

**AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONER HELD IN AND FOR GADSDEN COUNTY, FLORIDA, ON TUESDAY, DECEMBER 7, 2010 AT 6:00 P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: Sherrie Taylor, Chair, District 5  
Gene Morgan, Vice-Chair, District 3  
Eugene Lamb, District 1  
Doug Croley, District 2  
Brenda Holt, District 4  
Nicholas Thomas, Clerk  
Deborah Minnis, County Attorney  
Johnny Williams, County Administrator

**Invocation, Pledge of Allegiance and Roll Call**

Chair Taylor called the meeting to order at 6:00 p.m. then led in a prayer and the pledge of allegiance to the U.S. flag.

Deputy Clerk Muriel Straughn called the roll. All members were present as noted above.

**Amendments and Approval of Agenda**

The following changes were made to the agenda:

- Added to Item 13 - Proposal to have a "Kick-Off Retreat" for all county employees.
- Item 13 e was moved to General Business - Appointments to the Small County Coalition
- Added to Presentations and Appearances Agenda - Update on the Lake Talquin Dam Project by City of Tallahassee to the Awards,

Commissioner Holt commented that she had asked that the possible purchase of the Jai-Alia be added to this agenda, but it was not included. She stated that there is a group that is interested in purchasing that property. However, there was a consensus that it should be placed on a future agenda and the county administrator should inform Commissioner Holt of that date.

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS , PRESENTATIONS AND APPEARANCES**

**1. Public Appreciation of Rural Hospital Concept Citizens Committee Members**

Chair Taylor presented plaques of appreciation to some of the citizens who served on the citizens advisory committee that led to the successful endeavor to re-open the Rural Emergency Hospital in Gadsden County.

Bert Fletcher , Anthony Thomas, Dave Trenchard, and Ron McCloud were present. Those not present were: Scott Whitehead, former Florida Senator Fred Dudley, Sherry VanLandingham, Arrie Battles, Harvey Rogers, Dr. Sterling Watson, Rev. John Battles, Sam Hawkins, Sam Palmer, Dr. Pat Woodward.

**Recognition of Eugene Lamb for His Leadership as Chair for Two Years**

Chair Taylor commended former Chairperson Lamb for his contribution as chair for two years during a very tumultuous time. In turn, Commissioner Lamb made a few remarks and pledged his continued best effort.

**1a. Update on the Lake Talquin Dam Project by City of Tallahassee**

Building Official Clyde Collins introduced Treveny Saint, Interim Production Manager for Tallahassee's Electro Department. In turn, Mr. Saint introduced Mr. Gordon King, Plant Manager for Corn Hydro; Dean Thompson, supervisor of the Corn Hydro facility; Carl Bower, person overseeing the dam upgrade at Lake Talquin.

He reported that the project is well underway and should be completed in May 2011.

Commissioner Holt recalled that residents from Liberty County had a lot of concern that the Lake Talquin overflow that might possibly affect them as being south of the project. She asked Mr. Saint how they expect to deal with those concerns.

Mr. Carl Bower responded by saying, "I am Carl Bower and I am overseeing the project down there on the dam. In addressing the objections to the Northwest Florida Water Management District Permit that we received - there were some objections, mainly from the people downstream. We did address that by modifying our operations of the dam. Outside of this project, this project – it was fully understood by us and by our engineers that there would not be any significant changes to the flooding downstream, but because of the appearance of a potential for flooding, they asked us to do some further effects to our operations of the dam. We did do that. Once this construction is completed, we are going to change the operation of our flood gates to not have any increases or decreases in the flooding and the severity of flooding and the frequency of flooding downstream. It will remain exactly as it existed prior to the construction start."

**CONSENT AGENDA**

**UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED TO APPROVE THE CONSENT AGENDA (ITEMS 2 & 3) TO WIT:**

2. Approval of Minutes  
September 8, 2010 Tentative Budget Hearing  
October 5, 2010 Regular Meeting

October 19, 2010 Regular Meeting  
November 2, 2010 Regular Meeting

3. Ratification of Approval to Pay County Bills
- |                         |                   |
|-------------------------|-------------------|
| Accounts Payable Dated: | November 19, 2010 |
|                         | November 24, 2010 |
| Payroll Dated:          | November 18, 2010 |

**CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS**

**Terry Presnell, 914 West Magnolia, Quincy, FL** addressed the board on behalf of the “Three Feet Please Program.” He explained that he is a tri-athlete and has been hit by cars on two occasions while riding his bicycle that resulted in serious injury and a lengthy recovery. After the last accident, he said that he got involved with the Three Feet Please Program which promotes public awareness of the laws governing bicycle traffic on the highways. (One of the laws he emphasized was that when a vehicle passes a bicycle, the driver should allow three feet to get around the cyclist when passing. )

He then stated that the Leon County Commissioners allowed the program to put bumper stickers on the county vehicles to remind motorists to abide by the law when approaching bicycles. He asked to be placed on a future agenda to explain the program more fully and to ask for the county’s cooperation to implement the program locally.

Chair Taylor asked Mr. Presnell to meet with the county administrator as soon as possible to arrange to be placed on a future agenda.

**Chuck Roberts of C.W. Roberts, Inc.** 3372 Capital Circle N.E. Tallahassee , reported that his company has a contract with the Department of Transportation to resurface SR 267 (Lake Talquin Highway) from SR 20 to Interstate 10. He said they will be adding paved shoulders to the road. He advised them that there will be activity at their property on Lake Talquin Road – they will park equipment and unload pipe while the construction lasts. He quickly added that they will not be adding material to the site. He said that he wanted to make them aware of the activity so that the county would know what is happening at his property.

The first phase of the project will be drainage work and milling. Some of the material that is stockpiled at the SR 267 site will be used on the project as base material for the widening of the shoulders. The project should be completed during the course of 2011.

He then reported that he is about 50% complete with moving the material from that site to the plants in Tallahassee and Hosford.

**PUBLIC HEARINGS:**

4. **Quasi- Judicial Public Hearing – New Israel Church of Jesus Christ, Inc. Special Exception**

**with Site Plan (SE-2010-01) (SP-2010-01) – Tax Parcel ID 1-35-4N-4W-0000-000341-1200**

Applicant: The New Israel Church of Jesus Christ, Inc.  
Address: 532 Dusty House Road  
Representative: Sharon Smiley Gainous  
Engineer: Peter Okonkwo, Spectra Engineering & Research, Inc.

The Church requested a Special Exception Use with Site Plan Review with departures to allow a 1918 square foot church on a 1.237 acre parcel.

Planning Commission Recommendation: Approval Subject to Special Conditions a – q of the agenda report.

Planning Staff Recommendations: Denial subject to findings a – d in the agenda report.

Anthony Matheny, Growth Management Director, was administered an oath before he offered the following points in testimony:

- The church was a mobile home in a residential area located on a parcel which was subdivided subsequent to them moving to the site. There was a mobile home on each of the two parcels. They did not go through a church review when their occupancy began. It was assumed by the department that the mobile home would be used as a residence. It was later learned that it was being used as a church.
- The church is proposing to move the mobile home and install modular units and put them together to make a larger meeting space.
- There are many conditions that the church does not meet. They are accessing through a residential area to get to a non-residential use. That is not allowed in the Comp Plan and the Land Development Code.
- The Planning Commission recommended approval if the applicant would adhere to the special conditions. However, with so many special conditions, it is difficult for the staff to police the special conditions to make certain that all special conditions are met.
- The proposed use is not a use that should be allowed based on its location, its access through a residential area. Churches are allowed by right in residential areas, but with conditions and reviews as discussed in the agenda report.
- Staff then recommended that strong consideration be given to the planning commission's recommendation because if the applicants adhere to the special conditions, it could work even though it would not be an ideal situation.
- The staff received no objections from the citizens around the area.
- The church is already occupying the mobile home presently as a church. They have proposed to move the mobile home and replace it with two modular units and create a new church. The structure is not an issue for the planning department. However, there could be some building code issues that could arise, but that would be a separate issue to be addressed by the building permit office.
- The applicant has agreed to meet all the special conditions imposed by the planning commission.

Chair Taylor called for comments from the public who were in favor of the proposed church.

Peter Okonkwo, Spectra Engineering and Research, Inc. , 3058 Highland Oaks Terrace, Tallahassee, FL 32301 addressed the board and was administered an oath by Deputy Clerk Muriel Straughn. He made the following points:

- The church has been using this site for many years and there are several mobile homes on the property. They are proposing to put two units together totaling 1800 square feet with the expectation that they will meet all building requirements when completed.
- The parcel does have direct access from the frontage along the street and they will not be going through the residential homes to get to the church.
- The church is within 10 minutes from the fire station.
- The church had received 30 letters of support for the proposed project.

Chair Taylor called for public comments again.

**Pastor Sharon Smiley Gainous**, 162 Charlie Harris Loop, Quincy, FL 32351 addressed the board after Deputy Clerk Muriel Straughn administered had administered an oath to her. She made the following points:

- She was aware of any law that prohibits having church in a house.
- It is the church's desire to do everything legally.
- The location of the church is in an area that has many needs and the church is attempting to help meet those needs through physical means as well as spiritual.
- The church possesses a legal deed with a driveway from Dusty House Road to their property. They do not cross any other property to get to the church.
- They have held church at that location for 16 years and have never had any complaints.
- She knows of no law which deems it unlawful to conduct church in a house.

Once again, Chair Taylor called for public comments.

**Linda Barkley, 530 Dusty House Road, Quincy, FL 32351** was administered an oath by Deputy Clerk Muriel Straughn. She made the following points:

- She lives on the property where the church is actually located and has personal knowledge of the outlay of the property
- There is adequate access for emergency vehicles to access the property. School buses often use that property as a turn-around spot.

The following questions were raised by the board members:

Commissioner Croley to Rev. Gainous:

Did you do a mailout to the neighborhood within ½ mile radius as required by county ordinance?

Rev. Gainous:

Yes, sir, we did.

Croley:  
And you got back nothing but positive?

Gainous:  
Nothing but positive.

Croley:  
And you have met with the community and no negative?

Gainous:  
No negatives. People that no longer live there and are in other locations called my home and said, "We are for you."

Croley:  
Madam Chair, when you are ready to entertain a motion in support of this, I will be.

Commissioner Holt to Rev. Gainous:  
Rev. Gainous and the rest of you from Robertsville and that area out there, I see most of this as stuff that needs to be addressed with paperwork – changing titles, putting signatures in place and things like that. I fully think this should be approved because it does help the community out there. What I want to do though is to make sure that you realize that if we approve it, these things need to be done expeditiously. In that way, we don't hear any of the negatives. We don't want any of it and I am sure that you don't. But, the things like making sure the signs are in the correct places and things like that. That is something that can easily be done toward meeting the needs on the property. Sometimes they are a little more difficult. Then you will go through the zoning and land development code where you have to make sure that things are done through building inspection. Also, you know as in Robertsville and in other places, the drainage. We want to make sure the drainage is taken care of. Those are just little things that we need to make sure are done.

Rev. Gainous:  
We are willing to do that. Our engineer has mapped out what we need to do and we are willing to do that.

Holt:  
I am totally in favor of this.

Taylor:  
There are a couple of other comments. Commissioner Morgan, then Commissioner Lamb.

Morgan:  
Thank you, Madam Chair.

Rev. Gainous, thank you for your comments. You had mentioned something regarding the access to the property. Does the church actually own that portion or has it been deeded to you all or is there an easement to go in and out there or does someone else own it?

Rev. Gainous:

Yes, sir. There is an easement that the church owns that is a part of the church's property.

Morgan:

I am aware that you guys do a lot of really good things there, particularly feed a lot of folks out there. I have talked with one of the folks that represents our area on the Planning Commission.

I do appreciate the concerns that Mr. Matheny has and I think Commissioner Holt was right on the money when she suggested that we want to move expeditiously on the conditions that they have put forward here. I am certainly willing to support this as well, but I do have just one more question. Can you all complete all of these conditions before you actually reoccupy the church? Is that a possibility?

Rev. Gainous:

It would not be in our best interest .

Okonkwo:

Commissioner, there are certain items that were discussed at the Planning Commission that we cannot perform. There were 11 items that we agreed to at the Planning Commission meeting. For instance, putting in a 6" line to the church. We can't do it because there is no water line there. There is no water line on Dusty House Road. So, there are certain items there that we cannot perform. But the ones that the Planning Commission agreed to- we are willing to do that. The eleven items.

Morgan:

I may have misunderstood, but you are willing to meet the conditions that they put forward, is that correct?

Okonkwo:

That is correct.

Morgan:

That is all I had. Thank you.

Lamb:

Madam Chairman, thank you very much.

When it comes, and this has been with me since I have been a commissioner, when you start talking about church, I am very sensitive. I never vote against it. I always vote in favor of it, I can tell you that now. That is just the way I am. But, I want to make sure that they understand that Anthony is only doing his job.

Rev. Gainous:  
Yes, sir. We understand that.

Lamb:  
That is what we pay him for, to do his job. And, I want to commend him for bringing this to us in this manner and explaining it to us in the way he did. He did a good job in doing this. Definitely, I am in favor in going forward with the church, wherever we can get one. We need a lot more of them in Gadsden County.

Thank you very much, Madam Chairman.

Taylor:  
Commissioner Holt, is that your district?

Holt:  
Yes, it is.

Taylor:  
Lead the motion.

Holt:  
I move approval.

Croley:  
I second it.

Taylor:  
There is a motion and a second. All in favor of this motion, please let it be known by saying, "Aye."

All:  
Aye.

Morgan:  
Question.

Taylor:  
I am sorry, there is a question.

Morgan:  
I am sorry. That is Option 2 that we are approving?

Taylor:  
Yes, Option 2. Thank you for that clarity.



Commissioner Holt, will you amend you motion to that?

**Holt:**

**Yes, I will. I will amend my motion to approve Option 2.**

**Lamb:**

**Second.**

**Taylor:**

**We have a motion and a second. Are there any other concerns?**

**All in favor, say, "Aye."**

**All:**

**Aye.**

**Taylor:**

**Opposed, the same sign.**

**(There was no response.)**

**The motion carries unanimously.**

**5. Approval to Confirm the County Administrator's Appointment of Charles Chapman as Public Works Director**

Mr. Williams presented Item 5 and Chair Taylor called for a motion.

**A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER MORGAN TO CONFIRM MR. CHAPMAN AS THE PUBLIC WORKS DIRECTOR.**

Holt:

Question.

Taylor:

Yes, Commissioner Holt?

Holt:

As I said in the previous meeting, I really do like Mr. Chapman. I like the way he does things. I think he is a great person. My problem is with the position itself and the advertisement. The advertisement gave preference for an engineer. And, also for clarification on the 30 – 70%. It was not sufficient as far as I am concerned. Not Mr. Chapman. Mr. Chapman does a great job at whatever he does, but I think we should advertise correctly. We should go after those positions and try to fill them in the way that we should to make sure that we get the best thing possible.

I was not here earlier when everything happened with the previous director, but I do feel that – and I don't even know if this is even possible – I do feel that he was doing a good job in that position. I don't think that we go and get and make the position fit. We should hire a person that fits the position. That is my concern. As I said, I worked with Mr. Chapman's wife before and I like Mr. Chapman, but it has nothing to do with Mr. Chapman. It has to do with the qualifications for that position. I do not feel that we should alter from that or else we should advertise in a way that would not have given anyone a false perception of what we were hiring for. That is what we did when we had that engineering preference on there. It should be readvertised. It should be done and it should be done in a way that does not cause confusion among the public, especially with the gentleman who came up here that had an engineering degree.

Taylor:

Thank you . Are there any comments?

Will you move the question?

Straughn:

Who made the second?

Taylor:

I am sorry. I am sorry. There is a motion on the floor to accept this appointment.

**Morgan:**

**I second it.**

**Taylor:**

**And there is a second.**

**Are there any other comments or questions?**

**Just one. I am going to have to practice what I preach and that is working with the majority and moving forward for this county. All in favor of this motion, let it be known by saying, "Aye."**

**Lamb: Aye.**

**Morgan: Aye.**

**Croley: Aye.**

**Taylor: Aye.**

**Opposed by the same sign.**

**Holt: No.**

**Taylor:**

**Make that 4 – 1 for approval of the confirmation.**

**6. Approval of the Contract for State Lobbying Services to Christian B. Doolin & Associates (\$25,000.00)**

Taylor:

Is this an item for Mr. Lawson? Is he the person who is supposed to comment on this item?

Williams:

Arthur is certainly the one who has been handling this. I put it on the agenda at the request of, I believe, Vice-Chairman Morgan.

Lawson:

Madam Chair, I will answer any questions you might have.

Taylor:

Was this item bid?

Lawson:

No, ma'am, it was not.

Taylor:

It was not bid?

Was that not a request to have it bid?

Morgan:

Madam Chair?

Taylor:

Yes.

Morgan:

I might can clarify a little bit here.

I know that in last year's budget, we went ahead and approved the \$25,000 amount be put into the budget. The contract that we had with our lobbying firm expired September 30<sup>th</sup>. I know that they have still been representing us even though there is not a contract in place. This is just an opportunity for us to renew that contract for another year. My concern is that with the Legislature meeting very, very quickly. As you all know, I have always been concerned with some of the issues that he and our largest employer here in the county (Florida State Hospital over in Chattahoochee) and the privatization issues. That is my concern – that we have continued representation over there. So, I was the one responsible for asking that to be put on the agenda to renew that contract. I would hope that the board would support that if possible.

Lawson:

Madam Chair, if I may.

The lobbying services were bid last year and the bid was awarded to Chris Doolin and Associates. This is bringing it back for renewal.

Taylor:

I think that my question or my statement came from our budget workshop. We budgeted this item contingent upon it being bid. Again, this is an item that if the majority wishes to move forward, then I am going to have to work with you, but there was an email that I received. Again, ladies and gentlemen, we are already paying this money when we pay out \$5,000 to the Small County Coalition – to be a member of this organization which is being represented by this particular company. We pay them \$5,000 per year. Whatever we get, so does the other counties. There's no special privileges for us except that we are paying \$25,000 and the others are paying \$5,000. Yet, they are getting the very same information and treatment as well. This particular item that I got off the email was from the firm that we are looking at tonight and it says, "I am going to be forwarding this to all of the other small counties."

So, we are looking at cutting dollars. We are already paying for the service. Now, we are paying \$30,000 when everybody is paying \$5,000. That is just my comment and it has always been my comment. So, is there a motion on the floor?

Croley:

Well, Madam Chair, let me say this. In the past, I have gone along with the hiring of the lobbyist, but I am going to express to you my concern that this item, when I first sat here, was running \$50,000 a year. You are correct, we are in the Small County Coalition. We have talked here among ourselves about the need to look at privatization of certain county operations to save money. So, it seems like we "speak with forked tongue" as some say if we are willing to look at privatization for the county, but not look at privatization of some of the state programs. I am not trying to say that it is not important to Gadsden County's economy to have the hospital open and the prisons. I want to make that very clear. But, we also have this State Legislative Delegation who also has a vested interest in that. Representative Coley, Representative Williams, we have Representative Vasalinda that comes here and now we have Senator Montford, Bill Montford, who is here. All I am saying is that it seems like that we ought to hold on spending this money and let us see what comes up. We have it. It is in cash balances. It may be in the budget and I realize that, but just because it is in the budget doesn't mean we have to spend it.

I respect Commissioner Morgan advocating strongly on his concerns about this, particularly in the Chattahoochee Community. I want to make that very clear. But, we set these goals that we are going to be holding back on spending money. I would, and I don't know that it requires a second under Roberts Rules of Order, but **I WOULD MOVE THAT THIS BE TABLED FOR THE PRESENT.**

Taylor:  
O.K. That is your motion?

Croley:  
Yes, ma'am.

Taylor:  
I will hear from Commissioner Morgan.

Morgan:  
Thank you. Commissioner Croley, I sure appreciate your comments, but first of all, let me clarify and I think that everybody would agree here. I assure you that if I thought in any way that this was not a wise investment of our money, I would absolutely say so because I agree with you whole heartedly. We don't have money to invest if it does not make good sense.

One thing that I will mention to the credit of those over at Florida State Hospital, they have for the last two years privatized several sections of that hospital and it has proven to be very effective there as in some of the other area mental health facilities throughout the State. My concern still lies in the shortfall in dollars that the Legislature is going to be pressured into considering cuts wherever necessary. We also have JCI, which is a part of that facility as well. So, this was a real battle just a quick two years ago. There was a successful move within Baker County to be heard and to avoid that. I will tell you without a second hesitation – if complete privatization happened there, it would be almost not recoverable over there in that area of the county, I think.

So, that is my concern. Madam Chairperson, I know there are representatives here from our current firm and they may could answer your concerns. I asked those same questions that you have about why and what are we getting in exchange for these additional funds.

Commissioner Croley is absolutely right. We were, in fact, spending \$150,000 total for lobbying representation between the firm we had and the federal lobbying firm. Now it is \$25,000 and it centers around our largest employer.

Those are my comments, Madam Chair. Thank you.

Taylor:  
Thank you.

Commissioner Holt?

Holt:  
Thank you.

I am totally against privatization I have been for a long time simply because when it happened under Governor Bush, a lot of people lost their jobs. I protested it and I argued

against it and I will continue to do so. If you want government to work better, then you vote better. That is basically what you do. But, we need to make sure that we have someone out there defending those state workers. The more people, as far as I am concerned, the better. To privatize that facility or even to consider it when the economy is so poor is not something that I would consider. I would argue against it any day any time.

You are right. We have reduced the amounts of money we were spending for lobbying. We reduced it at the federal level when our issues were coming up for a vote at the federal level. That is the year that we should not have reduced it. If we were going to do it, we should have done it before the last year. The three year span was up. As we were told, on the federal level, that is when our items were coming up for the \$23,000,000 for the facility for the Sheriff's Department and the increase for the jail. That was not the time to reduce. It should have been done three years before or two years before. Now, we have an overcrowded jail and we don't have anyone to fight those issues. Then the economy went bad, so we lost our opportunity to get money on the federal level when we should not have. We should have bit the bullet and went ahead and financed those lobbyists on that federal level to go after that funding.

I think that Mr. Doolin and his staff will be able to explain what they do for us that they may not do for others, but one thing that I can say is that the issue on the courtroom. The new courtroom that we all celebrated and we had our name put on the plaque over there was largely done because Mr. Doolin's group got us into some areas that we were not into, including Judge Francis, whom I met on the 10<sup>th</sup> floor that day. They sent us to the right meeting. I don't know the name of the Senator, but Mr. Doolin can tell who it was and got us to the right location to go after that last \$500,000. So, it is just that we don't have, and you are right in that the other small counties benefited from it, but that Senator had moved that money over into his district and we had to go back and try to get funding for our district out of that money. If we had not been called by Mr. Doolin to go after that funding, we would not have gotten it and we would have lost over a half million dollars. So, that was the difference. The other counties benefitted from it but we just happened to be closer to the Capitol that day and some of them – it didn't matter to them because they were getting their funding from other areas. That is the difference if you have someone to get you into those offices. We had no idea that was going on at the Capitol that day. Those are some of the things that we benefitted from. There are other funds out there, but we have to be able to know how to go and get them. I don't know how to separate it out from the Small County, but I do know that we need to go after funding.

I would like to hear from Mr. Doolin before any other comments.

Thank you Madam Chairman.

Taylor:  
Thank you.

Commissioner Lamb and then I will hear from Mr. Doolin.

Lamb:

Madam Chair, thank you.

Like in the past, as I have stated before, anytime you call on this firm, they are there to direct us at the Capitol. As I have said before, I have talked with our delegation concerning having a lobbyist there at the Capitol. They were affirmative on that we should have one if we can. I have called on Mr. Doolin in the past and he was there. He has done a good job for us in the past. For the amount of money that we are paying, I don't see a problem with that whatsoever.

Taylor:

Alright. Mr. Doolin?

Doolin:

Madam Chair, thank you. I generally start with it is a pleasure to be here and it is to see you and the members of this commission. Sarah Bleakley and I have been pleased to work with you for five years. If you choose to obtain a lobbying firm in the future, we would be pleased to represent you. That is clearly your decision.

We came over tonight because our renewal was on the agenda. I probably should have anticipated a discussion like this because it happens virtually every time we come. That is O.K. But, I want the public to know that when we first came to Gadsden County, it was at the request of your legislative delegation to help to have interlocal governmental collaboration, communication, and to help to put a legislative program together. We have done that. Your cities communicate well. You county works better than it has in the past. We are pleased to have a little part in that.

In response to that – comparing what occurred before we came to when we were here, we have talked about documenting the net gain of knowing where to go, what to ask for, what to apply for and when it comes back to you. And, again, we claim no credit whatsoever, but \$51.5 million worth of projects, non-school related, in our first three years, against \$17 million prior to us coming in a three year period. Again, we don't claim any credit for that. You've got a good legislative delegation. Al Lawson was one of the best, you know. Marty Coley, now. Bill Montford. So, were we of an asset that was value added? For \$50,000 a year for three years, we worked, collaborated, spent a lot of time here working on intergovernmental relations. We are pleased with the results. Then, we recognized the need to cut back and we came and said, "We cut our fee in half." I would challenge any local government to find a lobbying firm that comes to them and says, "We will cut it in half." And, we did. That year, we worked on the hospital license, we had to get a change in the law to allow this hospital license to be extended so they could finish the hospital. We worked very closely with your hospital board and again with Mr. McMillan and your community leaders. Again, we claim no credit for that. I hope we were part of that. I hope that we were supportive. I think maybe we maybe had something to do with that. So, that is fine.

Now, the issue of privatization. Absolutely, we need to be looking at where we can save money. That is what we owe the taxpayer. But, I dare say that you wouldn't want a private company coming into your county to totally manage the Board of County Commissioners services for the purpose of saving money. You want to look for components where you can save money in whatever area whether it is cleaning services, whether it is lawn care, whether it is road work, you privatize. You go, but you don't come in and turn a whole community over, especially when they are the most vulnerable citizens in our state - Severely handicapped, severely brain damaged. We are talking about situations where a for profit, private company is attempting to come in and manage a facility for the purpose of 1) saving the state money, which is questionable and 2) this is a for profit company. So, we managed that effort in Macclenny. We were hired to come in and work with the community and we will do that again, but I assure you to the work we have done for Gadsden is supported and collaborated with the Small County Coalition. But the Small County Coalition has had its benefits for you in millions of dollars of fiscally constrained money and revenue sharing.

Work has already begun. Committee meetings are already going on. Schedules are going and legislative hearings. We've got new leadership. We've got a new governor that has told us that he is going to privatize. We've got a \$3 billion shortfall in the state and they are going to talk about another billion dollars in corporate income tax reduction and another \$1.3 billion in reduction of school funds through a reduction in property tax. Retirement is a huge issue in this community. You've got a lot of former state workers that are receiving healthcare supplements, retirement subsidies that the legislature is going to propose to take away. \$150.00 a month from to everybody on state retirement is proposed to be taken away. So, there are issues.

We would be pleased to work for you as we always have been. We respect local government, we respect your decision. You can choose to have us work with you and we would look forward to that. We respect your judgment. We would begin immediately to identify where this county relies on state money and protect those sources from being cut. We would identify with your staff areas of importance. If retirement is an issue with you guys that you don't want to mess around with retirement or apply to new hires. Privatization - we would identify state actions that are going to be of concern to this community, working with you and your local municipalities.

We worked with you before. I hope we have had successes and it is not just a duplication. We understand you. We like you and would love to work with you some more, if you choose to have us work with you.

Taylor:

Thank you so much, I appreciate your presentation tonight.

Did you have a comment that you wanted to make?

Croley:

I wanted to say this. The motion to table that is before us does not obligate anybody to do



anything except hold. The reason that I would suggest the tabling is that Commissioner Morgan, you frequently mentioned that there six counties within the area with folks that are employed at the hospital. How many of them are contributing to “the lobbying effort,” since that seems to be the crux of examining and defending Florida State Hospital and this institution against any effort by state government to privatize it? In other words, this is a shared responsibility by more than just Gadsden County. We have put a lot of money out there and I mean no disrespect to Mr. Doolin and Ms. Bleakley. I have great respect for them. In fact, if we needed to flip that light switch, it would be one of the first groups I would want to call on. But, what I a trying to say is that based upon the current situation, do we really need to spend the \$25,000 tonight without talking to those other five counties, since we are only one of the six?

Anyway, as a point of order, that motion stands.

Taylor:

Yes, that motion is still on the floor. With that motion being on the floor, now I will ask for a second.

Croley:

You don't have to have a second on it. I don't believe you need a second on a motion to table.

Taylor:

There is a motion to table.

Straughn:

You do not need a second on a motion to table.

Lamb:

Are you asking for a second.

Taylor:

I am being told by Muriel that we don't need a second, but I have never seen one that didn't need a second, but I concur with you.

We need to get with our legislators, give them a call. The governor has stated that he is hinging on privatizing. I listened attentively to Mr. Doolin for what they get and we don't get without paying additional money. I was trying to hear what additional effort we get for the additional money. I have to agree with you also, Commissioner Croley in saying that - if we need it and we have already paid for it and it should be working anyway . He will be one of the first people I call, too because he does keep in front of us, but I don't think this is privilege. I don't think this county is privileged to this information that has been going on. So, I just want to hold it until we hear from our legislators, but he is still working, or he is supposed to be because of the dues that we have already paid into his business. So, it doesn't -

Morgan:  
I hear you.

Taylor:  
I am not trying to stop it because you and I both have said this around this diocese, "We have people in our district that work there." We have a good number of people who work there, but I don't think one person is going to stop privatizing, they are going to come down the track. But, I do want people to be prepared for it.

Let's move this item. Let's move it. Let's move it.

Holt:  
Madam Chair?

Taylor:  
Hold on, Ms. Holt. Let us move this item. There is a motion to table it. I am going to call for a vote.

Holt:  
Madam Chairman, I just have a question. I was looking at the procedure and I don't see where it says that we don't need a second. It says all motions need a second.

Minnis:  
If you will look at "Motions," it says, "The following motions are not debatable: To adjourn, to lay on the table, to take from the table, to call the question." Those motions are not debatable.

Holt:  
To take from the table?

Minnis:  
To lay on the table is also one of the motions that are not debatable.

Taylor:  
So, it is not a debatable motion. So, it doesn't require a second. Alright.

Lamb:  
Madam Chairman, I just wanted to let you know that I understand exactly where you are coming from and I have to agree. I am going to give you that opportunity that you are asking for. I am in favor of him being our lobbyist, but I am going to give you that opportunity as chair and I am going to respect my chair.

Taylor:  
Thank you very much.

We are going to table this item. Mr. Administrator, can you get our legislators in here as

soon as possible?

Williams:

I can certainly request it.

Taylor:

At least two or three of them.

Williams:

Maybe Chris can help me out with it.

Taylor:

Whomever. He's on the clock. But, it is tabled for right now. I am sorry.

Doolin:

You mean this clock?

Taylor:

No, sir. It was just hypothetical.

Doolin:

They are going to schedule a legislative hearing. Berta Kemp is working on that right now.

Taylor:

Good. So, we'll put a little fire up under that so we will know which way to go.

Morgan:

Do we not have to actually vote on that - to table it?

Croley:

You have to vote on the motion.

Lamb:

Still.

Taylor:

There is a motion on the floor, all in favor to table this item, please let it be known by saying, "Aye."

Croley: Aye.

Lamb: Aye.

Taylor: Aye.

Taylor:

Opposed?

Morgan: No.

Holt: No.

Taylor:

That makes it 3 – 2 to table this item.

O.K. We are moving on, now. Mr. Administrator, Item 7?

**7. Approval of the Purchase of Emergency Generator for the W.A. Woodham Building**

Williams:

This is actually old business. The original proposal was to buy it out right at \$170,620.00. Vice Chairman Gene Morgan suggested that maybe we could get a better deal by leasing it. I think that we are pretty much unanimous, now, that he was absolutely correct about that. We can lease it for 60 months at \$1702.28 per month with \$1.00 after that and we own it. We still have installation costs that will make it \$92,140, but that will make it substantially less than \$170,620. We are recommending a lease.

Taylor:

Commissioners, there is a recommendation on the floor to lease this item. I must commend Commissioner Morgan for his fortitude in that he asked us at the last meeting to go back and look at that. Are there any questions or concerns with this particular item?

Croley:

One question. I think the lease is a great idea. What do you propose that we should do with the old generator. Should that be declared surplus and sold?

Collins:

Yes, sir. I don't think we need to move it to another location. I talk with Mike at Caterpillar. He said he would be glad to put it on their "For Sale" list and try to sell it for us, he really didn't have any use for it.

Croley:

Can we have disposal of that generator as a part of the motion to lease the equipment?

Taylor:

Yes, sir.

Croley:

Well, since Mr. Morgan –

Morgan:

I did have just one question.

Clyde, just for clarification, this is brand new equipment we are talking about, isn't it?

Collins:

Yes, sir, brand new.

Morgan:

So, all the warranties are still intact and before that lease – does that include all the service of the generator as well?

Collins:

Well, we will actually have to pay for services. It is like \$247 a quarter. That was in the proposal that we had. Then we will have to do a load test once a year.

Morgan:

And that includes - if there are any issues with the generator itself, it is covered?

Collins:

It is under warranty for the whole five years that we will have it leased.

Morgan:

I just wanted to make sure. **I will move the item, Madam Chair.**

**Lamb:**

**I second it.**

**Taylor:**

**There is a motion and a second. Are there any questions?**

Holt:

One quick question.

Taylor:

Yes, Commissioner.

Holt:

Will we need a back up? Will we not need a backup generator for anything we can think of before we sell that one? Cause, it is emergency equipment. If we were in a storm and something happen, could we pull that one out and put the old one back in if we needed it?

Collins:

No. You probably couldn't put it back there. You probably could put it somewhere else or mount it on a trailer of some kind if you wanted to. But, I don't know where else we could put it unless we put it on this building.

Holt:

I was just looking for a backup just in case we needed it.

That's all. Thank you, Madam Chairman.

**Taylor:**

**Now, the motion also needs to include disposal of the old one that we have. Will you amend you motion?**

**Morgan:**

**Yes, so moved.**

**Taylor:**

**Will you amend your second?**

**Lamb:**

**Yes.**

**Taylor:**

**Thank you. We have a motion and a second on the floor to move forward with the lease of the generator as forestated by the administrator as well, the surplus declaration and disposal of the old one which we all have agreed to sell. Motion and a second. Are there any questions or concerns?**

**All in favor of this motion, please let it be known by saying, "Aye."**

**All:**

**Aye.**

**Taylor:**

**Opposed, the same sign.**

**(No response.)**

**5 – 0, Ms. Muriel.**

**8. Approval for Installation of Helicopter Pad at Capital Regional Medical Center Gadsden County Campus**

Cost \$143,942.00 to be paid from ½ cent indigent sales tax.

Clyde Collins:

Back before we opened the hospital, we talked about doing this. I went and got prices from a couple of concrete contractors that are actually local in Gadsden County. Concrete

Services was \$143,942. We let it sit on the table for a little while and then I got a letter about a week ago from Air Meds saying that they could not land there anymore because they are having too many problems with pedestrians and cars. They said that they actually had one car come around the barricades and try to get out and they could have actually landed on them. They are saying now that they won't land there. So, we are having to take them to either Pat Thomas Park or out in the street where a helicopter can land.

Taylor:  
Can we move this item, Commissioners?

Croley:  
So moved.

Taylor:  
There is a motion on the floor.

Morgan:  
Second.

Taylor:  
Motion and a second. Are there any questions?

Holt:  
Yes.

Taylor:  
Commissioner.

Holt:  
\$143,000. We are talking about lighting and cement and a fence. That seems like a lot of money.

Collins:  
Well, we've got some drainage issues. We've got to build a concrete headwall all the way around the pad, then infill it with dirt. Then we will have to come back and lay the concrete pad. It has to be painted. We must have indirect lighting. There is a windsock that must be put out there. There is quite a bit of work to be done.

Holt:  
O.K. That is the kind of stuff I needed to hear. When I saw cement and lights, that price just couldn't quite click with me. Alright. Thank you.

Taylor:  
Clyde, how long will it be before it is up and running?

Collins:

I don't have an actual time line. If we were to get started immediately, as soon as we can come up with the money, it shouldn't take more than 2 – 3 months to get it done.

Taylor:

We have a motion and second. All in favor, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, the same sign.

(No response.)

Motion carries. Thank you.

**9. Approval of Budget Amendment for Gadsden County Health Department for FY 11 OMB-BA# 1100000** Funds to be taken from the budgeted line item Reserves for Contingency leaving a balance of \$57,138 in Budgeted Contingency Funds

Williams:

Madam Chairperson, Item 9 is a budget amendment for the funds requested by the Health Department. As you know, Marlon Hunter has been before you on more than one occasions requesting an additional \$50,000.

Taylor:

I think we have had discussion about that at length. Commissioners, do I hear a motion?

Holt:

I move approval.

Croley:

I have a question.

Lamb:

Second.

Taylor:

I have a motion and a second. Now, ask your question.

Croley:

Does this money have to come out of contingency or cash reserves?



Jeff Price:

The reserve for contingency, yes.

Croley:

I am opposed to this, Madam Chair, simply because we are taking money out of cash balances. The Health Department has gotten significant increase in funding. They got by last year without this \$50,000. They just happened to hear that they didn't get the \$50,000 in one of these meetings, then they came back and decided that they wanted it. My opinion is that they did without it last year. They can continue to do without it. We need to leave the money in our cash balances. We have had too many unexpected things to come up.

Thank you.

Taylor:

Commissioner.

Morgan:

I have to ditto the remarks made by Commissioner Croley. I have talked with Mr. Hunter about it and he understood that as well. They did provide services. They do a great job over there, but the fact is that we just don't have the money. We have done so well and I think you will hear that in the very near future, because of actions that we took. We adhered to the goals of sound financial policies. We are making improvements. If you all will remember, the Property Appraiser and the Tax Collector have been before us numerous times, just recently, not long ago, with a bleak outlook for at least the next couple of years. These dollars were not budgeted in our budget. This just would not be a good business decision for the county. They will be able to maintain services through the Health Department. I have confirmed that with Mr. Hunter. And, I am all for funding them at the appropriate time. But, I just have to agree with Commissioner Croley on this one. He is absolutely right. This is not a good business move at all. I would really rather that we postpone looking at this until later on down the line.

Thank you.

Taylor:

Thank you.

You know, I had a chance to talk with him and I did make it very clear that next year, he will have to do with less because we didn't notify him of the budgeted amount and he had already budgeted the full \$100,000. I think at our last meeting, we agreed to go forward with this. But, what he said to me was that the area that he was going to spend these dollars in, Commissioner Morgan and Commissioner Croley, it has to do with dentistry. Because of the area that he is going to target those dollars for, he will be able to bring in \$300,000 more. In other words, he will be able to provide services that might otherwise go to another county or another city and spend their money elsewhere. I have asked him

to show me real numbers. I will spend \$50,000 any day in order to make \$300,000. This is what he guaranteed me of.

**Again, I really wish that we could all be together on this one, but I can see otherwise. I appreciate your position on this and I will go ahead and move the question. There is a motion and a second to approve this item. All in favor of this motion, please let it be known by saying, "Aye."**

**Lamb: Aye.**

**Holt: Aye.**

**Taylor: Aye.**

**Opposed, the same sign.**

**Morgan: No.**

**Croley: No.**

**Taylor:**

**Make that 3 – 2 to approve.**

**10. Budget Amendments OMB-BA# 100123 thru 100139 - Resolution 2010-046 (Close out Amendments for FY 2009-2010)**

Williams:

Item Number 10 is a series of year-end budget closeouts. This is a joint workup between the Clerk's office and Jeff, there at the podium. These are the year-end juggling (I hate to use that word, but – the closeout of all the budgets to make them all balance and thereby comply with State law.

Croley:

I will move approve, Madam Chair, when you are ready.

Taylor:

There is motion on the floor, is there a second?

Morgan:

Second.

Taylor:

There is a motion and a second. Are there any questions or concerns?

Commissioner Holt?

Holt:

Yes, on the moving of the funds, I have requested before. I am sorry, I didn't get your name – McLendon. On the items - I am sorry, that is Connie. On the items to be moved, I

asked then that instead of just giving us little scripts that say you are moving it from here to there, we need to know where it is coming from and where it is being moved to. Unless you have the budget right there, you can't follow the numbers. So, if you have it right there from now on, we will be able to follow it a lot better and see where that money is coming from. On one item, it said, Machinery and Equipment Operating and Supplies. It doesn't really say what that machinery and equipment is for. When the public looks at it and have questions, they do it on line anyway, they will ask you, "What did you all spend that money for?" Then you have to go back and look it up. But, if it is explained right there, we won't have that problem.

Price:

Correct. We are in the process of revising the budget amendments to give you more details.

Taylor:

I think that is a point well taken. Plus, this is late. This is the second year in a row that these amendments are late. Each time, we get an audit finding and we will get another one this year. I don't know who is watching and keeping a watchful eye over this and needs to be ready when it is time to submit these, but it is my understanding that it was supposed to be submitted by the last meeting in November. On or before.

Price:

Correct.

Taylor:

So, going forward, Mr. Administrator, we certainly need to do a little better. We don't want to continue to have these problems.

Williams:

Yes, it is a problem on both sides of the street. I think it is also a manpower problem as well. Everybody is so busy.

Taylor:

Well, we have an excellent working relationship with the Clerk. That shouldn't be a problem. (inaudible) But, there is a motion and a second on the floor, let's move it. All in favor, please let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed, same sign.

5 – 0. Thank you.

**10a. Appointments to the Small County Coalition**

**Taylor:**

I agreed to move this item on the agenda because it was requested by one of my colleagues. I tend to want to recognize the request. So, I am going to ask either you or whomever you might direct, Mr. Administrator. Who was the appointee last year?

**Williams:**

I don't have that here with me, but I thought it was you.

**Morgan:**

What, the Small County Coalition?

**Williams:**

Yes.

**Morgan:**

From this Board?

**Williams:**

Yes.

**Morgan:**

It was you and me. Ms. Taylor and me.

**Williams:**

That is right.

(laughter)

**Lamb:**

You must not have gone to any of the meetings.

(laughter)

**Williams:**

It was you and you. O.K.

**Taylor:**

I did go to that meeting.

**Holt:**

Don't go there. Don't go there.

**Taylor:**

Commissioner Croley. I am going to lead you to ask whatever questions you have with this particular item.

Croley:

Well, I think that was an appropriate response that the two of you served on that Small County Coalition. That meant that you worked with Mr. Doolin in an engaging way, therefore that creates an opportunity for both of you to advocate the special interest that Gadsden County may have and the other five counties that may be affected. And, keep us well abreast of the Legislative Delegation, if that is who you are working with, involved in these issues. We know that we do have those funds sitting there. If we need to call out the Calvary on some issue, all you need to do is blow the bugle. But, at the same time, we know that we can count on you to keep us informed. If you need some sort of formal motion, which I think is procedurally appropriate, to keep you two on the Small County Coalition, I will so make it.

Taylor:

That was going to be my question. What makes you think that we want to continue?

(Laughter)

But, since you put it that way, I certainly don't mind continuing on in that capacity. Commissioner Morgan?

Morgan:

I will be glad to. I promise that I will keep the board abreast of the issues regarding representation.

Taylor:

You put that in the form of a motion.

Croley:

I make that motion.

Lamb:

I second it.

Taylor:

There is a motion and a second.

Holt:

You also have to have a designated person on staff. That is usually the manager.

Taylor:

To also be on that.

Croley:

I will amend the motion to include the administrator if that is appropriate.

Lamb:  
I will amend my second.

Taylor:  
Alright. Everything done without my having to tell you to. I like this. Moving very well.  
We have a motion and a second. Are there any questions or concerns? (No response.) All  
in favor of this motion, please let it be known by saying, "Aye."

All:  
Aye.

Taylor:  
Opposed, the same sign. (No response.)

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB,  
THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPOINT CHAIR TAYLOR, VICE-CHAIR  
MORGAN AND COUNTY ADMINISTRATOR WILLIAMS TO THE SMALL COUNTY COALITION  
TO REPRESENT GADSDEN COUNTY.**

**11. County Administrator's Agenda**

There were no items to discuss.

**12. County Attorney's Agenda**

**Interlocal Agreement with Sheriff to Administer Emergency Management Program for  
County**

Attorney Minnis:  
I just wanted to let you know that with regard to the Interlocal Agreement with the  
Sheriff's Office with Emergency Management, we have met with the Sheriff's  
representative – the County Administrator and I. We have worked up a draft contract that  
I will be disseminating for everyone to look at.

Taylor:  
Any idea of a time line for that?

Minnis:  
The draft is already completed, it is just a matter of me getting it emailed to everyone and  
how long it will take you to review it with the holidays coming up.

Taylor:  
So, we should have it before us before the third Tuesday in January?

Minnis:

I would think so, yes.

Taylor:  
We will go ahead and make a mental note of that.

Are there any other legal issues?

Minnis:  
No, ma'am.

Croley:  
May we ask questions?

Taylor:  
Do you have a question for her?

**Ex-Parte Communications on Quasi-Judicial Issues**

Croley:  
Yes. Just wanted to make the Commission aware of an email that I shared with Ms. Minnis and Mr. Williams and Mr. Matheny regarding a Florida Statute 286.0115, which deals with ex-parte communications. When we are sitting in these quasi-judicial roles, as the Board of County Commissioners and as the Planning and Zoning Members that deal with land use matters. I would appreciate Ms. Minnis explaining that to the board and why that question exist and what impact it can have for cities here.

Ms. Minnis, would you do that, then I have another question.

Minnis:  
I sure will.

Basically, the statutory number is 286.0115 and it deals with the quasi-judicial roles that the commissioners act in. In the land use area, those are usually the land use issues dealing with single property owner issues because you are acting more as a judicial body at that point than a legislative body. If there are multiple tracts of land or comprehensive planning or massive rezoning. Those kinds of things are more legislative. Basically, in a nutshell, what the statute says is if the commission has not actually enacted an ordinance stating otherwise, that any ex-parte communications (meaning individual communications between commissioner, planning and zoning members or entities of that nature with a particular property owner about their particular property issue that is coming up) could have the presumption of prejudice to that particular matter.

There is a way to create an ordinance that you can develop a policy to allow for the presumption to go away provided that disclosures are made as to the communications and those kinds of things. That statute is on the books and it has been on the books for a

while. We did look to see and the commission does not have an ordinance at this time on that particular issue.

Croley:

The risk of that is that it can put ourselves and the Planning and Zoning Commissioners in a very awkward position should people come up with land use changes and there have already been prior communications with various commissioners with those applicants. And, as Ms. Minnis has pointed out, given the fact that we see some increase, should we say, some interest throughout our county government in being more open and correct in our processes. We need to be aware of that and perhaps either recognize that we can't be having those communications or either ask Ms. Minnis to look at the possibility of drafting an ordinance setting forth the proper procedures. I would prefer that she look at drafting an ordinance, which is beneficial to every one involved and for their personal interest protection as well as, most of all, for the citizens.

Minnis:

I just want to say thank you for that clarification. I tend to get into legal speak and talk prejudice without describing more fully what it is. Commissioner Croley is absolutely correct. It can give the presumption of inappropriate activity. I hate using that term because that is not what goes on, but that presumption can arise under the statute. Presumption that someone is not being fairly given the opportunity to address their issues.

Taylor:

Are there any comments from the other commissioners?

Holt:

Yes, Ms. Minnis, if a citizen has an issue and there are two sides to that issue and I am interested in doing research on both sides simple because I want to know exactly what is going on on this matter out there in those communities – What is the best procedure for that?

Minnis:

My suggestion would be because the concern about the ex-parte, of course, is if you talk to them individually, then the other party has not had an opportunity to hear what that conversation was. Until an ordinance is passed, my suggestion would be if that issue comes up, for them to get with staff and get information from staff about what they may or may not know about that particular issue. That way, you are not talking to one particular person outside of the hearing of the other person.

Holt:

Right. It has been that procedure for years here. They may call Commissioner Croley and say, "Commissioner Croley, I live out at St. Hebron and this is going on with my road and I want you to listen to what I have to say." So, if he listens to that citizen but doesn't listen to the other 15, you see, should he take the call or not take the call?

Minnis:



My suggestion would be, like I said, if I am instructed to do the ordinance, then we can deal with making sure that disclosures are made. But, my suggestion would be that if you get those calls, refer them to the appropriate staff person or to the county administrator and let him take the point of handling that particular issue. Then, as a commissioner, if you need to get information on that issue, you can contact the administrator. But, you are not having ex-parte communications with a particular land owner. Then, if it is agendaed for the Commission's consideration, then everyone has an opportunity to hear what everyone else is saying and present their issue to the Commission.

Holt:

Right. My point in bringing that up was – couldn't that be stated on any issue? Any board that we have that we appoint,

Minnis:

It is only in those areas where you are acting in those areas where you are acting in a quasi-judicial manner. There are some actions that you engage in that are more legislative, meaning that they are more global applications of creating policy. But, when you are acting more in a quasi-judicial area, that is when this particular statute comes into play.

Holt:

So, if it has not come up yet to that point.

Croley:

Ms. Minnis, may I interrupt you only because of what you said about (inaudible) Commissioner Holt is exactly correct about some of her questions. This statute only pertains to land use matters when someone is actually filed a request for a formal land use change and you are having to sit here in a quasi-judicial manner. You can't be, under this law currently, if you speak to them, as I understand it – Ms. Minnis, correct me if I am wrong on this, but if you speak to them without the other party being present, there could be some severe comeback on it. We can't deal with what went on in the past, but we can deal with what goes on in the future. But, this is only for land use. Nothing to do with anything else.

Minnis:

I guess the caution is that when you get those phone calls, I don't know how quickly they evolve into areas where they could say, "I have a problem with my drive-way," then it evolves into, "I need to get a change or something like that." So, you will have to be mindful of, I guess very cognizant if this flips into a land use area or a code area or wanting exceptions to what is going on on their property. So, that would just be my caution.

Holt:

My point in that was it has not reached that point. It has not been filed. A person just calls and say, "Ms. Holt or Commissioner Morgan, I need to talk to you about my property." You don't want them to think that they can't call us and talk about that. Now, you have to get down to the paperwork stage where there is a quasi-judicial issue. It is only that they

want information.

Normally, what I do is I say, "You need to call whomever is over that department." Some people hate that because they think you are supposed to fix it. But, you tell them to call because of the legal side. Also, I will usually say, "Well, look. I need to talk to the other person, too." Whoever is the other person – I give them the same information. Call this department. Do this. Do that.

We don't want them to think that they are not supposed to call us, but it has not reached that point yet where it becomes a legal matter.

Minnis:

And I understand your point. Of course, I always err on the side of extreme caution in any communications with commissioners and referring them back to the administrator. But, you are correct that this provision does apply to the land use matters. It applies when matters become quasi-judicial. Those cautions are out there for you. You can create an ordinance that sets out a procedure for disclosure when those types of communications occur. That can handle some of your issues.

Morgan:

Madam Chair?

Taylor:

Yes, Commissioner Morgan.

Morgan:

Just for clarification, we talked about conversations with the public or with individual citizens regarding potential issues that might come before us in the form of a quasi-judicial item. That also pertains to our individual planning and zoning members. Is that correct?

Minnis:

Well, it pertains to any local public official which means elected or appointed public official who recommends or takes quasi-judicial actions.

**Morgan:**

**O.K. I appreciate Commissioner Croley bringing this up. I would ask that we direct the attorney to create an ordinance which specifically clarifies this. I am all about doing this the right way and that needs to be done. Yes, ma'am.**

**Taylor:**

**Will we need a motion at this juncture? I guess for your directions, yes, we would. There is a motion on the floor, is there a second?**

**Croley:**

**I will second it just so that she can develop an ordinance for consideration by the board.**

**Taylor:**  
**You will bring back to us before it is approved.**

**Croley:**  
**Just to get the ball rolling.**

Taylor:  
Commissioner Holt, did you have a question?

Holt:  
Yes, I have a question. What is the cost?

Minnis:  
The cost of drafting the ordinance?

Holt:  
Yes, for developing the ordinance.

Minnis:  
I don't know, I will have to get that instrument to the administrator.

Holt:  
We need to know that and we need to know where that money is coming from.

Morgan:  
What is the potential cost of not having the ordinance?

Holt:  
Well.

**Taylor:**  
**Let's move on, Commissioners. We already have budgeted dollars for the attorney. So, we will move on on this one. There is a motion on the floor. It has already been seconded. All in favor of this motion, please let it be known by saying, "Aye."**

**All: Aye.**

**Taylor:**  
**Opposed, the same sign.**

**(No response.)**

**Make that 5 – 0, Muriel, to move forward to have her start this ball to rolling.**

**WHISTLE BLOWER POLICY OR ORDINANCE**

Croley:

Now, I've got another one. This just cost us a good bit of money. That is having to deal with FL Statute 112.3187, which is adverse action against employee for disclosing information of a specified nature, which is often known as the "Whistle Blower."

Now, we just went through that. We had a lawsuit. Insurance money paid out and county money paid out. It was because we don't have a procedure or ordinances to deal with this. The chapter sets forth a provision if enacted by ordinance. I would recommend strongly to this commission for the future that Ms. Minnis be allowed to examine this statute along with the county administrator, amend the personnel policy to deal with the matter. Ms. Minnis, you may have something that you want to say on it and if you would, I would like to hear from you as well.

Minnis:

Only to the extent that you are correct. If you don't have a specific policy or ordinance as a local government, then you basically have to follow the procedure that is set out under Florida Statutes that applies to State agencies. Creating an ordinance would give you the flexibility to indicate to whom the reports have to be made, how they have to be made and those sorts of things.

Taylor:

I think on this particular item, Commissioner Croley, that we might have the personnel director take a look at this and see what is on our books before we hand this over to our attorney. Again, as Commissioner Holt so eloquently said a minute ago, the calculator starts to moving when we direct this attorney. So, we can get backup information so that we can make an intelligent decision as to what we need to move forward on with this Whistle Blower item. I certainly don't want to stop people from coming forward with information that we need to know. I don't want to put that impression out there. But, let's give the administrator to take a look at this. I agree with you. It should be looked into to see if we can strengthen ourselves, but at the same juncture, not take away the employees rights to let us know what is going on in our county. That is where I am on that.

Alright. Will that be it for you, sir?

Croley:

That is it.

Taylor:

Thank you. Commissioner Lamb?

Lamb:

Not items.

**13. DISCUSSION ITEMS BY COMMISSIONERS**

**13a. Commissioner Lamb, District 1**

Commissioner Lamb had nothing to report.

**13b. Commissioner Croley, District 2**

Croley:

First of all, Commissioner Taylor, I want to compliment you on doing a good job as chair. I think you are doing an excellent job and want to express my appreciation to you for that.

Also, I want to let Commissioner Lamb know that I appreciate his service for the last 24 months and that I am glad that he is working in cooperation with you so well.

Today, since it hasn't been mentioned, I just wanted to remind the Commission and the public that it is December 7<sup>th</sup>. On this date in 1941, as you know, the Empire of Japan attacked the United States forces at Pearl Harbor causing a significant loss of life and property. We had several citizens from Gadsden County there at that date and time. I just bring that up lest we should forget their service and sacrifice to the nation.

**Value Adjustment Board**

Also, Madam Chair and Commissioners, I want to report to you that the Value Adjustment Board met yesterday. You received an email, Madam Chair, and approved the minutes and concluded our business for the past year, 2010. I would like to recognize the service of Ms. Emily Rowan, who is the citizen volunteer appointed by this board, and express to her our thanks. As I say, it is poor pay, but it is all cash.

I want to thank Mr. McMillan as well who was appointed by the School Board. He also served as a citizen volunteer. School Board Member Judge Helms, as well. I also want to let you know, Madam Chair, that Mr. Bradley Munroe presented his bill. The deputy clerk has it. Monies will have to be paid for our portion of his legal fees. The School Board pays another percentage.

Ms. Straughn has rendered us great service this year. She has that invoice and I believe she will handle it appropriately.

These are the minutes and with your permission, I will pass them officially from the board to the Clerk's office. They were prepared by the deputy clerk.

I also want to let you know that I am tendering my resignation from the Value Adjustment Board. That is a responsibility that has been quite comprehensive, but I am going to turn that over to one of you folks for the next 2011. Having done it for two years, I think I have contributed my fair share of time on that. So, that is something that you will need to deal with. I would suggest that you deal with that earlier this year simply because of the fact that things are getting more complicated and it does require as you saw a lot of background training. So, my best wishes with it.

Taylor:

Is that it?

Croley:

No, ma'am.

**Plea to Revisit the Issue of Updating the Nuisance Abatement Ordinance to Comply with Florida Statutes**

I've got something else I want to bring up. The last item. I am going to share this with you, Commissioners because I want to express this opportunity to express to you my dismay that during the November 16<sup>th</sup>, 2010 meeting of this board that a majority of us failed to approve an effort by the county attorney to bring the existing Gadsden County Nuisance Abatement Board ordinance into full compliance with Florida Statutes. By not doing so, this board ignored it's lawful responsibility to protect personal security and well being of the citizens of our county. In failing to address the problems of stolen property and failing to set reasonable fines and penalties for violation of the existing nuisance abatement ordinance, this board publicly declared its intentions to abandon Gadsden County to those who would do harm to the young, harm to the old and harm to the honest working citizens. Because I was not within the prevailing majority, I must call on those of you who were to reconsider our position regarding the amendment to the nuisance abatement ordinance. In support of this request, I want to briefly share with each of you and the general public some factual information regarding Gadsden County.

The Florida Department of Law Enforcement's Crime in Florida Report states that in 2009, more than \$1.6 million worth of property was stolen in Gadsden County. Yet, only 401,000 of that property was recovered. The Florida Office of the Attorney General, which coordinates Florida's gang reduction strategy, reports that in 2009, some 35 documented gangs were operating in Region 2. That region includes Gadsden County, with another 51 suspected gang affiliates also operating in the region.

A partnership between the University of South Florida and the Hillsborough County Public Schools has confirmed in their 2009 publication, Youth Gangs in America, a 68% increase in gang activity in the rural counties. This gang increase is a fact that many in Florida continue to deny, says Emery Gainey, director of the Florida Attorney General's Victim Services and Criminal Justice Programs. "People who think that gangs are just a city thing – they don't get it. There are more of them here all the time."

Gadsden County Sheriff's Deputy Janice McPhaul is quoted in the Palm Beach Post article "Thug Life in a Rural Town." "Look for the number 13 spray painted in blue. It stands for Southside 13, whose members may be associated with a violent national "Sur 13". A tattoo of this 13 sign, along with a tattoo of a triangle of three dots stands for "la vida loca" – the crazy life – the national motto of Latin gangs. The Palm Beach Post reported such signs started showing up in Gadsden County back in 2007.

So, Commissioners Taylor, Holt and Lamb, is it "the crazy life" that you really wish for our citizens? I certainly not. Do the right thing now by allowing the county attorney to update

the nuisance abatement board ordinance for the protection of all of us and have it placed on the agenda next month for the 6:00 p.m. meetings. The good people of Gadsden County will thank you for it.

If you have any doubts, look at the local newspapers. Just this past week, we see warnings from the police department in Havana – calling for assistance with all the burglary problems. Here – “fleeing suspects caught”, “manhunt “ with cops grabbing this defendant here.

My point to you is that somebody is trafficking in stolen property. Somebody is hosting the drug dealers. Somebody is doing this community wrong. It is up to this board to take the action and the way to do it is to start by updating our ordinances to comply with State Laws and allow the county attorney to do the job that she had set out to do.

Thank you.

Taylor:  
Thank you very much.

Commissioner Holt?

**13c. Commissioner Holt, District 4**

Holt:  
I would be next after that, right?

**Nuisance Abatement Board**

Commissioner Croley, I will answer you back by saying this. I think that the law enforcement agencies in the county need to get together and they would be more than qualified to form a committee of law enforcement members in order to look at those issues. If they brought it before us, I would feel a lot better about levying fines and that type of thing. They know more about those gangs than a citizens committee would know. I don't think it would put a citizens committee members in danger by those gangs. Once you get on a committee, it is easy for them to use technology to find out where you live, what you are doing and what your schedule is. I wouldn't want to put those members in danger. That was my point then and it is still my point now. I would feel better about that.

Right now, I have a concern. I have two or three concerns. One is as I mentioned earlier, about not getting items on the agenda. I know, Madam Chairman, that you said to talk with the manager. One of my concerns is the manager. My concern is that he is costing us too much money. In the last law suit, it was \$22,500. The Florida Association of Counties (FACT) paid \$12,500 and the County paid the deduction of \$10,000.

Now, these items of, and I feel that the people who have filed these complaints and lawsuits, they are saying that it was wrongful termination. It is too expensive. It is just

expensive for the county to pay.

That is just one issue. There are four others coming up. I think, first of all, that we should be meeting on the complaints themselves before they become lawsuits. But, that is something that I seriously advise us to go in and look at. To see if we even want some of this stuff to become a lawsuit. It may not need to. It may be something that we can settle. But, the issue there with the manager as I said, I can't get the items on the agenda because he won't put them on there.

**Request to Place on the Agenda an Evaluation of County Administrator**

One of the items that I want to bring up is his evaluation. As I said, this is too expensive. It is just too expensive. I said that before. I know commissioner argued before that we were paying the previous manager too much money. They may have had a valid point. The previous manager was replaced. Whether I was in the majority or not, it didn't matter, he was replaced and that is fine. That is the way government works. But, this is too expensive for us. With those complaints and those lawsuits that are coming, and there are others that are coming. I feel that we should look at the replacement of the manager.

Now, I don't have a problem with and I am going to make a motion that we do that tonight. It doesn't have to be seconded. It is not on the agenda. I can't put anything on the agenda because, for some reason, I am not allowed to. I have not been allowed to in the past. That is very true. I have documentation of other commissioner putting items on the agenda. Madam Chairman, you did say that this would be rectified, but on the 16<sup>th</sup>, that is why I put items on the agenda so that way I could see if things had changed. It has not so far. But, as I said, it is too expensive to have this process even though you say you are downsizing. Some attorneys have picked that up and said that they have legal cause to file suit. So, there is something wrong with our process or there is something is going on that is causing us to have all these legal problems. I am very concerned about that. I don't have to have support for this. But, I am saying that as a commissioner and as a citizen, we are talking about saving money, but we are not in what we are doing. Our process, there is something wrong with our process. We need to go back and look at it.

But, anyway. The item is not on the agenda, but neither is – it is never done even if reorganization when we swear in commissioners. They are not on the agenda when they replace a manager or an attorney for that matter. They have never been on the agenda.

At this time, I am putting in a motion that we replace the manager. That is my motion.

Taylor:

We have a motion on the floor. Is there a second?

(No response)

Holt:

O.K. So, the motion dies for lack of a second. I will be persistent on this until we get



something going and it either works or we clear up the problems. Either we are going to clear up the lawsuits and complaints or –we are going to have to sit down and look at the legal side of it or I am going to consistently come back with it.

As I said, the \$22,500 really, really bothered me in that situation simply because, not whether that person did or didn't deserve it, that is not the point – the point of it is that we are putting ourselves in that position. Even on the ordinance – if the attorney looks at the ordinance and says how we look at the Whistle Blower Act and how we do that – when we do look at it, we have to realize that if for some reason, no matter who the manager is, if that person is part of the problem, who does that employee report to then? That has to be considered if you do the ordinance. If I am the problem, if I am threatening you, then you are not going to report to me. Where does that chain of command go? When does law enforcement really come into that? I went and sat in the courtroom on that case because I wanted to hear what went on. O.K. That was one item.

#### **Request to Agenda Review of the County Attorney Budget**

The other item is – and I don't if I need approval by the board for this or not, but by consensus, it guess it may be. I need to see the budget of the attorney. So far, when I checked a few weeks ago, there had been paid to the attorney or the law firm \$157,000. What did we get for \$157,000? That is why I asked what it would cost to develop the new ordinances and where will we get the money to pay for these things? If we are adding on to the budget, how do we adjust that? What do we need to do if we are going back to be fiscally responsible? There was also one out there for \$11,600. That was another bill for another attorney, it wasn't this attorney firm. So, those are some things that I would like to look at and the budget manager can pull those up. So, that would be approximately \$170,000 that we are looking at. So, I need to know where that is and how we are going about it and how we are going about it. Did we already budget the \$157,000? Are we going to budget some more money? How are we going to look at that? Do we need to taper what we are doing and maybe say, "Maybe we don't need all these ordinances because it is going to cost more."

The previous attorney that we had - that was a complaint that some of the commissioners had and some in the community. That it was too much money that we were paying. So, if we are getting into the same thing, maybe we do need to taper what we are doing. Let's look as see what we were paying for then and what we may be paying for now. So, if I can get that to come back on the next agenda to see what we are paying out and look at that.

#### **Request to Agenda Televising of the Commission Meetings**

And, if we could look at some cost saving measures. I am very interested in televising the commission meetings again. The citizens are very leery of this. They are beginning to wonder. I would not have thought to pull the attorney's budget if the citizens had not come to me and said, "Ms. Holt, why are ya'll paying out all that money?" They seem to be more up on what we are doing than I was because I was enjoying my little time off.

So, if we can look at that.

**Parking Lot**

On the parking lot back here – what is going on with that? Citizens are saying that you are going to fence us out. I said, “I don’t know anything about it.”

Williams:

We are getting estimates on a fence, which would go from the building to the existing fence around the sediment basin. The problem that we are having is that they park in our parking lot and they go back and forth across the street. We are going to try and experiment whereby if we put a fence there, they can’t climb over. We want to see how far they want to walk to get a beer and come back to their car rather than just go straight across the street. If that doesn’t work, we can always extend the fence even further.

Holt:

Madam Chairman, may I?

That is a concern to the citizens. The concern from the citizens was this. It is a public parking lot, why can’t we park in there? So, did you vote? Did you all decide to do this? I don’t know.

Williams:

I was instructed to correct the problem.

Taylor:

Were you asking me the question?

Holt:

I am just asking if this board voted.

Taylor:

It did come up, but I don’t think, well, I know it was never voted on. It was a discussion. I don’t think it was a board discussion. It was more of where a commissioner had concerns with that issue. It is a day to day action, but as Commissioner Holt has said very clearly, it is a public park. What was supposed to have happened was that the businesses over there was supposed to have gotten with the administrator

Williams:

And Jack.

Taylor:

And Jack McLean and work out issues to eliminate that fence from going up. They were supposed to get together and work out some issues. So, I haven’t heard an update on it. This is the first that I have heard that a fence was going up. I thought we would have worked it out because it is public parking. So, Mr. Administrator, did that meeting go forward?

Williams:

No. I have had trouble getting up with Jack, quite frankly, to get that meeting set up. Whatever your guidance is, I will certainly go that way. I was under the impression that I was being directed to correct the problem by whatever method we recommended.

Taylor:

The direction was to meet with the merchants on that street. That was the direction.

Williams:

That was going to be the first step.

Taylor:

You said that has not happened yet, so you jumped from that step to the fence. So, I would give the merchants the benefit of the doubt because they do pay taxes.

Williams:

If that is your direction, that is the way that I will certainly go.

Taylor:

Well, I think that was the direction that was given to you earlier, but we will hear from the board.

Commissioner Holt, continue.

Holt:

Yes. On the parking lot, if it hits the agenda, let the merchants come to the door and have their fair say. Give the citizens an opportunity. If it can be worked out with the city manager, the citizens need to know and the merchants need to know what the results were. They may agree with the fence. The merchants may agree with the fence. I haven't talked to them. They didn't come to me, but the citizens did. I am not debating whether it is a good idea or not a good idea. Just let everyone know what is going on. That way, they will have the opportunity to come in here.

**Jai-Alai**

Back to the issue on the Jai-Alai. I am going to get some information as soon as I can get that item agendaed. If it is on the agenda, we won't have people coming up from South Florida thinking that they are going to discuss that issue and they are not.

Taylor:

Mr. Administrator, can we agenda that item or not?

Williams:

Certainly. I would have agendaed it already, but my notes indicate that at the time, you were not even aware of who they were and I was waiting for information from you.

Taylor:

Well, let's give her a target date so she can get in touch with them. Why don't you email her or get that to her as soon as possible. I am looking at somewhere in February, Commissioner.

Holt:

What I would like is to target for the end of January. What they are looking at is to see if there is any federal or state monies for jobs – starting jobs. Everyone is looking to get jobs started out there. They were looking at 120-200 jobs.

Taylor:

Let's put it on the agenda for the third Tuesday in January. She says that she comfortable with that.

Holt:

Right. I don't have a problem with that.

Taylor:

We got that one.

#### **Judge's Chamber & Hospital**

Holt:

The manager also emailed me some information on the judge's chambers and also on how that worked out with the hospital. Those citizens, as I said, want to know. So, if we are having – I know one of them was here tonight, earlier, and they wanted to know about a couple of those items. I told them, "Be here and hopefully it will come up in discussion." When they pulled it up on the internet, they didn't see those items on the agenda. They were concerned about them.

#### **Downtown Parking Issue**

Now, that is basically it other than I went to the City Hall meeting. We were discussing the parking. I told some folks there the same thing that I said back in 2002 and 2003. We have no business up here. The commission and other government offices need to be off of the square. We really do. Merchants pay taxes. We don't. They need parking, we don't. What we need to look at and we have looked at this before – is to love at an intergovernmental move. We are paying rent where the property appraiser is and the tax collector is. We have some facilities, not just there, but at one time we looked at trying to get a facility and paying a lobbyist trying to get funding to build something for the sheriff out at the Sheriff's Department (on Pat Thomas Parkway), then move the sheriff out there and move then we could get everyone moved down to the current sheriff's department. If there is any funding – that is why I keep talking about getting a grant writer – if there is any funding out there that we can look at that we can relocate, we could open up the parking for downtown. The city is scrounging around trying to get parking. We are basically in the way. If you had businesses in this building, they would be paying taxes. If

we stay in the building, we don't pay taxes. So, we are in the way.

If we had a municipal building as we looked at with the sheriff's department down there, if we had the funding, you could pay your taxes, you could go to the property appraiser's office, you could look at the county government – everything in one building. Those are just some ideas that were on the table before. I just want to know if we can look at what we can get if anything. WE may not be able to get anything In this bad economy. But, there might be some "goodies" out there and we could look at that – grant writing capabilities.

That is it. Thank you, Madam Chairman.

Taylor:  
Thank you.

Commissioner Morgan?

**13d. Commissioner Morgan, Vice-Chair, District 3**

Morgan:

One thing before I forget to mention it is the request from Commissioner Holt regarding the Jai-Alai on the agenda. I don't know anything about that and it is over in my district. I have not been approached by anybody and I would love to hear some background information on that with the intent so I could do some homework before that reaches here. So, again, if we can go through the administrator and get whatever we need there before it comes before this board. I would appreciate that.

**Jai-Alai**

My understanding is and Commissioner Holt may know, I guess they are wanting to re-open that Jai-Alai as it was before. I think that is something that we need to have some considerable input from our citizens on that.

**Meeting Videos – Clerk's Website and proposed televising of the meetings**

Commissioner Holt also mentioned the television for the citizens. That was costing us about \$36,000 per year – somewhere along there. That may not be exactly right. One of the things that we do have now at no cost in fact – each of these meetings is now recorded and posted on the Clerk's website under meetings. You can very easily maneuver through there and look at each of the agendaed items individually with video or you can actually look at the entire meeting. I have done it several times and it works great. The beauty of this is not only the cost savings, but also that everyone in the county has access to this. Even if they don't own a computer in their home, they can go to the library. It has wireless now. They can go to so many places and have access. So, I think we have made great strides in that area and it is absolutely there and it works great.

**Parking Lot and Fence**

Also, we talked about the parking lot and the fencing. I know that is a public parking lot. I was under the impression that was primarily for county business. I mean, we can't have a county office here for the entire citizenry to come to and handle issues and there not be adequate parking. I have had that to happen when I have come here before during the day. I think we need to keep that in mind. I don't know about open container laws and what liability we have in regard to that. I don't know if that is what is going on or not. Also, I am not aware of whether there is already existing parking spaces for those businesses across the street. There may not be. I just haven't paid that close attention, but I thought there was. But, there are other opportunities there, so I hope we address that accordingly.

### **Legal Cost**

A couple of issues that I also want to mention. Commissioner Holt also talked about the legal cost. First of all, I have dealt on different issues with our current firm, not only Ms. Minnis, but we also have seen how valuable Mr. Glazer has been to us who comes from the same firm. James Harold Thompson is also involved in that and he is a Gadsden County tax payer. There are others over there. Not only have they responded promptly and quickly, many times, they have actually saved us money. I think it is important to understand - one of the reasons that I am sitting up here today is because I ran on reducing legal fees. I thought we had very good representation before, but the fact of the matter is that our legal costs are down 70% for the year beginning in 2009. I think you are going to find that to be the case again this year. Yes, we do have adequate funds budgeted there for that. So, I just want to make sure we are real clear on that. Yes, we always need legal opinions. There is always a time when it makes sense to spend a dime to protect a dollar.

### **Request to Bring the Lobbying Agreement Back to the Agenda**

I also put that argument before you regarding our lobbying agreement. With that, I just want to say that I do appreciate the opinions here to table that issue, but I want you all to understand, because I have been involved in it on more than one occasion, when we are required to - I believe some said to "flip the switch" - there is a lot of ground work that needs to be done in preparation for that ahead of time. You don't just rally the troops by flipping the switch. These are things that you have to build the cases as we go along. The fact of the matter is - I believe it was Commissioner Lamb - someone said it and they are absolutely correct - These folks have access to places we don't. That is invaluable in many ways. Again, if we were talking about something that was of not so great importance, I wouldn't be so persistent. I know ya'll hate hearing me say it every year about this, but I just feel like it is my responsibility to move that forward. I hope we can address that very quickly if you can put it back on the agenda so that we can move it forward, I would appreciate it.

### **Cold Weather Shelters**

The weather. We are obviously having some extremely cold weather. I was hoping that someone could clarify where our designated cold weather shelter locations are for the public. And, if we don't have any in different areas across the county, I would really recommend that we offer that up to the public because that is something we are going to see as needed. Not only this week, but we are not even into the winter season. If I could have that, I would like to have that so that I can respond to some folks.

Taylor:

Let's see if we can get Red Cross to come over. They normally identify shelters and areas where folks can go into. I know the sheriff did something last year. That is a good idea.

Morgan:

I think, too, that with the will of the board, it might be that the administrator could go ahead and post that information where necessary throughout the county to let people be aware of that. Newspapers, websites – we obviously want folks to know where those sites are if there are any.

Taylor:

We will first have to identify them.

Morgan:

If there aren't any, then obviously, we need to address it, I think. That is something that I think is very important.

#### **Quarterly Financial Report**

Then, I want to commend Mr. Price for putting before us the quarterly financial report for the county. I would appreciate the opportunity for us to discuss that at the next meeting as well and also have that put on the county website for the citizens to be aware of how we are doing. And, I would imagine that the Clerk will be at our next meeting at 9:00 a.m. and hopefully, he can give us information on the financial condition and progress that we are making in that regard as well.

I think that is it. Thank you very much.

Taylor:

Thank you.

#### **13e. Commissioner Taylor, Chair, District 5**

~~Appointments to the Small County Coalition – (Moved to 10a as an amendment to the agenda.)~~

#### **Proposal for a "County Employee Retreat"**

**Drake Acres Park Opening**

Taylor:

Real quick and then we are out of here. By the way, thank you all for your patience. I want to thank everyone who came out to the Drake Acres Park Opening. It was a huge success. Lots of folks came by. We have a brand new park. I don't know if some of you saw it. It was televised. I was on there playing basketball against one of the constituents. I might not get his vote anymore because I beat him. I want to thank everyone who attended. Commissioner Morgan did come down. I encourage other commissioners to come down and join in when we have events and support one another. Thank you so much for coming. I want to thank Clyde and Charles and the administrator and so many people that were involved. It was a huge success down there. I think it is a park that the children will enjoy.

But, I want to put the Sheriff's Department on notice. We need to frequent that area a little more. When we were out passing out notices, little 8 and 9-year olds were talking about the (inaudible) that were out there that shouldn't have been out there. It is because we are not frequenting that area often enough. So, thanks again, Mr. Administrator. Job well done. And, all of your staff. I highly appreciate it. My number one constituents, thank you for being there – Ed Allen and his wife. Thank you very much.

**Televising of the Meetings**

Commissioner Holt mentioned the television. I guess it was just the two of us who were the lone rangers on that issue. I would like to have it agendaed, Mr. Administrator, to see if we can get some traction on it. It wasn't \$36,000. It was a little over \$20,000. At this point in time, we might even get it for less. So, I would like that item agendaed for sometime in January, Mr. Administrator.

I was going to talk about these budget amendment items not being captured or presented to us in a timely manner, but that has already been addressed. I will leave that where it is at.

I have been born and raised in this county for 53 years. That is how old I am. I did travel after college to get some more experience then brought it back to my home town. Never, ever will I abandon my home town. Never, ever will I expose the danger or harm. We give the Sheriff \$7.5 million every year to protect this county. The municipalities, I know the City of Quincy has a budget hovering around \$2-3 million. Havana - \$700,000. Chattahoochee, likewise. To protect us. I do not want to be responsible for dismantling gains, nor do I want to be responsible for recovering stolen items. We said at the meeting when we did not vote with that abatement, that we wanted the Sheriff's department to get with the attorney and come up with an item that we can approve and move forward. So, to give the citizens the impression that those who voted against this was not in support of protecting them is an unfair evaluation. Totally unfair. We gave, I think it Shawn that was here, the directions to get with the administrator and come up with an abatement ordinance that we can all agree to. We are not saying that there is not a need because crime is rampant. Whatever involvement we can do, we need to do, but only in our capacity do we need to do it. Not beyond our capacity. The Sheriff has his responsibilities



and whatever we can do, we need to do it. But, what was read by the attorney made me uncomfortable. I tend to work with everybody. I tend to work with my commissioners, but I couldn't agree with it in the state that it was written because it exposed this board to more than what we are capable of handling – I felt. I didn't want to kill this item, but bring it back and make it more palatable to this board's ability to implement it. That is one thing.

Now, the administrator mentioned earlier about an item that I wanted to discuss other than my item and that is the vision for a kick-off, Commissioners, a county kick-off. What we have done in the last week and a half, we have gone to every constitutional officer and talked with them about coming together and having 2011 made into a vision of kicking off with collaboration between constitutional officers. We are working together as one and moving forward.

The chairman has gotten us here and he has done a magnificent job. We must now take the ball and take it higher. Each chairperson must seek to go higher in their capacity. The only thing I am trying to do is bring us all together. I sat down there with one of our property appraisers and found out why they bring back \$40,000 to \$50,000 a year at the end of the year. That is something we need to be doing countywide, but we need to talk about it. The employees that come to these meetings and the employees that sit out there and hear various things about what we are doing, but if we can get them all in one room and hear it from us instead of interpretations that normally get interpreted incorrectly, then they can get it from the horse's mouth as to why we have to cut back – because there is a \$2 million shortfall. What is it that we need to do with them so that we can start saving money and not lay off people. This is why I want to have a county kick off.

Somebody told me that they thought the clerk would be adverse to this, but I spoke to that gentleman for less than 15 minutes and before I walked out that office, he was preparing his five-minute speech. I went to the clerk, to the property appraiser, to the tax collector, supervisor of elections, the sheriff and they are ready to get on board with this. It is scheduled for January 11<sup>th</sup>. Now, I don't know if we need to agenda this item. I did have a sidebar with the attorney. It is less than \$2200 to sit down and the idea is to have us understand what the vision is for this county and kick it off in the early part of January, have some refreshments and move forward with a positive attitude toward our county. So, if it is an item that needs to be agendaed, I will lean to you for your advice right now.

Minnis:

The issue would be where you are pulling the funds from. If it is not changing funds, if you are just moving money around in the same fund, then it is just a matter of bringing for the board. If you leave it up for the administrator and it is within his spending budget, then that is an item that would not have to come to the board.

Taylor:

He and I have worked hand in hand with this idea. He has been supportive of it. I appreciated it. You have already identified a fund.

Williams:

Well, we still have our contingency fund, which we talked about tonight. There is probably money left there.

Taylor:

Well, it is minimal so -

Williams:

I will have to recalculate after tonight, but.

Minnis:

There is a sum that he has been approved to spend.

Taylor:

Commissioners, will you guys let me know directions on this. This is a brain child - would you prefer to have it budgeted or would you prefer to have it agendaed, or allow the administrator to move forward within the auspices of his authority? I saw your finger first.

Morgan:

Thank you, Madam Chair. I commend you for wanting to do that. I think it is great when we can communicate and we will benefit as we did last year at our retreat.

I guess I missed a little something here. You said there would be a cost of \$2,200 to do it. Is there a reason why we couldn't just have a meeting right here with them? Why do we have to spend money on that?

Taylor:

What we were trying to do is catch them while we have a captive audience. It would be here during their work hours. We want to get the majority of them there so that they can hear the direction and the vision of this county. The hours to do it best is probably when they will be out for lunch or something along that line, Commissioner Morgan. It would not cost because of them missing time. Ordinarily, they would be out during that time anyway. That was the idea. While they are there, obviously, you want to have some kind of refreshments there. What is driving the cost is that you are hovering around 350 people. We are looking at the county with 168-170 employees, the sheriff's department with 123 or so, the clerk's office 15-20 there, county administrator and even the health department - all of us tie in - as well, the supervisor of elections and the superintendent of schools. You want to be able to get them there, them not have to run grab and then come, but just provide some refreshments.

I talked with the attorney and I even thought about the idea of having a vendor, but since the constitutional officers are there, if a vendor supports this, there could be a conflict because of dollars and elected officials being in the same place. So, didn't want to go that route. The dollars are available to us and it is a great idea. It is a concept that we need to move forward on.

What I am willing to do at this time, unless I hear objections from my colleagues, is to let

the county administrator identify the funds and then we will go forward under his authority.

Thank you.

Now, the next item, ladies and gentlemen, let me say this to you and this is so heartfelt. There are five commissioners. We must respect them. There are five of us. There is not one, two or three. There are five commissioners around this diocese. We all got here the same way. We were elected by our constituents. We must respect each other in their capacity.

Motion to adjourn?

Holt:  
So moved.

**14.**  
**14a**

**Receipt and File**

Letter from FDLE regarding close out of Grant Contract Number 2010-JAGC-GADS-1-4X-187

Letter from FDLE Regarding close out of Grant Contract Number 2010-ARRC-GADS-5-W7-203

Letter from FDLE Regarding close out of Grant Contract Number 2010-ARRC-GADS-1-W7-192

Letter from FDLE Regarding close out of Grant Contract Number 2010-ARRC-GADS-3-W7-194

Letter from FDLE Regarding close out of Grant Contract Number 2010-ARRC-GADS-4-W7-083

Next Meeting – December 21, 2010 at 9:00 a.m.

**ADJOURNMENT**

**UPON MOTION BY COMMISSIONER HOLT AND THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING ADJOURNED AT 8:35 P.M.**

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**Sherrie Taylor, Chair**

**ATTEST:**

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**Muriel Straughn, Deputy Clerk**