June 29-July 2, 2010

Commissioner Morgan was opposed to approving the travel for anyone other than the chairman.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 3 – 1, BY VOICE VOTE, TO APPROVE THE TRAVEL. COMMISSIONER MORGAN OPPOSED.

7. Disbursement of Funds to the Non-Profit Agencies

The Partnership Review Team is a committee appointed by the county commissioners to review applications from qualifying non-profit agencies for funding. The board set aside \$40,000 in the current budget for such funding. The team met on January 8 and reviewed the program materials , deliberated and unanimously agreed on the funding disbursements listed below.

The Early Learning Coalition of the Big Bend - \$	500.00
New Image Wellness Center -	500.00
Tony Parker Ministries, Inc.	4,000.00
Legal Services of North Florida, Inc.	10,000.00
A Better Body US	1,000.00
DISC Village	7,500.00
Refuge House, Inc.	5,000.00
Midway Community Improvement Org., Inc.	500.00
Gadsden Arts Center	6,000.00
Redeemed, Inc.	5,000.00
Total	\$40,000.00

Question by Commissioner Croley to Attorney Deborah Minnis: Ms. Minnis, in review – these funds were budgeted. We held up the disbursement because we needed to wait until the county’s financial position could be better determined and whether or not the cash flow could be handled. We had a committee that used a process that had previously been approved. Not necessarily by this board, but it had been used by past boards. My question is – Has all this been done legally and will we be on good legal grounds to make this distribution?

Reply by Ms. Minnis: I will have to answer the question very broadly. The criteria for expending public funds is that they must be spent for a public purpose and there must be some controls put into effect to make sure that the funds are spent for public purpose. So, the initial question would be the criteria that the committee used in deciding which of the agencies would be recommended

for an award of money. In reviewing the ordinance that created the committee that reviewed these, I did have some concerns about particularly the control. It does require the agencies to submit reports. I didn't see any real controls on the agencies. It wasn't really clear to me when I review the ordinance whether they looked at the public purpose. Each agency does have to fill out sort of like an application and do a registration. But, I didn't have any information that indicated to me (just by looking at the list) what the public purpose would be for these particular entities. So, I did have some concerns about that particular aspect of the awards.

Croley:

Well, Mr. Clerk. Are we, the county, in a financial position to act on this now in terms of this distribution?

Clerk Thomas:

I think that it is totally up to you. It is really a matter of whether or not you want to do this. I don't see anything hindering you from doing it if you chose to do it.

Croley:

O.K. So, in other words, financially, it can be done if the board made that decision.

Clerk:

It is strictly at your pleasure.

Croley:

But, then coming back to your concerns, Ms. Minnis, is there something here that if acted upon that, in your opinion, would create a legal problem for the board?

Minnis:

There have been challenges when public funds are spent in a way or expended in a way that doesn't serve a public purpose. When the attorney general and others who have opined on this issue talk about public purpose, that has to be paramount reason for the entity getting the money. If a public purpose is served incidentally, the attorney general doesn't really see that as meeting the conditions. This is a constitutional provision dealing with this. Article 7, Section 10 basically kind of limits, you know, the authority of the commission to spend money. It has to be for public purpose. So, that was my concern with the information that I was presented.

Croley:

Well, then, that has been my concern about the process. I dug into it a little more and said, "O.K. I am not real sure how we can use the power of the tax to force people to pay taxes and then turn around and basically give to the board's favorite charities unless there is a public purpose being served. Now, I am willing to support this as long as it is done in a legal manner and it serves that broad public purpose as stated in the constitution – at least for this year. I feel like we have made a lot of representations to the public and brought people through this process that now may not have been done properly in the past. We basically inherited that process.

So, Mr. Administrator, who is in charge of handling this committee and the way that it met?

Williams:

Ms. Chess was the one that was assigned to that.

Croley:

With your permission, would she be able to come up and clarify how we are dealing with this broad public purpose issue as Ms. Minnis has pointed out?

Chess:

Each one of you all appointed someone from your district to come in and review the applications. I had a list of criteria that I gave to them to be able to go back and determine how they would chose who they would give the funds to. Now, once that was chosen and the board agrees to what the reviewers chose, then we have a contract that each entity will sign. In the contract, it states that have to give us receipts and voices according to how they would spend the funds.

I spoke to finance to see how they did it previously. Finance said that it is really up to the board. When Connie and I spoke about it, I suggested that quarterly or monthly, that they would submit their receipts and documents. Each month we would disburse the funds by a certain percent unless the board says differently.

Croley:

So, now you have a contract for these services. I don't know what Tony Parker Ministries is going to provide, but whatever the committee felt –

Chess:

There is a packet over there, a book. In the book they indicate how they plan to use the funds. It has everything that they filled out according to the questions that we asked on where they were going to use the funds, what type of public entity they would going to set us – anything about how they planned to use the funds and how their organization came about and how it exists up to this date – those questions were asked and the answers are in that information in that book.

Croley:

But, you are going to have a contract with them and it is going to say that somehow they are going to serve the public health, safety and welfare interest of the county.

Chess:

I have the contract if you want to review it.

Croley:

I have never seen the contract.

Chess:

This contract has been used for the last 4 – 5 years. So, if anything is out of compliance, it has been out of compliance for the last 4 – 5 years. Some of these entities that you gave money to you in the last 4 – 5 years. So, if you are going to bring up something that is saying that a lawsuit can back on you all, then they can bring a lawsuit for last year and the year before because these are entities are entities that you have given money to over and over again. Some of them. And, they

have signed the same contract.

Lamb:

I think what you have worked out is a good check and balance here now. And, you are going to monitor that, or whoever in that position. They will take care of that. We have already acted as far as placing the money aside in the budget. We are expecting a good check and balance. Hopefully, this will be done right and I think it will be done right. So, I think we need to go ahead and proceed with this particular item and get it out of the way and get it behind us.

Can I get a motion, please?

Morgan:

Mr. Chair.

Lamb:

Hold it, I've got another question. Commissioner Morgan?

Morgan:

You all knew that I could not let this slide without making a quick comment. You know, we've just brought the State Legislature to a close and I can't think of one positive thing I heard regarding finances from the federal, state or local government level. I don't see how we can do this even in the best of financial times, when we have other basic county government services clipping along like a sewing machine. And, we don't right now. Some of the reasons that we don't are because of funds.

We have been on shaky ground in the past. We are moving in the right direction. These are fine organizations as I have stated this in the past. I appreciate the partnership review team for their efforts. If you all approve this, we certainly will go by their recommendation as I have stated before. I just don't feel that this is appropriate. That is all I have to say.

Lamb:

O.K. Thank you. A motion?

Taylor:

I motion to approve the disbursement, Mr. Chair.

Lamb:

O.K. Can I get a second?

Croley:

Second.

It has been moved and seconded. It was moved by Commissioner Taylor and seconded by Commissioner Croley that we approve this particular item. You have heard that motion. Are there any other questions? (no response) We are ready to vote. All in favor, let it be known by saying, "Aye."

Croley, Taylor, Lamb: Aye.

Lamb:
Opposes?

Morgan:
No.
Lamb:
Make that 3 – 1.

Minnis:
May I say something quickly for the record?

Lamb:
Yeah.

Minnis:
I don't have feelings one way or the other against or for any of these groups. I was just looking at the information that I was provided and purely from a legal point of view and the criteria that I saw in the Code that they looked at. If there is a check and balance in place, then that is a very good thing.

Croley:
Mr. Chair, I wanted to say this, too. I expect the check and balance to be followed very closely this year if this is intended to be considered in the future. I am concerned.

Lamb:
They will. They are going to do what they are suppose to be doing.

8. Approval of Signatures for Special Assessment Lien and Rehabilitation Contract – Impact Fee Proviso (IFP) and State Housing Initiative Partnership (SHIP) Programs

Lien and Contracts for: Majorie Vactor; Mary Dixon, Shelly James, Beulah Johnson

Taylor:
What I have done was, and I want to hand this out to you. I just want ya'll to take a look at it. I am going to approve this item, but what came up in that meeting when you were not here were a couple of concerns that we need to address. One is that the committee that we appointed is not meeting regularly to make decisions about who gets services and who doesn't. This is what we were told.

Lamb:
By who?

Taylor:

It was Ms. Moore. She indicated that notices were being sent out and I think that one of the comments made at the last meeting is that we need to know who is not attending those meetings per the notices so that we can either talk with our appointee or reappoint these people or what have you.

Well, I had the opportunity to talk to my appointee, actually today, to figure out what was going on – if she was no longer interested in serving. Based on her comments, and this might be something that we need to schedule for later because I don't want to be bitter. I have been very quiet all evening. What I am told is that there were two letters that were sent out. She has been there a little over two years, well, a little less than two years, maybe a year and two or three months. Two letters were sent out sometime during the middle of last year. Nothing else since then. She has not gotten any follow up since then. I don't know if that is true or not, but that is what she told me. My representative.

Since I have sat here, I have asked for a list. I did get one. I don't know if you all got one. I got a list with 12 names. I went back in our archives (from our agenda archives) back to May of last year. I put together 50 names. 50 names that we have approved arbitrarily through our meetings. Now, where these other names come from or how they came or how those got services, I don't know. I don't know if one person is selecting these people or is the process being abated because no one is attending the meetings. That is my problem and that is my concern about that department over there. How are they selecting people's names.

I looked at the list of 12 names. I looked at the period that we were selecting from the list of 12. The priority of the order in which they were being selected. It is not in chronological order. They were just being selected arbitrarily from the list. It is nothing that I can follow and understand how these people are being selected. The only thing that I am asking for is that this process be fair. If our people are not meeting, we need to know that so that we can reappoint so that we can have a committee selecting these names. That is my problem.

Lamb:

So, you have a committee. So, Mr. Administrator, we really don't need to discuss this here. Mr. Administrator, get with that particular person, Clyde and his department and find out what is going on and find out if we need to select any other committee members. You talk to them and find out how they are being selected. Do whatever you need to do. Please talk to us individually. Talk to Commissioner Taylor and myself and the other commissioners about what exactly what is going on and how it is being done.

Williams:

Actually, you are talking about the internal workings of one of my departments, which, by the way, is my responsibility. It really isn't yours.

The committee – we have had discussions about this. They are required by their program to take people as they come. There is no discretion in who gets the money. I am not sure how the committee would function.

Lamb:

Talk to us individually on that. Explain to us everything that we need to know about that situation. We don't need to discuss that here.

Williams:

Like I said, that is an internal function. Yes, it is, sir.

Taylor:

Let me make one comment and then we can move on.

Lamb:

Clyde, you can have a seat.

Taylor:

Let me make one comment about that, a statement. I am not one to knock this man's door down about internal day to day operations. That is not my responsibility. But, if I appoint a person to sit on a committee and their responsibility is to go through and select people from a list as you mentioned, or first come, first served, - then I expect that person to fulfill the responsibility from my appointment. But, if that person is not fulfilling it, I need to know what is happening. You have asked me to put a person over there that should have taken on the responsibility. If that person is not doing it, then who is doing it and how is it being done?

Now, point number two. These are federal and state dollars. They set their criteria as to how people are supposed to be selected to participate in this program. As a board, we are responsible for how these dollars are being spent. I am not trying to involve myself in the day to day. I don't want you to think that because that is not me. I am trying to make sure that the process is done fair and according to the procedures and criteria that has been sent down to us by the State. That is why I bring it up. That is why I took the time to go back and look at these names and see if I could see a list somewhere about how we derived at these 50 names. I don't see that.

So, I am not trying to get into this man's job. He has his job. But, I want to make sure that these dollars are being spent right and that the process is being done right. I think that is my responsibility. That is all.

Lamb:

O.K. As I said before. Talk to each commissioner. Let him bring back to this board exactly how this process is done. In that way, we can leave it alone and leave it where it is supposed to be – in your department. But, bring back to us how it is being done so that we can make sure that we know what the procedure is that the county is following as far as the State is concerned. That is all we need to know.

Croley:

Can we move on this item ?

Lamb:

Yes.

Croley:
I move approval of it.

Morgan:
Second.

Lamb:
O.K. It has been moved and properly seconded that Item number 8 be approved. You have heard that motion. We are ready for questions. (no response) Very well. All in favor, let it be known by saying, "Aye."

All:
Aye.

Lamb:
Opposes?

(no response)

The "Ayes" have it. Thank you.

9. Approval of the Allocation of the Budgeted \$10,000 For Firefighters

Captain Crum addressed the board with the proposal below:

Training: \$3,000 will be given to the City of Gretna for the Firefighter I class they just recently completed.

Equipment: \$3,000 will go toward 1 new GPS unit for each of the 10 fire departments. This will aid all the departments by allowing quicker access to the correct navigational directions to an emergency scene.

Banquet/Awards: \$4,000 will go toward the first annual Gadsden County Volunteer Firefighter Banquet. The fire chiefs will also nominate a volunteer firefighter from their department to receive the Firefighter of the Year Award. Mr. Pat Murdaugh of the Pat Thomas Public Safety Institute has offered the use of that facility for the banquet. He will also cater the event. Any money not spent on the banquet can be used for training or equipment.

Taylor:
Let me ask the Clerk a question. Just the Clerk.

Are there any restrictions involved in spending money on food?

Clerk:

You know, we went through this a few years ago and the board passed an ordinance that somewhat dealt with that. It allowed them (the Board) to declare it as a public purpose. I would defer to Ms. Minnis in terms of whether that ordinance would cover this.

Minnis:

I have not reviewed that particular ordinance.

Taylor:

I know that as a recipient of grant dollars that spending dollars on food is not an approved expense. Now, what I did have an opportunity to do and I want to share it in the hope that you all hear this real quick. I did talk with someone from that department.

The three items – the first two – they think is the best thing. With the training and the little tracking device. That is the best thing. I applaud you for that.

But, these same firefighters are having to buy their own fire boots. They are having to buy their own equipment. They are having to buy their own safety equipment that they need to go in and out of these houses. They really are not interested in the dinner. They would rather these dollars be used for equipment for their safety.

One statement that was made to me was, “It would be great if they could be assured that they could just go home at the end of the day and eat their dinner as opposed to spending \$4,000 for a one time fee.”

I think you have crossed over into some areas that people are going to come back up here and ask about. We have several groups that are volunteering for us throughout this county. I would love to spend this \$10,000, too. I think it is a great idea to give back to these people. But, let’s do it in a fashion that it doesn’t come back to haunt us. It is dollars spent at its best that I would rather see. I would rather see them with the boots and belts and the hats and whatever else they need than a plate of food for one time.

Now, let’s do, and I will be willing to do it if I can, I don’t know. I would be willing to go and talk to some of these vendors and let them sponsor this banquet. I am not saying that it is not a good idea. I think it is a great idea. But, I don’t think that public dollars should be spent.

Williams:

That is a good idea.

Lamb:

I think that is a good idea, Commissioner Taylor. I think what we need to do though is – he would have to – I don’t know how many firefighters are out there. We’ve got a whole lot of them

Crum:

We've got 125 – 127 firefighters.

Lamb:

He will have to divide that money up amongst all of them for something that the money can get. You might not be able to get all three things that she mentioned, but you might get one or two of those items.

Crum:

Well, basically, the board's direction to me from the last meeting, was for me to go back and make a plan with the input you gave me. I actually added the equipment part in there after we had a meeting with all the chiefs. The fire chiefs came up with the GPS units. I had to make a plan from the board's direction at the last meeting. You had said that perhaps it should go back into the general fund because of the economic status.

Taylor:

I did. But, I agree with your plan all the way up to the last one. I think you did a good job. I think you thought about it. You are trying to make sure that it goes to the right place. It is just that last \$4,000 for food. It is just the \$4,000 for food that I don't concur with.

Croley:

Commissioner Taylor, you and I are on the same page about that. I would like to support the training and equipment and use the public funds for that broad purpose. But, not give an dinner. I mean, if you can amend the expenditures to help with the training and the equipment, that is fine.

Lamb:

O.K. Commissioner Morgan.

Morgan:

Nope. I just had the money put in there and was seeking input. They went back and now they are giving you input. So,

Lamb:

What I am hearing is that we would like for you to go back and look at equipment and try to get some equipment for each one of the fire stations. But, make sure that you do it equally.

Crum:

What I would suggest is being able to add that money into equipment money that I have already got that might better give me the opportunity to afford better equipment when I purchase equipment.

Lamb:

I don't have a problem with that.

Croley:

I don't think he needs to come back again.

Lamb:

No, he don't need to come back.

Crum:

As long as 1 7 2 are O.K., the \$4,000 will be put into equipment and purchased for the departments.

Taylor:

I see what you are going to do. But, if there is a firefighter out there that needs some boots, I don't want you to hold up the \$4,000. Get him some boots.

Crum:

You are absolutely correct, but I've got 125 firefighters that need boots.

Taylor:

I hear what you are saying, but I assure you that all 125 firefighters will not need boots at the same time. If they do, let's see if we can stagger this time. Let's don't bury the money on them. That is all.

I would like to motion for approval.

Morgan:

We have 10 different fire stations, is that correct?

Crum:

Yes.

Morgan:

You've got 10 separate groups. If you start pushing money to a certain item in those groups and the others don't get it, there had better be some really good thought that goes into that, in my opinion.

Crum:

My phone will blow up if I give one person something that I do not give another person.

Lamb:

You can't do that. Go with equipment.

Crum:

I can add that \$4,000 into actually self contained breathing apparatuses that they use when they go into a house fire. It will actually allow me to move up from a 1997 NFPA Code to a compliant 2002 NFPA when I buy this equipment.

Croley:

Are you ready for a motion?

Lamb:
Yeah.

Croley:
So move.

Lamb:
I've got a motion. Commissioner Taylor made a motion.

Croley:
Would you restate the motion.

Taylor:
I make a motion that we approve \$10,000 expenditure with the aforementioned changes. Taking out the \$4,000 for a banquet and add it back in as equipment.

Croley:
And training?

Taylor:
And training.

Croley:
Second.

Lamb:
It has been moved and properly seconded that the motion that has been stated be approved – that we do not have a banquet, but move that money back into general fund so that he can use it for training and equipment. You have heard that motion. Ready for questions. (No response). All in favor, let it be known by saying, "Aye."

All:
Aye.

Lamb:
Opposes?

No response.

The "Ayes" have it.

O.K.

Mary A. Mickens-Bryant , District 1, 902 First Street S.E. , Pine Park Subdivision in Havana

She reported that she sent a letter and a booklet to both the chairman and the county

administrator on January 21, 2010 telling them of drainage problems she was experiencing on her property and that it was coming from five different directions. She said that water was even coming into her house through the garage. She added that she has not received any kind of a response from anyone – not a phone call or a letter.

Chair Lamb assured her that he would be in touch with her.

Sam Parmer, 1225 Berry Street, Quincy, FL

He asked the question, “During the commissioners comments, when they make the, it is not something that you are going to act on is it?”

Chair Lamb responded, “No, not if it is not on the agenda.”

10. COUNTY ADMINISTRATOR’S AGENDA

Mr. Williams had nothing to report.

11. COUNTY ATTORNEY’S AGENDA

Ms. Minnis had nothing to ask the board to act upon, however she did tell them she and Mr. Williams have looked at the Drug Abatement Ordinance that is already in place. She stated that there have been significant amendments to the Statutes since the BOCC passed that ordinance. She cautioned them that she may be bringing back recommendations to amend the ordinance. She said, “They have broadened the scope of that particular Statute since the Ordinance was initially passed by the commission.”

COMMISSIONERS’ DISCUSSION ITEMS

Commissioner Morgan, District 3

Request to Agenda Recognition of Chattahoochee Library Commissioners

Commissioner Morgan reiterated the request that he made at the last meeting – to see his Library Commission appointees appear on the agenda in recognition of their 20+ years of service. He asked that it be placed on the agenda of the next 9:00 a.m. meeting.

Commissioner Taylor, District 5

She asked as to the status of audit for FY 2009.

Audit Report Status

Clerk Thomas replied, "They have been gone from the office for more than month. As to when they will present, I don't know. The point is that they have been in and audited us. When they are going to finish and present it to you, we don't know that."

Taylor:
Are they still on board with us?

Thomas:
They just completed, finished out their contract in terms of the last year to audit us. I think you recently went out for bid. I think Mr. Lawson has something coming to you at the next meeting in terms of the results of that bid.

Taylor:
So, the audit report is forthcoming?

Clerk Thomas:
Let me clarify. I addressed two separate things. I am sorry. Mr. Lawson is going to report to you about the results of the bid for audit services. The auditors have finished auditing the county. We haven't received the final copy of the audit report yet. I have seen a draft copy of the clerk's office. I have not seen a draft of the boards' or any of the other Constitutionals yet. So, it is up to Law, Redd, Crona as to when they are going to wrap it up and present it to you.

Last year, they did not make a public presentation to you which is the first time that I can recall that ever happened. As far as the 2008 audit – you got the audit report and you met with them individually, but, they did not make a public presentation last year.

Taylor:
Is there within their contract – and can you turn that mic around just a little bit toward you – is there somewhere within that contract a timeline or deadline that they should get a report to us. Obviously, the audit helps us in planning for our next fiscal year's budget.

Clerk Thomas:
I'll tell you this – it is helpful if they get it to us by then end of March.

Taylor:
Right.

Thomas:
The fiscal year ends on September 30th. If they would come by December and be out and done completely by the end of January and get you a report by the end of March – to me – that works. This group has routinely presented it in like July or August. There are requirements – a lot of agencies need these audit reports. They are clamoring to get them from us. It delays in getting grants and all of that. But, these agencies are not getting the reports timely and that is something that needs to be addressed.

Lamb:

Mr. Administrator, can you check to see when he is planning to bring it and get us a copy of it?

Williams:

I will be glad to check with them. I know that he is normally and the Clerk will testify to this – by the time they finish, it is usually several months before they come in with the final report. At least, this agency has been that way. I think it was mid-summer last year.

Lamb:

O.K. Mr. Lawson is supposed to be bringing us some bids pretty soon on the RFP.

Taylor:

Well, we need to be in the forefront of the contract and have some kind of language in there that gets this report to us in a timely manner or there might be some penalties. Again, just like the clerk said, and I concur, grants are contingent upon what our audit findings are as well as our being able to do a budget – a fiscally sound budget. So, we need our audit report.

Lamb:

We are expecting the report. We need the report as you said. Also, the bids should be coming in on the RFP to us. I think Mr. Lawson is controlling that.

Taylor:

Well, just as soon as possible.

Williams:

The RFP has been done. The committee has met and they have made a recommendation. It should be on your next agenda.

Taylor:

Thank you.

Community Area Action Committee

Taylor:

I have asked on several occasions to have the community action representative come before us. Now, to my understanding, there was \$1.3 million that was given to that program to provide rehab to several homes in this county, but I don't see the movement. I am not saying that it is not happening, I just don't see the movement. I have asked for some kind of update on what is happening with those dollars. It has been allocated. I know the deadlines are beginning to hit with those stimulus dollars. These were stimulus dollars. So, Mr. Administrator, I am needing to hear from somebody over at Community Action on the dollars for rehab.

Signage on Strong Road

Taylor:

I don't think that is up, Mr. Administrator. That is along where that new school has been built as well as there is a retirement facilities that are out there and there is no signage at all that is going

up and down that road. I think we need to discuss it when they come before us through the Planning and Zoning Department. As of this date, from my understanding and my remembrance of it, they were trying to determine to determine who was responsible for it. So, to date, nothing has happened. So, we certainly need to get on top of that.

Meeting with GHI Board

Craig asked for a meeting with the GHI board to determine what we need to do with space. I do recall the chairman saying that was something that we need to look at. But, I would like it, if the other board members are concurrent, that we go ahead and try to schedule some kind of time. I asked the administrator to get with Craig and look at scheduling a time so that we can start the process of looking at it. That is revenue and we don't need to wait on opportunities to generate revenue. We don't need to wait on that to help support that hospital. I know you kind of left it out there for them, but , Mr. Chairman, you are right. Pacing ourselves is very good. But when the time is good, we need to grab those dollars and be a little bit more proactive. I would like to have some kind of meeting set soon.

Commissioner Holt's Retirement

I was glad that Commissioner Holt did stop by and give us an update on what was going on with her because I had no idea. You get information from all over and I wanted to comment on the fact that I appreciate that she did stop by. However it turns out, it turns out. I just wanted to put that down.

Future Land Use Map

The gentlemen from P & Z was so right in the reference that he made to this map that we are looking at here now. Making space for a future land use map – where this board wants to see infrastructure go so that we can have smart growth and development. He was dead on point. Again, he said, "Maybe not in our lifetime," But at least, Let's get the ball rolling. Having a map sitting there - Now, we've got goals in mind and there are objectives out there for how to obtain those goals. But, if we don't do something – and I have asked in the past about a Comp and Land Use Change workshop – we have got to start focusing. We've got the hospital behind us. I concur with the comments of both the Chair and the Vice-chair on what was given to GHI. I didn't need to echo them and that is why I didn't say one word. You all were dead on target with your comments. God has blessed that and now we need to think about the development and the future growth of this county. It is another big, huge undertaking that we need to get underway. Let's have smart growth and development. You are right. This clustering and people having to get on top of one another because infrastructure not being available anywhere else is going to continue if we don't start looking at future land, growth and development and put infrastructure out in some of those areas.

Thank you all for the time.

Commissioner Croley, Vice-Chair, District 2

Public Works Projects in District 2

Croley:

Mr. Administrator, I would like for you to provide me with a list of the projects that are going on by Public Works in District 2 so that the citizens and myself can have a better understanding of just what work is being done. We have had several projects that are taking a long time – culvert replacements and we have heard that those delays have prevented other things from being done. I want to know what all is going on in District 2. If you can provide that information to me within a timely manner, I would appreciate it.

That is all, Mr. Chair.

Commissioner Lamb, Chair, District 1

Lamb:

I don't have anything else except for what I have already stated about the hospital. I just couldn't say enough about that. To you commissioners who are sitting up here, you are doing such a super job.

District 1 Drainage Issues

Mr. Administrator, I would just like for you to get with Robert and the lady who is behind him before they go so that we can find out exactly where she is and what is going on and see if I can get Robert out there to look at that. I haven't seen the information that she said she had sent. But, that is alright, we'll get on it.

Is there anything else?

If not, this meeting is adjourned.

RECEIPT AND FILE AGENDA FOR THE RECORD:

- a) Budget Amendments OMB BA# 100065 & OMB BA# 10079
- b) Grant Adjustment Notice 2010-JAGC-GADS-1-4X-187
- c) Letter from the City of Tallahassee acknowledging the Resolution in support of the Corn Hydro Dam Spillway Project.

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING ADJOURNED AT 8:20 P.M.

Eugene Lamb, Chair

ATTEST:

Muriel Straughn, Deputy Clerk