

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON SEPTEMBER 7, 2010, THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.

PRESENT: Eugene Lamb, Chair, District 1
Doug Croley, Vice-Chair, District 2
Gene Morgan, District 2
District 4 seat – vacant due to the resignation of Brenda A. Holt
Sherrie Taylor, District 5
Nicholas Thomas, Clerk
Mike Glazer, County Attorney
Johnny Williams, County Administrator

CALL TO ORDER

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

AMENDMENTS TO THE AGENDA

The following changes were made to the agenda:

- Add to the General Business Agenda as Item 20A: Auburn Ford, City of Quincy CRA Economic Development Grant

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0 TO ADD THE ABOVE ITEM TO THE AGENDA.

The motion and second was withdrawn because Attorney Glazer also had a request to amend the agenda.

- Attorney Mike Glazer asked that Item 14 be removed from the agenda. (Public Hearing to consider an amendment to the Nuisance Abatement ordinance.)

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE TWO AMENDMENTS TO THE AGENDA AS STATED ABOVE.

AWARDS, PRESENTATIONS AND APPEARANCES

1. **Update on Florida Department of Transportation's Five Year Work Plan**

Keith M. McCarron from the Apalachee Regional Planning Council appeared before the board to advise them of the updated Five Year Work Plan based on the communications held with the participating public works departments and county administrations in the council throughout the year. He explained how the work plan is established and he encouraged them to communicate

matters to the council that the Florida Department of Transportation needs to be aware of. He asked for their feedback over the next few weeks.

Commissioner Croley asked him to help get the Quincy By-Pass back in the five-year plan.

Commissioner Morgan asked him to help get lighting at the Chattahoochee and Greensboro interstate exchanges. He stated that he had already sent in the request to FDOT.

Mr. McCarron responded that could be considered a safety and economic issue of which the department may not be aware. He stated that he would certainly reinforce the county's request.

Commissioner Taylor stated that she hopes that the board will have input into the five-year plan.

2. Presentation of the FY 2009 Audit Report

Mr. Richard Law of Law, Redd, Crona, and Munroe stated that his firm has rendered an unqualified opinion on the financial statements, which means that they are clean opinions in accordance with generally accepted accounting principles.

He pointed out that this was the first year that they had to adopt the other post retirement health benefits liability. That involved recording \$531,000 long-term liability. That was determined by the county's actuary. The other significant change in the audit was recording of the \$9.75 million liability for the hospital, which has a significant affect on the financial condition of the county.

He also reported the following:

- No compliance issues were found with any of the grants.
- There were some internal control weaknesses in the IT section, which have been corrected.
- He reference management letter comments in the audit document, but declined to go into detail.

Chair Lamb called for questions from the board. There was none.

CONSENT AGENDA

Item 13 was pulled for discussion.

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

3. Approval of Minutes
July 29, 2010 Budget Workshop
July 6, 2010 Regular Meeting
4. Ratification of Approval to Pay County Bills
Accounts Payables Dated: August 20, 2010

Gadsden County Board of County Commissioners
September 7, 2010 Regular Meeting

Payroll Dated: August 27, 2010
August 26, 2010

5. Approval of Resolution 2010-040 Recognizing the Contributions of the Citizens Committee to review the Rural Emergency Hospital Concept
6. Approval and Execution of the State Housing Initiative Partnership (SHIP) Annual Report
7. Approval of Signatures for Special Assessment Lien and Rehabilitation Contract – Emergency Repairs
Rosa Sweet
8. Approval of Signatures for Special Assessment Lien and Rehabilitation Contract – SHIP Program
Retha Williams
9. Approval of Signatures for Special Assessment Liens – Impact Fee Proviso (IFP) and State Housing Initiative Program (SHIP)
Tunisia Moore
Javonda Jones
10. Approval of Signatures for Signatures for Special Assessment Lien and Rehabilitation Contract – Impact Fee Proviso (IFP) and State Housing Initiative Partnership (SHIP) Programs
Charlie and Ruther Pendleton
Rosa Donaldson
Michael and Marilyn McLendon
Aaron and Nettie Darsaw
11. Approval and Signatures for Satisfaction of Special Assessment Lien
* C.L. and Annette Moore
Connie Jones
12. Approval of Mosquito Control Agreement with the Department of Agriculture and Consumer Services (DACS) – Annual Certified Budget
- ~~13. Approval of Amendment 5 – Grant LP6721 with the Florida Department of Environmental Protection~~

This item was pulled for discussion.

ITEMS PULLED FOR DISCUSSION

13. **Approval of Amendment 5 – Grant LP6721 with the Florida Department of Environmental Protection**

Croley:

You are talking about \$700,000 and this is an opportunity to extend the grant application for the extension of a water line from Gretna to Greensboro. That is all it is doing – just extending it?

Charles Chapman:

It is very simple amendment to give us a little more time to continue with the \$700,000 grant from DEP to get that water line closer to completion. Yes, sir.

Croley:

Are you expecting any problems?

Chapman:

None that I know of, but today is only Day Two of my analysis. Everything is looking good.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE GRANT AMENDMENT AS DESCRIBED ABOVE.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Lanols Crockett EAR Stipulated Settlement Agreement

2964 Lakeview, Quincy, FL

“I want to thank you for hearing my request for some meetings that have been cancelled to be rescheduled. The evaluation and assessment (EAR) report has to do with land use in the county. It is only done every seven years. A meeting was recently cancelled – once concerning citizen input on that. Also, there was a meeting on a stipulated settlement agreement, which has not happened either. We would just be interested, especially in the area of Lake Talquin, that these meetings be rescheduled so that they have their chance for planned citizen input. “

Commissioner Taylor asked if the cancelled meetings could be rescheduled.

Chair Lamb asked them to contact the County Administrator to get the meeting rescheduled through the Growth Management Director.

Murray Seay 957 Havana Highway, Quincy, FL Zoning Request from Commercial to Rural Residential

Mr. Seay read a petition into the record regarding a request to correct a zoning error that was made in 1991 on the Comprehensive Land Use Map. He then presented the petition for the record.

David King 913 Drake Acres, Quincy FL –

Requested a Forensic Audit of Community Redevelopment Agency (CR) and the Sheriff 's Department

Sylvia Brooks Paving of Allen Ranch Lane

Brooks:

I am here to see if you have yet for me in writing saying that it is illegal for us to do the paving of road, Allen Ranch Lane in Havana."

Attorney Mike Glazer:

Let me be sure we are talking about the same thing. Is this a small subdivision, basically it is a driveway up to a house, then there are adjoining landowners on either side and you are talking about trying to pave that road. Are we talking about the same thing?

Lamb:

It is a private road off a main public road, well it is not really a main public road, but it is a public road.

Glazer:

We have looked into that and let me tell you what I have found so far. And I will tell you this that this just came to our attention recently, but the Florida Constitution generally prohibits the use of county funds to pave private roads. That is kind of the starting point. However, in early 2009, the county commission did pass an ordinance attempting to try to work around that prohibition of paving these private roads and at the same time try to address some work that had previously been done on some other private roads in the county. They passed an ordinance in 2009 and it allows for a process for trying to get private roads paved. I will tell you that we have serious concerns as to whether you can really do that. But, there is a process that you can begin under a county ordinance. Under that ordinance, if 2/3 of the owners of 2/3 of the property, and I am sorry, this sounds confusing, but I am not making it up. They can file a petition. That just starts a process. In that petition, they have to indicate how that property would be especially benefitted by the work. However, in order to construe this ordinance that was passed in early 2009 in a manner that we think that even has a chance of being legal, then I think it requires us to then have both the road and the sufficient right-of-way on either side granted back to the county. So the county then has to decide if you are willing to take that property. That would require all of the landowners to support it. Assuming that you get to that point, then under this ordinance, the commission can approve that payment of up to 1/3 of the cost of paving that road with the landowners paying the other 2/3. Again, 100% of the landowners would be assessed for that property. So, there is a multistep process. And, by the way, the county commission does get to decide whether it wants to do that. You have the discretion to approve this or not. But, I think that as part of this process, in order to try and make that ordinance work legally, I think essentially the road and the sufficient right of way on either side has to be granted to the county. Otherwise, you are funding the paving of a private road. There seems to be pretty clear authority that is not something counties can do.

Brooks:

Everything was told to us exactly like that. We have done the petition. We have purchased the road ourselves so that we could donate it to the county. We have everything that you have asked for. Then the legal aspects came up on it. I was told that all I need to do was to present this to the county commission, you would make a decision on it, and I have all the signatures that we need. We have been held up by the legal part.

Glazer:

I think that will only start the process. I do not think you can do it tonight because it is not on the agenda, obviously.

Lamb:

No, she has to give that to the county administrator. Then the administrator will look into it and he will bring his recommendation to us. So, just give it to the county administrator.

Brooks:

I will get copies for him.

~~14. Public Hearing—Amendment of Ordinance Number 88-009 to include Additional Areas of Nuisance Abatement~~

This item was removed from the agenda at the beginning of the meeting.

15. Approval of Contract with Solutia Revenue Recovery – Bad and Outstanding Debt Collection Agency

EMS Director Don Crum addressed the board recommending that the bid be awarded to Solutia Revenue Recovery.

Melissa Andrews addressed the board to introduce ARI (Accounts Receivables Incorporated) located in West Palm Beach, FL She pointed out that they are identified as Option # 2 on the agenda report. She shared some background information about ARI.

She pointed out that Solutia is not licensed in the State of Florida even though she was certain that they could easily obtain a license.

She submitted that not all things are equal between the two top bidders.

Mr. Crum stated that part of the criteria that was in the RFP was that they must be licensed in the State of Florida. Before they could begin work, they would have to obtain a license. However, he said he did not go to the length to check to see if they were licensed in Florida. He said, "I thought that they met the RFP because they submitted.

Commissioner Morgan asked, "You are asking us to approve a contract, but where is the contract?"

Crum:

The contract is with Ms. Shelia right now. Upon approval of this, she is going to type and put in the name versus having it handwritten for ya'll. It would have to be handwritten if you all approved it tonight to sign. And it would be submitted to the chairman for signature.

Morgan:

You know that I ain't approving nothing until I read that contract.

Lamb:

Let me follow up on that. Mr. Crum, I don't think we could act on that particular business until you know that they are licensed in the State of Florida, number 1 and number 2, that we see the contract. We need a copy of that contract. What is your timeline here?

Crum:

Next meeting.

Lamb:

O.K. You think you can have everything in order by next meeting?

Crum:

Absolutely.

Croley:

Chief Crum, did you check to see if these out of state corporations are registered with the Secretary of State Division of Incorporations as foreign corporation?

Crum:

No.

Croley:

Did the purchasing office bother to check into that? Apparently, they didn't either.

Crum:

I am sorry, I didn't hear that.

Croley:

I said that the purchasing office apparently did not check into that either.

Crum:

Right.

Croley:

Well, you know, I brought that up many times in here. I am like Commissioner Morgan. I don't think ya'll did a very good job with this one. He didn't say that, but I will say it from a business standpoint.

Ma'am, you made a very good presentation and I wish you success, but they need to go back and as we say in the country, "lick the calf over."

Lamb:

O.K. We need it back at the next meeting.

16. Approval of Interlocal Agreements with Local Municipalities and the Gadsden County School Board for Road Maintenance (Chattahoochee, Midway, Gretna, Quincy and the School Board)

There was some discussion as to whether the current rates were adequate to recover the cost.

Commissioner Croley questioned why there was not an agreement with Havana. Mr. Chapman asked for time to confirm the answer to his question.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE INTERLOCAL AGREEMENTS DESCRIBED ABOVE.

17. Post Approval of Contract with Management Experts for Planning Training, Functional Exercise and Equipment in compliance with Homeland Security Grant Contract 09-DS-51-02-30-01-393

Charles Brinkley explained that the Sheriff's office applied for a federal grant, received it, brought it to the board for approval and it was approved. They then developed a contract and selected a contractor to conduct the training. Unfortunately, the contract with the contractor was never brought back to the board to approve it. The training was subsequently conducted and the contractor has been paid. That is the reason it is before the board at this time for post approval.

Commissioner Croley:

Mr. Clerk, this matter with these contracts, who has authority to issue contracts in this manner. Is this something that a constitutional officer does or should these contracts come before the board?

Clerk Thomas:

That is what he is doing tonight.

Croley:

I understand, but it is after the fact.

Clerk Thomas:

The contract should have been brought before the board earlier. The board approved the grant. That grant application. Now he is bringing the contract to you, but I think he should have brought it to you much earlier.

Croley:

Mr. Attorney, since these contracts are being post approved, and I am not being critical of anyone in the Sheriff's office, I am just trying to understand the process so that for everybody's benefit in the future, we don't have these problems. Are all contracts required to be brought before the Board of County Commissioners for approval? Now, I have the administrator nodding his head, but you are the attorney.

Williams:

That is why it is before you now.

Glazer:

That is why it is before you now. In reality, at this point, you are not being asked to approve a contract. A constitutional officer can enter into a contract. They have entered into a contract. It is a valid contract. They paid it. It is really an issue today about reimbursing. Taking funds that the county now has and taking the funds and reimbursing the sheriff's office for those amounts. So, you are correct. This has been an ongoing debate about the process of approving contracts. I don't know of anything that prohibits a constitutional officer from entering into a contract. But, here it is a matter of reimbursement. The better process would have been – you approved the grant – the contract should have come back as a consent item. That would have been a far better way to deal with it. Now, what you are really being asked to do is not so much approve the contract because the contract is done. You are being asked to approve the release of funds that I believe the Clerk's office now has.

Clerk Thomas:

It is brought to you so that when it is audited, there won't be a problem. So, it is a matter of just cleaning things up so that they can get reimbursed.

Croley:

Now that we have a clear understanding about the future, I would move approval on this.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH MANAGEMENT EXPERTS.

18 Post Approval of Contract with Management Experts in connection with Homeland Security Grant for Planning Training, Functional Exercise and Equipment Contract no. 08-60-02-30-01-361

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

19. Approval of Continuation of Inter-local Agreement with the City of Quincy for Animal Control Services Retro Active to October 1, 2009

Charles Chapman pointed out one modification at Section 3 of the Terms of Agreement – that the county would stop disposing of animal waste in the Byrd Landfill within 18 months. This is to come into compliance with new DEP and EPA regulations for certain chemicals that are used in that waste. There is already a mechanism in place with FAMU and their extension office to make sure that there is no adverse to the current operations. The agreement with Quincy pays for ½ of the Animal Control staff.

Commissioner Croley asked the following questions:

- What about the five-year term? That seems like a long time to lock in an agreement. What if the salary on the animal control officer is increased? Answer: There is a

provision and it is an open relationship with the City of Quincy. What we have done in the past is if the county is looking at a merit increase or cost of living adjustment, we would simply send a notice to the City of Quincy as say, "We are looking at this for all of our employees, would you be willing to open up negotiations at this point?" At this time, the staff of the City of Quincy and I have a good relationship and they have always been willing to work with us.

- What are you doing with the other municipalities? We just approved interlocal agreements between them and the School Board and Public Works – What about these? Answer: Diplomatically, we have extended the offer on the table, but with little response.
- So, are we providing animal control services to them? Answer: We are on a bill for bill basis and account for account basis. Say for instance, the Town of Greensboro calls us in to pick up an aggressive dog. The Town of Greensboro will make the phone call to us, give us authority to operate in their municipal jurisdiction, we pick up the animal and we send them a bill three to ten days later.
- What do you know to charge them? You gave me a schedule a while ago. Answer: The schedule ranges from length of stay. If the animal is apparently a pet of someone (if it has some identification or microchip) then the stay can last at the shelter from seven to ten days to allow proper time to allow the owner time to claim it. At that point, we charge about \$30 per day. It can be up to \$300.

It was clarified for the record that the contract is retroactive back to October 1, 2009, including the portion that speaks to the discontinuation of using Byrd Landfill as a disposal site for the animals.

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

20. Amendments to the Senior Services, Inc. By-Laws Article III Relating to the Board of Directors

This change essentially allows them to become a self-perpetuating board and they appoint their own members rather than the board of county commissioners appointing them.

Former County Judge Stewart Parson addressed the board. He stated that they want to expand their board from 7 members to 15 members and go back to the traditional method of choosing their board members as it was in the beginning.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE AMENDMENTS OF THE SENIOR SERVICES BYLAWS.

20A. Auburn Ford, CDBG Economic Development Grant

Auburn Ford:

Good evening, Mr. Chairman, Commissioners and Clerk. We are trying to start some stimulus of our own in our county. I want to give you some history on what we are trying to do with the

previous grant that we had to send back to the State because the previous business owner could not come up with his financing. What we are asking this board to do is to give staff permission to pursue an economic development grant for which the window is about to open up in November to t apply for funding from DCA.

Mr. Harris, who is the business owner, is here with me. What he is trying to do is the same thing that Mr. Bradwell was trying to do – extend the sewer line out to his flea market, which he is trying to turn into an assisted living facility. He is going to convert it into 48 apartments. He has been working on it. (Excuse me, I have had a cold for the last week.) He was trying to wait on Mr. Bradwell's project so that he could tie into his system so he could go ahead and start his business. But, since that failed through (Mr. Bradwell's project) we are coming before you right now asking you to give staff permission to pursue this opportunity with DCA.

What Mr. Harris plan on doing, and I have analyzed the grant because I have a wealth of grant experience in this county from the City of Quincy to Midway to Gretna in writing these grants, he wants to create eleven jobs. What we are asking for – the grant is going to be \$400,000. This is enough to put the lines in and pay for a little engineering and administration. This is what we are proposing.

The eleven jobs – most of them will come from the Gadsden County area. It is going to also create an enormous economic impact on the construction that will stay local in this county. That is some of the things that goes on with creating a grant opportunity like this. It brings a little stimulus to the county, it gives some jobs and it has a long-term effect. Right now, he is on a septic tank out there, but when you are putting in 48 rooms into a building, you are going to generate a lot of water and sewage, so he has been in constant contact with the Department of Elder Affairs and they recommend that he does this. He has a great business plan and it has been well thought out. We just are trying to get the sewer line put in out going toward west Quincy.

I will be happy to answer any questions. Mr. Harris is here to answer any of your questions in reference to this request.

Lamb:

I do know that Mr. Ford is a good grant writer. He has written grants before. But, we need to ask – Anthony, will you come up and tell us what we need to expect from them up front in order for us to consider this item, please.

Matheney:

I will be happy to. We have met with Mr. Ford and Mr. Harris a number of times over the last couple of months. We are excited that they are wanting to go forward with a new economic development project. Anytime we are talking jobs, it is a great thing for the county and we want to be supportive of that.

But, as I told the county administrator and discussed with him on a couple of occasions, we feel, I feel and my department feels, I feel strongly that any applicant for an economic development grant that the county is going to apply for, they should have their financing in place. Mr. Harris has a letter from a bank saying that he can apply for financing and they did provide that letter to

us. All it said was that they can apply for financing. There is no proof of financing at this time. I would recommend, strongly recommend, that once any applicant that came in for a economic development grant that they want the county to apply for, to get their financing in place first. Show that they are going to be able to provide their part of the project and then we can go forward, otherwise, we are tying up our ability to seek grants. We are also tying up staff time and we don't want another situation like what happened to Mr. Bradwell. Again, that was a good project. I wish that it had gone forward.

As each of you know, I am very pro economic development. We look forward to this project happening. I think the financing needs to be in place. That is my professional opinion. DCA does not require it, but they encourage it strongly. The Department of Community Affairs does not require project financing, but they encourage the applicant and the county to require that.

Lamb:

Commissioners, you've got all three of them up here now, what questions do you all want to ask about the financing up front, what are the possibility of getting the financing or whatever? You need to ask them questions.

Ford:

I've got one more thing to add. Like I said, I have a wealth of experience in this area. During the process of the application, there is a document that is called a participating party agreement. It is almost like a binding contract. What it does is it binds the business owner to do what he says he is going to do in this grant. If he doesn't, he is obligated to pay it back. I understand what recommendation DCA wants and the recommendation of Mr. Matheney, but in my experience, I have never done that and I have written several of these. As a matter of fact, I have written one for Quincy Joist, but it came during this crunch and they were laying folks off. So, it didn't make any sense for them to accept the grant when they were laying folks off, yet they were supposed to be producing jobs. All we did was turn the money back in and close the grant out. It was as simple as that. Yes, there will be a little staff time involved in it, but I think that if you weigh both of them together, the up side is that we are trying to create some jobs.

Mr. Harris already has a business out there. He already has a building out there, you know, it is there. Of course, when we get the grant approved, during the 60 day time period when the contract is coming, the (inaudible) is on the business owner at that time to produce his money. If he don't produce his money, the County is not out one red cent. You don't spend one red cent until he comes up with his financing and shows it to you that he is ready to go because both projects goes on at the same so that he can meet the work plan that is going to be developed within the plan.

Lamb:

I don't think that is the concern. I think the concern is what happened before. Staff, I believe, put in a whole lot of time in the Bradwell project and we got nothing out of it. Staff could have been doing something else instead of putting in all that time with that project. This is what Anthony is concerned about right now and I know that is what the commissioners are going to be concerned about. I can understand that you have applied and you've got your application in, which is good. Are they going to – are you going to get the loan? We don't know what is going

to happen. Anthony doesn't know what is going to happen and you all don't know what is going to happen either. But, that is going to be our concern.

Go ahead.

Ford:

When I said that the county won't spend one red cent, there is a process to do time sheets. Staff can do time sheets and that stuff could be reimbursable due to administrative fees. If there is a possibility that we could put that language in that participating party agreement, I think Mr. Harris would have no problem with paying for the staff time. It is a risk that everybody is taking. So, if staff would keep up with all their time sheets and the grant does get approved and his project does go forward all those monies could be recouped and reimbursed back to the county.

Lamb:

I am glad you mentioned that because that is what I was getting at. I am glad you mentioned it. I was going to ask you anyway. They keep a time sheet. If you don't get the loan from the bank, they have spent their time (staff) – I am not saying that this is going to pass, I am just saying that this something they can enter into like you were saying – if this board see fit to do that. But, I am going to let Anthony speak to that.

Matheny:

I don't know the legality of that – about us keeping a time sheet with our time – if it doesn't pass.

Lamb:

We've got our attorney here, he will let us know.

Commissioner Morgan?

Morgan:

Thank you, Mr. Chair. Mr. Ford, Mr. Harris, Obviously, I encourage any type of economic development here in the county. I have spoken that since I have been in this seat. There is a process and a right way or a road map, if you will, in order to get that accomplished. It is not regarding staff time, it is not that. Yes, we can keep up with the time on a project. I don't know the legalities either of getting reimbursed if the grant falls through, but it is not that they are sitting there waiting for a project to do. They've got all types of things that they are working on right now. We are on a staff that is pretty thin. I think we just heard that from Mr. Matheny not that long ago. So, it is not that we – I don't think, from what I am hearing, and I can't speak for the commission obviously, but I haven't seen a business plan. What is the total amount of the project? What is it going to cost?

Ford:

I estimate it to be around \$400,000 because basically, the way that DCA sets it up, he is going to create 11 jobs. For every job, it is \$35,000 per job. So if you do the math, you will come up with \$400,000.

Morgan:

Do you have a formal business plan that shows the \$400,000 project?

Ford:

That is dealing with infrastructure. Remember now, dealing with the Bradwell project, the engineering has already been done and the cost estimate has already been done.

Morgan:

Your business project - what is it going to take to fund it.

Ford:

Well, he has a business plan for the retrofit of the flea market into the assisted living facility.

Morgan:

That is what I am asking. What is that overall project ?

Harris:

The amount of the cost of it?

Morgan:

Yes, sir.

Harris:

\$250,000 to retrofit the building.

Morgan:

Have you presented that plan and applied for a loan already or have you just gotten a letter saying that you are welcome to apply for a loan?

Harris:

Well, the letter, I took it that they would be glad to entertain the loan. The only way that I can get approval - it would be for only six weeks out. In other words, if I go through the loan process, they would guarantee the money for only six weeks. I don't know how long it will take to get the grant through.

Morgan:

Based on what we just have had to happen with Mr. Bradwell's project, you can see how maybe we would be a little bit gun shy.

Harris:

Well, I waited five years for it also.

Morgan:

I think it is that we are standing on the first tee box and you guys are putting out on the 18th green. We haven't gone through the process here yet and we haven't caught up to you. That is my concern.

Harris:

Well, I had gone through SBA and they would guarantee the loan at 80%. I have done a business plan and I gave it to the County. I still have all that paperwork from 2005.

Lamb:

Commissioner Taylor?

Commissioner Croley?

Croley:

Ladies, first.

Taylor:

I thought chivalry was dead around this county. (laughter)

Here is my take on this. Obviously, in order for a county to grow, it has to have economic development. Otherwise, we get urban sprawl. We get everything on top of each other. Now, we did have one attempt to build out to that particular area. We cannot hold other businesses accountable for what happened to other businesses.

This gentleman, let me ask you a couple of questions, Mr. Harris, if you will come to the mic please.

Would you say that assets that you have in your possession could support (if collateral is needed) a \$400,000 loan? Would you have available -- do you think you will have any problems getting such a loan?

Harris:

Getting a loan to retrofit the building?

Taylor:

Getting the loan to retrofit the building. Yes.

Harris:

No, I shouldn't. I wouldn't. I will be through paying for the property at the top of 2012, February of 2012. And, the bank

Taylor:

What did you give for the property?

Harris:

\$500,000.

Taylor:

\$500,000. And you will be through with it in less than two years?

Harris:

Yes.

Taylor:
And, you have sole title to the property?

Harris:
Yes.

Taylor:
And, it could be considered, if necessary, to be used for collateral or so if needed?

Harris:
Yes.

Taylor:
Anything else that you may have in your possession within the next 6 – 8 weeks that could also be used to support or make a lending institution confident that you have a couple hundred thousand dollars?

Harris:
I don't think that I would have a problem landing a loan for a couple hundred thousand dollars at this point from the bank. I had been approved by SBA, but that was five years ago. I would have to get that redone. I think it was good through 2008. So, I would have to go back and get that redone.

Taylor:
Up to date. Now, let me ask the Planning and Zoning Director a question.

I understand your limited knowledge of how some of DCA works. But, you said a moment ago, in your opinion and from DCA's opinion, not necessarily a mandate, that you would rather see approval at this juncture, a financial institution saying, "Yes, we will give them the money." You were saying as well that if such a letter was produced that you are willing to go ahead and recommend this particular project for approval. Are you saying that?

Matheny:
That is your decision to make, but I would be much more comfortable with the county entering into a grant application if the applicant can finance his part of the project. Yes.

Taylor:
I am understanding what you are saying, Auburn. I think you and I have talked previously about producing such a letter. I want you to explain to this board why you feel, at this particular time, that such a letter is not or should not really be a hindrance to this application moving forward. What was your explanation for why you don't really need it now?

Ford:
As I explained, I have a wealth of experience in this area. I have written several ED grants. That

Participating Party Agreement is a binding contract. Just to give you an example, we had a problem with a (inaudible) project out in the business park. They didn't produce the jobs. We brought that Participating Party Agreement back up and we forced them to create those jobs or repay the money to DCA. So, that Participating Party Agreement is a tremendous – I don't want to say it is a weapon, but it is a tremendous agreement that binds that business owner to produce those jobs and spend that money if you use that money as leverage. I don't know if the new staff doesn't understand the ramifications of that Participating Party Agreement, but it is a binding contract. I don't know if your attorney could expound on that, but it is a powerful document. Like I said, before the chairman signs the contract, the business owner and the chairman, if you authorize him to sign that participating party agreement to go along with the contract, that is when both parties start their part of the construction, but the Participating Party Agreement is the thing that DCA requires.

Now, they don't require this. (verification of loan to business owner) because nobody wants to go through the long drawn out process of signing contracts and putting monies aside, then the business can't come up with their financing. There is a lot of work for a lot of people and you are holding other communities up. That is exactly what this one did in the past. Because of the economic times that we are in, that is why they are encouraging communities right now to see if the business owners can come up with the financing up front, but they don't require it. It is not a state law and it is not a rule. It is something that they would like to see because of the situation that this country is in.

Taylor:

Well, Auburn, let me say this to you and Mr. Harris. I will support economic development because I do concur that we cannot grow unless we have it. I will also support infrastructure going out that way so that we can have growth and development on that side of town. I will also support or ask that if you two can eliminate that requirement to do your very best in securing something from a financial institution saying, "We can support whatever funding this business owner may need." I would like to see a letter of intent. I don't want to see anything hinder this. I don't want to see anything stop this. There was a hard fought thing with Bradwell. We need the development out there. So, if we can move forward – I hate to even continue to even talk about that particular project because we don't want to look at things that didn't work going forward. You want to look at things that do work going forward. That is one thing. You have my support.

Ford:

All I am asking, Commissioner and all commissioners, is that – we had some good conversations – Mr. Williams and Mr. Matheny regarding the process. I presented you a timeline. They explained to me that the business owner pays for the public hearings. Mr. Harris has no problem with that. I have already developed the public hearings, so that is something that your staff won't have to do. Basically, once the public hearing is done and CATF made, the only thing that the staff will have to do is put together an RFP for the engineering services and the administrative services. Once that RFP is done – I don't think I can do an RFP. I did the public hearing notices and I know he has to pay for them to get them in the three papers in the county, but the County has to do the RFP for the administrative services and the engineering services. Like I said, the engineering services have already been done because Mr. Bradwell paid for the

engineering services. It is already done. When I talked with Mr. Fellerman, who is the area rep from DCA for this area, he said they will not pay for that again because it has already been done. So, everything that was done in reference to the engineering, Mr. Bradwell paid for it. He reimbursed the county. The county paid for it out of the grant funds, but he reimbursed the county for those engineering services. So, the engineering services have been done. The only thing left is to secure a grant administrator or a grant writer to prepare the application, oversee the application as being administered by the county. So,

Taylor:

You did not answer my question. Could you simply secure a letter from a financial institution?

Ford:

Well, I think we explained

Taylor:

Answer yes or no.

Ford:

It is not a yes or no question because it depends on interest rate. Something could happen in the federal government tomorrow and they could just wipe out the community development block grant program. Then, you know -

Taylor:

Well, he is not obligated to a financial institution. I am trying to help get you to the point - I am trying to help get there. I will yield now.

Lamb:

Commissioner Croley?

Croley:

Thank you, Mr. Chair.

Anthony, if there is a project like this that is in the application process that does not have a financial commitment, then you had another that came along that did have it, does that preclude us from consideration from someone else because you are already working on this one?

Matheny:

I am not 100% sure on that. I think it would stop us until we got this one closed out and taken care of - whether we were going to go forward with it or close it out and not do it - it would probably stop us from securing additional ED funds.

Croley:

That was one of the issues that came up with the prior project with Mr. Bradwell.

Mr. Ford, you are shaking your head, "No." How do you know that and what are you basing your answer on?

Ford:

Well, I am basing it on my experience. Also, it will not stop the county from entertaining another ED project. O.K. It is just whoever gets the money first. If you all go ahead and approve this, then somebody comes after him saying, "I want one, too." They will go through the same process. It will be whoever gets to the money first because it is on a "first come, first served" basis.

Croley:

Now, we had - Mr. Harris?

Harris:

Yes, sir.

Croley:

Mr. Harris, I want to compliment you on anything you do to try and create jobs in the community. That is commendable and I champion you in that effort. But, I am also going to say to you the same thing that I have heard some other commissioners say. Go get your financing and bring us back a commitment and then we can move forward, or at least I will. Here is why.

Number 1 - I don't like everybody getting into your personal business. What your property is worth and all that financial stuff - that is your business and I don't like that being laundered up here and people trying to tell you how to do. I think that is not in your best financial interest.

Second, if you go out there and get that commitment, I will feel a whole lot better about backing you up. Then we don't have to deal with whether or not you are going to be able to consummate your project. You've got a great advocate in Mr. Ford. We know that. He does a great job in advocating for the grants.

Anthony is certainly another resource there and you communicate with him. But, I am going to say, "Don't put the cart before the horse." Get the horse, then we will help you get the cart.

Harris:

O.K. sir. I appreciate that. Now, if I do get approval from a bank and they are saying we will only hold it out for six weeks, will that be sufficient. I can probably get that this week or next week.

Croley:

I think that we would have to have the attorney look at that commitment and the county administrator to see how adequate that would be under the circumstances. I am not going to commit to anything other than show us the permanent financing for your side of your project. That will certainly help us advocate stronger.

Do you have a comment on that, Mr. Attorney on that point?

Guzer:

I am not sure how long the process does take. But, I think you should try and get as long a

commitment as you can from the bank. I think what you are looking for is some indication that the project is fundable and certainly providing that commitment, even if it is going to expire, it would at least give you a better comfort factor that it is a project that some lending institution is willing to take a chance on.

Croley:

Yes, and that is what I am looking for, Mr. Harris. If you can do that, then it will make it easier for all of us to go forward. Is that fair enough?

Harris:
Fair enough.

Taylor:
Mr. Chair, just one more comment.

I have known Mr. Harris for years. I know the importance of trying to get that infrastructure out there. Certainly, my intent was not to open up, but just to give you some ideas for consideration in moving forward so we can expeditiously get this done. I am sure that you understand that was my only intent.

Harris:
Not a problem.

Taylor:
Thank you very much for that. That is all that I wanted to make sure of. Thank you.

Lamb:
Anthony?

Matheny:
Just let me restate that we have had good meetings with these gentlemen and we look forward to working with them as we go forward. Again, I want to echo what Commissioner Morgan said a while ago. I have a long career in economic development. Nothing pleases me more than to see jobs created. We are going to do anything we can to help that process, but I have to stand by my recommendation tonight.

Lamb:
We understand. No problem. I think what we need to do is to try and get the letter you were talking about. Try to get the financing in place and get back with them and we will try to expedite this thing as quickly as possible.

Any other question?

Ford:
I just thank you for your time.

Lamb:
O.K. Thank you.

21. County Administrator Update

Mr. Williams had nothing to report.

22. County Attorney Update

Mr. Glazer had nothing to report.

Commissioner Croley asked, "I understand and appreciate that Ms. Minnis isn't here, but, you know, we have asked for a written opinion about these private roads. You know, you provided us with an oral summary. I want to see something in writing from your office to document what you verbally told the lady. She has been up here multiple times about that road. We said that we would get a written opinion from your office. We haven't gotten that."

Glazer:

We will do it.

Lamb:

We should have that by the next meeting.

23. Discussion Items by Commissioners

Commissioner Morgan, District 3

Commissioner Morgan had nothing to report.

Commissioner Taylor, District 5

Commissioner Taylor referenced a letter from Clerk Thomas regarding the Local Option Fuel Tax Distribution. She asked for an update from the clerk. She also asked for clarification about a statement made to the board regarding revenues being moved forward from this fiscal year.

Clerk Thomas replied, "We received an email that an appeal was filed and that until the issue is resolved, the Department of Revenue will keep that particular resource, the local option fuel tax – you have six cents of local option fuel tax - they are challenging the amount of money that they have received in the past. The Department of Revenue will ultimately resolve the issue. It is not that you are not going to get the money, but the county may end up getting a little less than previous. The letter was just informational to let you know that the issue is going on. It is just going to be held in escrow until the matter is resolved. "

Taylor:

And this other matter of the "City of Quincy failed to provide."

Clerk:

They had wanted some audited financial statements on the amount of expenditures . It had not been provided by the City of Quincy and ultimately, I think the Department of Revenue will decide all of this. The County passed a local option fuel tax, it automatically means that the municipalities will get a part of it. All of the money does not go to the county. It gets roughly 60% even though you passed the tax, the municipalities get a portion of it. This data is required by the Department of Revenue to help figure out how much of that tax these municipalities are spending. So, you've got one municipality that wants a little bit more money and one that hasn't sent in all the required information. But like I said, until it is all resolved, they will probably hold the money in escrow, but ultimately, you will get your money.

Taylor:

And the City is aware that this information is required?

Clerk:

Yes.

Taylor:

Do you have any idea of when they may be able to resolve this issue so that we can move forward?

Clerk:

I am not sure about that.

Taylor:

You are not sure. Alright.

Now, the other question I had for you was – we have been told in a couple of our workshops about revenues that were not expended this year that might be moved forward or might be moved into reserves. I think the county administrator, on one occasion or twice, gave an amount that might need to be moved over into reserves to the tune of \$2 million dollars putting a total of \$4 million into our reserves. Could you address this.

Clerk:

If you are talking about general fund reserve, your general fund reserve is not going to increase

to \$4 million if that is what is in question. It will probably go up to about \$2.3 million and increase a few hundred thousand maybe in this fiscal year, but it won't go to \$4 million.

Taylor:

Well, let me clarify that with you, Mr. Administrator. Maybe I am not talking about the same fund that you were talking about when you mentioned that we had \$2. Something in the fund and there was an additional \$2 million coming out of this year's budget. Is there another fund that we maybe we could (inaudible)

Williams:

I think the \$4 million that we are talking about, if it is seen, will be at the end of the next fiscal year if we continue at the same rate we are going now.

Taylor:

So, you are saying that at the end of 2010/2011?

Williams:

That is what we are hoping for, yes. By this time next year, we are hoping to see it at around \$4 million. Clerk Thomas may have a better insight on that. But, we saw \$2.2 in the first cycle around. When I got here, I believe it was \$800,000. At the end of the fiscal year, it was \$2.2 million. At that rate of growth, we are hoping by another fiscal year, we will be at around \$4 million. That is where we came up with those figures.

By the way, you noticed that I did all that math in my head really quick, too.

Taylor:

I know that at one point in time, that was something that came off the tip of your tongue, but then you said it twice and you said it in separate meetings. You said it at one of our first budget workshops. That was – what is the term – affirmed by the new interim or the new director. Then you said at the next budget workshop, which I was under the impression that you had talked with the Clerk and had clarity on that. So, if you can respond a little bit. Are we increasing our reserves by \$ 1million or \$2 million each year?

Clerk:

No.

Taylor:

No. O.K. I didn't think so. Alright, I won't belabor that anymore. I wanted to find out from you if that was indeed -

Clerk:

To go from \$2.2 million to \$4 million would mean that you would have had to collect an awful lot more revenue – a lot more revenue – and not spent it. It is just that it is no feasible for you to do in one fiscal year.

Williams:

Yes. Well, we keep a 5% reserve. We only budget 95%. If we are able to do that, it is a considerable amount of money.

Morgan:

Mr. Chair, if I could just interject in this conversation –

Lamb:

We don't want to prolong this now.

Morgan:

No. But, I do want some clarification.

Lamb:

It is still on her time.

Clerk:

I think what Ms. Taylor is saying and you are saying - If the fund balance has increased to that amount (\$4 million), then the county could probably spend some of that money in your next year's budget, which begins October 1st. That you have extra money that you could chose to spend and appropriate it. What I am saying in answer to that is that the fund balance should increase, but it won't be that dramatic. If you are serious about increasing fund balance, then you won't appropriate any of it. I know you are in a tight spot because the ad valorem millage that you approved will bring in less money so you are probably looking for some additional money, but I still recommend that you don't appropriate general fund balance in the new fiscal year.

Taylor:

That is totally understood. Let me move.

Lamb:

Commissioner, do you have something you want to say now?

Morgan:

No, sir, but I will speak to the clerk after the meeting.

Taylor:

I also received a letter that was a little puzzling and I don't know if this is something that we need to vote on. And, again, I know you all got what I got. That is – Constitutional officers, do they have the authority to give out bonuses with their budget. Is that something that can be approved by the manager – I need a little update on the policy with that. Is that something that this board still needs to approve? Because this letter indicates that this constitutional officer can give a onetime bonus from his current budget. I just didn't know if this is something that we need to approve because it does have to do with money. I don't remember entertaining this.

Clerk:

I don't know. It is not the clerk because I have never given a bonus and I assure you that it is not

the clerk.

Lamb:

I think it is Clay VanLandingham.

Williams:

Yes, this is a letter that I wrote – acknowledgment that he was doing this. Of course, VanLandingham and maybe Dale, that once you all budget them a lump sum of money, they can do with it however they choose. The same way with the Sheriff. If you give him \$4 million, he can allocate it as he so chooses. That is their opinion. Not the lawyer's opinion or mine. It is their opinion.

Lamb:

Mr. Glazer, do you want to comment on that now or do you want to bring us back a finding?

Glazer:

I don't want to comment on it now.

Taylor:

Mr. Chair, I didn't want to bring up the department because I have the highest respect for those guys, I really do. It was just a general question. I may not have had privilege to the information.

Lamb:

You asked the question, so you brought it out, so we need

Taylor:

I didn't want to be specific. It was a general question. Are bonuses allowed without authorization of the board. That was a general question.

Lamb:

Well, he will bring that back to us.

Taylor:

I did not want specifics.

Williams:

It is being granted from funds that have already been approved by this board to that constitutional officer.

Taylor:

We have, but we didn't approve bonuses.

Williams:

We don't normally approve them by line item anyway. Most of them are by lump sum anyway.

Taylor:

Well, they are supposed to come to us with a line item budget and for each item there are dollars allocated for specifics. I am sure that you see the budget.

Williams:

Constitutionals essentially submit a lump sum one-figure budget request. They don't submit line item requests. Should they? Yes. Do they? No, they do not.

Taylor:

Well, I am under the impression that they have.

Clerk:

It was just presented in your budget document, but they do present it to your budget officer.

Taylor:

I thought so. We don't

Williams:

I don't receive any kind of line item budget for them.

Lamb:

Shall we continue, please.

Taylor:

You should have that though. We need to know how those dollars are spent.

EAR REPORT

I was going to talk about the EAR report, but I appreciate you allowing the staff to please set up a meeting so that the community can have input on it so that it values the reason for it. Get input from the citizens so that their issues and their concerns are heard through an agreement. So, I am glad that you will have that meeting rescheduled. I wanted to make sure that is something that we are going to get before the 28th, I want to make sure of that, Mr. Administrator. I think they had one cancelled recently around the 15th or the 16th – somewhere around that area. We need to get it scheduled between the 15th and 20th if possible.

Lamb:

Anthony, do you have a comment on that.

Matheny:

Yeah. Real quick. All the meetings are on schedule. We had two planning workshops earlier in the month. We have another planning commission workshop to finish going over the EAR based amendments and the area plans – that is the US 90 plan and Lake Talquin plan on September 30th. We have our regular Planning Commission meeting on the 23rd, but we won't be talking about EAR based amendments or plans, that is just a regular Planning Commission meeting.

In October we go back to the Planning Commission with a public hearing to discuss all the EAR based amendments and the area plans. Then we come to this Commission in November. We are

on track with all the required meetings.

Taylor:

If you don't mind, I would like to ask this gentleman –

So, you are saying that the time line that we need to have this report finalized and over to the State Department and so that citizens can have some input so that this board can hear it, we are still within that timeline?

Matheny:

We are.

Taylor:

We are.

Matheny:

We are.

Taylor:

You will probably be hearing from that committee of citizens that have some concerns and issues that might be different from what you are saying. So, maybe at the next meeting, we can have that cleared up to make sure.

Matheny:

Are you talking about the Lake Talquin folks?

Taylor:

Yes.

Matheny:

I am in contact with those representatives of Friends of Lake Talquin every week. WE just met with them last week to iron out some of their concerns and put into the plan. Again, we are talking with them every week. We are on track with everything. We are listening to all their concerns. There is nothing being denied that they are bringing us.

Williams:

Are you saying that we don't need this meeting before the 28th?

Matheny:

We don't need any meeting other than our regular Planning Commission meeting before the 28th. We have had two Planning Commission workshops to discuss all these issues. We will have the last one on September 30th that will deal with Lake Talquin and the US 90 plans and the last two EAR based amendments. WE have already covered all the other EAR based amendments. So, everything is on track. We will have a public hearing in October when we go back before the Planning Commission with all these items for a formal public hearing. Then we will come to this board in early November and then we will transmit all the required documents to DCA. We are

on track 100%.

Taylor:

I still want, if you don't mind, Mr. Williams, I had conversations with folks down there within the last couple of days and they are still saying that some of the things that they want to see is not being reflected in the agreement. In particular, the Future Land Use. They obviously don't want to see mining in the area because that doesn't mirror what is down there already. So, they've got some issue going forward with what language they wanted to see.

Matheny:

I just met with them last week to iron all those difference out. We are still working with them.

Taylor:

I think one of the representatives is here, so obviously he will be glad to come and meet with you.

I will move on from that. I don't want to belabor the time.

I didn't see it in their budget and it is just for tomorrow so that you can make sure that you have it, Mr. Administrator – How much is budgeted for the Chamber of Commerce? I didn't see it. So, I just want that information ready for tomorrow.

Williams:

It is \$75,000.

Taylor:

O.K. I just didn't see it anywhere.

Again, I am going to ask again for a time line when the investigation will be completed and we have a report on EMS. I am still wanting to know that information. I think that some kind of timeline could at least be brought forward.

Williams:

Timeline concerning what?

Taylor:

As to when your department completes whatever you want to do with the report and then let us know what kind of directions we will be taking for some of the issues and concerns brought out in it. Some kind of response back from it to the community.

Now, here is another question that I need to ask. I have not been privy to so you all might need to help out with it. I know that whenever the county administrator is preparing to hire a department head, that the recommendation comes to this board to be given at least some acknowledgement that there is a department head that he is getting ready to hire and the background that the administrator wants to share. Do we not get the same information when a department head is getting ready to be terminated?

Williams:

No ma'am you don't. It is all spelled out in the Florida Statutes and there is a provision there that department heads have to be ratified upon their hiring. But that is the only mention there is relative to the hiring and firing of employees.

Taylor:

That clears that up, but I would like to see the Statute.

Williams:

Section 124.

Taylor:

I would like to see a copy of it, if that is o.k. to verify.

That is it.

Commissioner Croley

Croley:

Just a few items, but I will try to move fast.

First of all, on the fund balance or cash position. What is that now, Mr. Clerk. Do you have an approximate total?

Clerk:

I think we gave you a cash report a little while back that showed \$4 million currently in the general fund. That cash report is a daily snapshot. It changes as revenue comes in and as we spend money. That is just a daily snapshot and you will see from this point up until about late November, that will continually decline. We go through that exercise every year. So, I think there is actually about \$3 million right now in general fund cash.

Croley:

But, then it declines at other times of the year.

Clerk:

Yes.

Croley:

Let me ask, Mr. Chair, we may need to be dealing with this. We need to deal with, I believe, with the Value Adjustment Board.

Lamb:

That is up under my agenda.

Croley:

O.K. If you are going to bring that up.

Second or next item – Emergency Management and 911 Addressing. Commissioners, I would like to request that we have the county administrator agenda this item for the next meeting. Since Mr. Brinkley is here, maybe he can relay that as well as formally back to the Sheriff's office so that we can receive information update and make any appropriate adjustments or continue as it based on the information that we have provided to us.

Lamb:

Do we need to get a motion?

Croley:

I so move.

Morgan:

Second.

Lamb:

It has been moved and properly seconded to have the administrator to provide that on the next agenda. You have heard that motion. Are there any questions?

(no response)

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

Lamb: Aye.

Morgan: Aye.

Croley: Aye.

Lamb:

Opposes:

Taylor:

Aye.

Lamb:

Make that 3 – 1 that it be on the next agenda, Mr. Administrator.

Croley:

The next item. We have asked and this will give plenty of heads up for next year about looking at privatizing the mowing of the county's rights-of-way. It just recently came up again because I had some personal contact with the person that does the Florida DOT's roadside mowing. I recently saw an email that I think came out from the Florida DOT as well as Leon County about their efforts to reduce mowing expenses. We never did get a proper response to this instruction from the commission earlier this year. So, since you are entering into the winter months, there is

plenty of time for this to be dealt with. I would like to make sure that the information comes to us before the growing season starts.

County Probation

Also, we had a speaker who came and made a presentation regarding county probation services and his interest in offering a business proposal on that. To my knowledge, there was a committee appointed, I believe, consisting of Clerk Thomas and you, Mr. Administrator. We never received any type of response. He has contacted me and I assume that he has contacted other commissioners wanting to know when there would be an opportunity for him to do a follow up.

County Facilities- Open Containers in the Parking Lot

The next item pertains to county facilities. Commissioners, I think that everyone here and you only need to look at the parking lot out here to see that we are having a problem with open container drinking. We are having police complaints and responses in this parking lot. That situation needs to be dealt with.

Mr. Attorney, if we know there is open container violations, partying going on at night here in the parking lot, do we have an increase public liability if we are aware of that?

Glazer:

It certainly doesn't help.

Croley:

It certainly doesn't help. I would like the board to know that I spoke to City Manager Jack McLean about this matter. He is willing to work with the county administrator if this board will give instructions for them to meet. I think it is a pretty bad situation. I would like, Mr. Chair, if we can - do we need a motion to that effect?

Lamb:

Yes.

Croley:

I will so move.

Lamb:

Second.

Taylor:

Question.

Lamb:

We have a motion and a second to have Mr. McLean from the City of Quincy and our county

administrator meet and discuss and try to come up with some ideas about how to control this situation here in the parking lot. You have heard the motion and we are ready for questions.

Commissioner Taylor?

Taylor:

It would be wise, as well, to include some of those business owners in on this meeting so that, if they can help stop this littering. If they can help insure that the area is clean, which I thought they were doing a pretty good job, but there is no telling where some of these items have been coming from, but at least give them a chance to be in part of the discussion. If, at that point, they can't reach to a resolve, we stuck to our businesses. We want to be mindful that we are a business friendly town. These people do employ and they do pay taxes. So, just want to make sure that they are involved in the discussion.

Lamb:

Another situation could be that maybe the manager and the administrator and then they can decide on how they want to meet with the business owners. I think those two need to meet first.

Taylor:

I agree they should meet then go before them with their plan or their thoughts of direction, but certainly before they come back to us. At least, entertain those business owners.

Lamb:

Any other questions?

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

All:

Aye.

Lamb:

The "Ayes" have it. Thank you.

Coley:

My last item. We have talked about the library cleaning services. I continue to receive some complaints from folks that utilize the library and they are frequently the poor condition of the maintenance of the facilities. And, Mr. Administrator, I don't know how much more emphatic we can be with you about this, but this needs to be taken care of. These libraries cost a lot of money. A lot of people use them and they need to be kept in proper order.

Williams:

We do the best with what resources that we have that you all pay for. If you can give me more resources, we can certainly do more. I think the recommendation from Clyde was that we need another full time custodian.

Coley:

Mr. Administrator, let me be very clear as far as I am concerned. I think we are saying to you, or at least I am saying to you, I can't speak for anyone else. But what resources you need, you need to let us know. We need to make sure that whoever is over those library facilities are communicating with us because this has been going on too long. For me, I am starting to lose confidence in some people.

Williams:

May I make one comment about the EMS investigation?

Lamb:

No, what I want you to do on that and it is in my report. You need to talk with your commissioner individually about that.

Williams:

Well, the point is that there are no criminal findings in there. They are all personnel matters and as a general rule, we do not discuss personnel matters.

Lamb:

Exactly. Now, this is what I am asking you to do. I do not want to discuss that here. Talk to your individual commissioner and discuss whatever you want to discuss with that commissioner. Because it is a personnel policy, we do not want to discuss that here and we are not going to discuss it here.

Williams:

We are very conscious about discussing personnel matters with anybody.

Lamb:

Well, that will be up to you and the commissioner.

Williams:

We just don't do that.

Lamb:

Let me go on with my report. But, as I said before, you do have the opportunity to talk with the individual commissioner – those that have interest in it. I don't have an interest in it. I don't think any other commissioner has an interest in it. But, if one does, you ought to show some kind of concern to that commissioner.

Taylor:

I do. I certainly do.

Lamb:

That is up to you.

Let me go with my report, please.

✦

Commissioner Lamb, District 1

Lamb:

The fuel tax, Mr. Clerk, who will initiate this fuel tax meeting to make sure that we get on line so these monies can be dispersed?

Clerk:

The City of Midway basically challenged the distribution.

Lamb:

I am talking about who is going to initiate this meeting between all the municipalities so that they can iron out what the problem is so that they can go back and see if Midway needs more of the taxes.

Clerk:

I think it is an administrative function of the Department of Revenue at this point. They have requested information. We provide the information. They have all kinds of formulas that they use to determine how much of the money that everybody gets. So, I don't think that you can affect that anymore than by providing the information that they request.

Lamb:

Have they communicated with you?

Clerk:

They communicated with us about receiving the information. Once again, it is one of those things that we just coordinated getting the information from everybody and forwarded it to the Department of Revenue.

Lamb:

O.K. Thank you.

EMS

I have already mentioned to the administrator on the EMS situation – talk to your commissioner. As well, about the department head if you see fit to do that. You do that. You handle that, but not here in this meeting.

Value Adjustment Board Appointments

The other thing I wanted to mention is the appointment of Value Adjustment Board. I would like to recommend that we go back with the people who were on it last year if it is o.k. with this board. That would be me and Commissioner Croley as well as someone from the School Board, Mrs. Emily Rowan and Mr. Bill McMillan and Mr. Bradley Munroe as the attorney. If that is o.k. with this commission. Can I get a motion to that, please.

Croley:
So move.

Morgan:
Second.

Lamb:
It has been properly moved and seconded that we will continue the Value Adjustment Board with the members that we had last year. We will notify all of those members. You have heard the motion on it. We are ready to vote. All in favor, let it be known by saying, "Aye."

All:
Aye.

Lamb:
The "Ayes" have it.

Croley:
I have a comment. Ms. Muriel will notify everyone about the organizational meeting.

Lamb:
Thank you. I see a friend of mine here. I am glad to see him. Come again.

24. Receipt and File Agenda

- a. Letter to Law, Redd, Crona and Munroe, P.A. Regarding the Audit Transition to Purvis, Gray and Company, LLP.
- b. Letter from FDLE Regarding the Sheriff's Area Drug Taskforce 2009-JAGC-GADS-1-T7-104 Agreement # 3 increasing Expenses by \$18,404.17
- c. Budget Amendments Approved by the County Administrator OMB – BA# 100094 and OMB- BA# 100096

September Meetings:

- September 8, 2010 – 1ST Budget Hearing – 6:00 p.m
- September 21, 2010 – Regular Meeting at 9:00 a.m.
- September 21, 2010 – 2nd Budget Hearing at 6:00 p.m

ADJOURNEMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 8:00 P.M.**

Eugene Lamb, Chair

ATTEST:

Muriel Straughn, Deputy Clerk