

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON DECEMBER 21, 2010 AT 9:00 A.M. , THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Taylor called the meeting to order at 9:00 a.m. then led in a prayer and the pledge of allegiance to the U.S. flag.

Deputy Clerk Muriel Straughn conducted a roll call for the record with all members being present as noted above.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following amendments were made to the agenda:

Add 1a: Proposal from Presbyterian Church for Cold Weather Shelter

Add 14a: OMB-BA#1100012; Resolution 2010-50

Add14b: Capital City Bank Resolutions 2010-051 & 2010052 Authorizing New Signature Cards for the Operating Account and the Payroll Account to Reflect Chair Taylor's Signature

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Presentation of County Finance and County Clerk Issues

Clerk Thomas reported that preliminary and unaudited financial report of the General Fund indicates that the Board of County Commissioners spent \$1,541,544 less than it received in revenues for FY ending September 30,2010. That amount brings the unbudgeted General Fund Balance from \$2.3 million at the end of the previous year to \$3.8 million for FY 2009/2010. He pointed out several factors that contributed to the increase and explained why that good fortune would not re-occur during the current budget.

- There was a significant impact on the General Fund of \$615,000 due to the reduction in

staff However, those savings have now been absorbed in the current budget, and such a savings will not repeat itself in the current budget year.

- During the preparation of the 2009/2010, the county experienced multiple staff turnovers in the budget director's position. The interim budget director was very conservative in the revenue projections because the State had notified counties that revenues would be down considerably. The conservative budgeting of the revenues contributed significantly to the increase to the unbudgeted fund balance.
- The BCC very wisely chose not to appropriate any of the unbudgeted fund balance in the 2009/2010 budget as it had done in previous years. However, the BCC did appropriate \$69,000 of the unbudgeted fund balance in the current budget.
- The BCC had budgeted \$467,000 in the Contingency fund (cash reserves) in the 2009/2010 budget, which was not touched during the course of the fiscal year. It was a line item in the General Fund Budget. (FS allow for up to 10% of the budget to be placed into a contingency fund for unanticipated expenditures during the year.) In the current budget, only \$277,000 was budgeted for Contingency. That budget has already been reduced significantly. (\$92,000 for the Sheriff's Dept. generator; \$50,000 for the Health Department, etc.) It is likely to be depleted by year's end and there will be nothing to add back to the unbudgeted fund balance.
- During the years of 2008 and 2009, the county attorney's budget was not adequately funded and there were over-expenditures that had to be covered at the end of the year by utilizing other fund balances. However, the 2010 budget was adequately funded.
- Most department heads did a good job of staying within their budgets. He encouraged them to continue to be frugal with expenditures.
- The Property Appraiser and the Tax Collector returned \$151,000 back to the board at the year's end. However, new demands on the Tax Collector in the next fiscal year may not allow him to return funds. The Tax Collector will be charged with the task of issuing drivers licenses that has traditionally be done by the Highway Patrol.
- All in all, the board experienced a good year in that the unbudgeted fund balance increased so significantly.
- He voiced concern about the impact of the newly elected Governor Scott's ambition to reduce property taxes further. If that legislation is successful, it will have an impact on the Gadsden County budget beginning in 2012 and going forward.
- He recommended that anytime the board found it necessary to dip into the unbudgeted fund balance that they limit it to capital projects or one time expenditures only - never use it to fund general operating cost.

The chair called for questions from the commission.

Commissioner Holt:

The increase that you spoke about earlier that we received from cutting staff – you said it had already been absorbed. So, there is no savings there at all? It has already been used.

Thomas:

Well, my point was that it certainly contributed to this huge increase to the fund balance in 2010. But, that has happened. It is done. Then, you prepared a budget for 2011 and you didn't say, 'O.K., we are going to set aside that savings to a particular place.' So, it just gets absorbed in

other operational costs. Do you see what I mean?

Holt:

Yeah. O.K. No problem.

Morgan:

Clerk Thomas, we sure appreciate you coming to speak to us as you have been doing more so lately. That is the report I have been waiting to hear.

Thomas:

I know you have.

Morgan:

I really want to draw attention to several reasons that I think we are receiving this report today. One of those, first and foremost, and I hope the Clerk will agree, that there has been better communication between the Clerk's finance office and the Office of Management and Budget over here with the county. I think that has done nothing but help in focusing on ways to better manage cost and budgeting and forecasting. Would you agree with that?

Thomas:

I would agree.

Morgan:

I hope that we will continue to do that. I applaud Jeff and the county administrator and also Connie and those folks over there and Clerk Thomas for making sure that happens. Thank you all for doing that.

This is a result of, and I hope the public understands, because we have proactively have addressed issues that we knew would be potentially facing. We have conservatively managed these budgets funded by taxpayer dollars. I think our department heads should be recognized for their efforts in controlling costs and our administrator for looking for ways to reduce overall costs. This is not something that is a fad, it is going to be a way of life in county government and we need to understand that we have got to move forward in that way, at least in my opinion. This could be a flash in the water or it can be a really great way to move forward in how we budget from this point forward. We have already depleted the contingency fund in the 2011 budget. I think that is what I heard, Clerk Thomas.

Thomas:

I think, from what I've got here – obligations that you have made, there is about \$60,000 left in your current general fund contingency budget.

Morgan:

Right, and you stated all the reasons. But, I think that we really, as I mentioned at the last meeting, have got to go forward and continue being conservative in how we make decisions. Priorities – needs vs. wants. I know most of us up here understand that and want to move forward in that direction.

Again, this is an excellent report and it means absolutely nothing if we go back to the way things were managed in the past by spending every dime we've got. That is all I wanted to say.

Thank you, Mr. Clerk. I appreciate it.

Taylor:
Commissioner Croley?

Croley:
Thank you Clerk Thomas for a good report as was just stated. I want to get clarification on something. There was a question about the generator, but I believe that by going to the leasing of the generator should help cash balances rather than the purchase of that generator. Is that not true?

Thomas:
I just saw an amendment that was prepared by your staff that was for \$92,000. I am not sure what it is for.

Croley:
That is why I wanted to raise that question. Are you really having to take that full \$92,000 out of that contingency fund? The second thing is that I continue to question the wisdom of the action to give the additional \$50,000 to the Health Department simply because they didn't even know they were missing it. So, they must have so much money down there – until Commissioner Morgan made the mistake of reminding them, I don't think they would have been up here asking for that \$50,000. That is a side bar observation.

But, I do appreciate it. Mr. Williams, you and your departments should be applauded along with the county attorney for holding down the cost in operating the government.

Williams:
I can't hold down cost unless you hold down cost.

(laughter)

Croley:
I understand that and I was going to add that maybe this commission will bear that in mind as it moves forward.

Thank you, Chair.

Taylor:
To reiterate what was said earlier and I am glad that you now have a spot on the agenda and that you will be appearing before us on a regular basis to hopefully bring the same type news.

I did meet with the Clerk earlier and realized that this information was forthcoming – that we

would have great news with regards to being able to add to our reserves. Understanding now, what was said earlier and I concur, it is a matter of need and not want. Some of us may have different opinions about needs or wants, but at the end of the day, we come together to promote the betterment of Gadsden County. I think that is on the hearts and minds of all five of us that sit around this diocese.

So, again, thank you for great news. You were a little down key with it. Anytime you come up with \$1.5 million to be added because we did such a fantastic job, you should have had a band, cheerleaders, and somebody should have turned flips. Johnny, do you want to do the honors and turn a flip?

(laughter)

Alright, we will move on. Thank you very much.

I am sorry, you have one more issue?

Thomas:

I had one more issue that I had intended to bring up at the next meeting, but there has been some pressures from the judiciary and others about the court facility fund. A few meetings back, you talked about the court facility funds. You want to do some roofs and some other things and need to explain something. There is a problem there that I want to mention to you. I mentioned it several years ago with the former commission.

There used to be a \$15.00 surcharge on the traffic tickets, then another \$15.00 was added making it a total of \$30.00. That money is supposed to go for court facilities. However, and this goes back to Davin Suggs. He and I had this debate. In order to save the general fund, he used a lot of that money to cover costs like utilities and security and other things. For example, in your current budget – this is continued in your current budget. You have made use of about \$160,000 of that fund in your current budget with \$130,000 of it going toward operational costs. Operational costs should come from general fund revenue. If you would abide by the intention of the legislation, all the money from the tickets could accrue and you would be able to accomplish some of the projects that need to be done.

Now, this may be something that you will not change in the current fiscal year because you have your budget set, but going forward, you really need to look at funding those operational costs from the general fund. Buildings are the responsibility of the Board of County Commissioners and the upkeep and utilities and all of that. It is general fund cost. If you continue trying to save the general fund by using that court facilities money for operational cost, it will never accumulate to the amount of money you need to do building projects. So, that is one problem with it.

There is a positive problem. I think the revenue projections that Sherilynn used did not take into account the additional \$15.00 surcharge. So, the revenue in that fund could be increased in the current budget. You could have a little bit more money to work with than what she has there. So, that is a positive problem. But, the bigger problem is that you are using that money for operations when that should be a general fund expense. If you change that, you could have

some money to do the other projects.

Holt:

This is really for the board. I questioned this a few years ago, I think in 03. How do we understand that we need to do within a regular meeting? We need a workshop to work with the clerk and outline these items. What happened then, when he leaves today, he has these ideas and we don't have the opportunity to really go through them in detail. So, if we could have a workshop on this, we would be able to go back and be able to look at some of these items and take the budget section by section. That is just a comment there.

Also on the courthouse facilities fund. I was the one that brought that item up. It was because of the danger of the judge having to go to those restrooms either down in the basement or upstairs. She may make a ruling on something or he, for that matter, that someone didn't like. That becomes dangerous because that person may want to retaliate. That is the difference in having your chief judicial officers or judges going to public facilities. That is the whole purpose of having it. It is not that it is your concern, it is our concern that we need to take care of. We need to figure out a way to take care of those things. I think you may be the best avenue because you are telling us some things that we may need to do.

Thomas:

The one thing you can do – we can work with your budget person to address that revenue issue which will give you a little more money coming into this fiscal year. It will be a better reflection of what is going to come in. I think she shows it as coming in at \$160,000 when in reality, it will probably be more like \$240,000 to \$250,000. So, you can fix that easily in the current year.

The bigger question is whether or not those costs that you are charging against it. If you move them during the course of the fiscal year now, it is going to affect your general fund. So, that becomes a question of whether or not you want to address that part of it now or address it the next budget for the next fiscal year.

Holt:

We may have to address it the majority of it in the next year. I just wanted to take care of that particular problem and look at those concerns. I think it will be a lot easier to just workshop it and be through with it. We know exactly what parts of the budget we need to do.

Thank you, Madam Chairman.

Thank you, Mr. Clerk.

Croley:

The point that Commissioner Holt made has validity and I think you made mention about it. When I first came on the commission, Clerk Thomas was not given much of a welcome and I don't blame him for not being here very much. That is no criticism of him, but there is a provision in the order of business in the ordinances that he is supposed to have a position on the agenda the same as the county administrator and the county attorney. I would like to seize this moment to pick up on what Commissioner Holt just eluded to earlier.

Let's put him back on the agenda the way he is supposed to be and if he has something to say, fine. If he doesn't, that is fine, too. But, at least he should have his position there in accordance with the ordinances.

Taylor:

That is why he is on there now. It wasn't supposed to be under Awards and Presentations, it was supposed to be with a position. That is where it was supposed to have gone. I made that special request because we need to hear from him regularly. There is a universal thought that we can change this however, but to ask him to come at night as well as day was a little bit too much to ask.

Croley:

Well, he can have his deputy here, but my point is that he should have a position back on the agenda in accordance with the ordinances.

Taylor:

With that being said, Mr. Administrator, let's take from under Awards, Presentations and Appearances and give him a regular agenda spot.

Williams:

I will be happy to – it is accordance with the ordinance.

Taylor:

Mr. Thomas, would you prefer 9:00 a.m., 6:00 p.m. or both? Let me put you on the hot spot.

Morgan:

He wants to be here at 6:00 at the end of the meeting. (laughter)

Taylor:

Do you want to stay here until 11:00 p.m. with us? Listen, we won't put you on the spot for an answer, let's just get with the administrator and then we can go forward. Is that O.K.

Williams:

We will put him where the ordinance states where he should be and if he shows up, fine. If he doesn't, that will be fine, too.

Taylor:

We don't want to put him on the spot.

Morgan:

Put him with Commissioners' comments.

Taylor:

Let's move on with the agenda.

Morgan:

Just one quick question. You said that these are unaudited numbers, Clerk Thomas. When are we going to get the audited final numbers.

Thomas:

They are over there now and will be back the first of the year with a full crew. I think they are going to shoot for your March 31 deadline. That is what I am hoping for.

Taylor:

To piggy back on Commissioner Croley, you might want to get with the facilities manager on that \$92,000 purchase. It was supposed to have been a lease as opposed to a purchase.

Williams:

Actually, the \$92,000 is installation cost, not lease.

Taylor:

We didn't get that. We didn't get that information.

Williams:

It should be in the write up. Clyde is shaking his head back there. It is on the agenda.

1a. Proposal from Presbyterian Church for Cold Weather Shelter

Ben Powell - 603 West Washington St. Quincy, FL , Rev. Chris Erde – Pastor of First Presbyterian Church, 313 North Adams St. Quincy, FL addressed the board and briefed them on efforts of the church and volunteers to provide a cold weather shelter in Quincy. They have met with many parties to develop a permanent solution for a shelter. The total cost for the supplies is estimated at \$8,000. They requested \$3,500 from the county to purchase cots, etc. Their emphasis will be on the Gadsden County needy. They have requested contributions from the churches, Sheriff's Department and the City of Quincy.

Discussion followed.

Commissioner Morgan was supportive of the project as a need and a priority, but he felt the funding should come from the community and the churches.

Commissioner Holt was supportive of local government helping those people now, but also work toward getting the word out in all municipalities including information where donations can be made to this cause.

Commissioner Croley made note of the fact that whatever support this effort is getting from the Sheriff is actually coming through them from the County Commission, but it originates with the taxpayers of the county. He went on to say that the contingency fund has already been hit hard in recent weeks. While he was supportive of the effort and pledged his personal contribution, he could not support using any more of the county's money due to budgetary constraints. He felt

certain that the contributions could come from the community civic organizations.

He suggested that the county could use its governmental relationship with the Department of Defense to ascertain some of the needed items from surplus military items.

Chair Taylor remarked that one of the primary responsibilities of the board is public safety and public health. She concurred with Commissioners Lamb and Holt that this government should show that it is concerned about its citizens. She also agreed that the county should act in a fiscally conservative manner as well, but she would support the request .

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER HOLT, TO AUTHORIZE THE ADMINISTRATOR FIND THE \$3,500 AND TO WORK WITH THE FIRST PRESBYTERIAN CHURCH TO MOVE FORWARD WITH THEIR REQUEST TO HELP FUND THE PERMANENT SUPPLIES THEY NEED FOR A COLD WEATHER SHELTER.

Vice-Chair questioned whether the board could act on this matter at this meeting when it had not been advertised.

Mr. Williams stated that they could use money from the contingency fund without the need for advertisement.

THE BOARD VOTED 3 – 2 IN FAVOR OF THE MOTION WITH COMMISSIONERS MORGAN AND CROLEY VOTING “NO.”

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 2 – 3 TO AUTHORIZE THE COUNTY ADMINISTRATOR WORK WITH THE PROGRAM ONCE THERE IS A WRITTEN OUTLINE OF THE ITEMS NEEDED TO GO AFTER MILITARY SURPLUS FOR COTS AND OTHER THINGS THAT MAY BE LAWFULLY USED FOR THE PROGRAM. THE MOTION FAILED WITH HOLT, LAMB AND TAYLOR OPPOSING.

Recognition of Commissioner Croley for Two Years of Service as Vice-Chair

Chair Taylor recognized Commissioner Croley for the two years that he served as Co-Chair of the board prior to the re-organization of the board in November. She stated that he had rendered great leadership during those years through his resources, knowledge and insight. She said that she took a lot of guidance from him and she wanted to personally acknowledge that and recognize him for an outstanding job as co-chair.

CONSENT AGENDA

Items 2,4, 6, 7, 8, 9 were pulled for discussion.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE ITEM 3 AND 5 OF THE CONSENT AGENDA. ITEMS 2, 4, 6, 7, 8, 8, 9 WERE PULLED AND PLACED FOR DISCUSSION.

~~2. Approval of Minutes – November 16, 2010~~

This item was pulled from the Consent Agenda for discussion.

3. Ratification of Approval to Pay County Bills

Accounts Payable Dated:	December 3, 2010
	December 10, 2010
Payroll Dated:	December 2, 2010
	December 16, 2010

~~4. Approval of the 2011 Board of County Commissioners Meeting Calendar~~

This item was pulled for discussion. See BCC action following the consent agenda.

5. Approval to Turn Over Bad and Outstanding Debt to Accounts Receivable, Inc. for Collection and Write-Off of Bad Debt totaling \$738,022.48 – Resolution Number 2010-048

~~6. Approval to Authorize the Chairperson to sign the FY 2011 Technical Service Support Agreement #01674401 with Physio-Control as the sole source provider for the LIFEPAK defibrillator products –\$6,869.67~~

This item was pulled for discussion. See BCC action following the consent agenda.

~~7. Approval of Continuation of Contractual Services Agreement with Allcol Technologies and Authorize the Chairperson to Execute (Network and Engineering Services and other technical support for the BOCC Information Systems Staff)~~

This item was pulled for discussion. See BCC action following the consent agenda.

~~8. Budget Amendment OMB-BA# 1100002 – For the Lease/Purchase of the Emergency Generator at W.A. Woodham Building (Purchase approved at December 7, 2010 Meeting)~~

This item was pulled for discussion. See BCC action following the consent agenda.

~~9. Approval and Authorization for the Chairperson to Sign the Florida Department of Revenue Amendment Number 1 to Increase the Current Child Support enforcement Contract by \$10,000 (Increase from \$41,700 to \$51,700) Standard Contract Number CSP20 between the DOR and the BOCC~~

This item was pulled for discussion. See BCC action following the consent agenda.

ITEMS PULLED FOR DISCUSSION

2. Approval of Minutes – November 16, 2010

Commissioner Morgan referenced pages 42 and 43 dealing with the generator. The action taken was to table the action until the next public hearing date, which would not be until January 4th.

Attorney Minnis stated, "I think this is one of those issues where it doesn't require a public hearing because you are not adding or taking away from the budget. But, if the vote was to table it until a public hearing meeting or an evening meeting, and that is what the motion was for, but it is not a budget item that would require a public hearing as I understand the way the budget works. But, that was the vote of the board at that particular meeting.

It was established that there was some contradiction in the record.

Commissioner Holt pointed out page 55 which outlined her requests for items to be put on the agenda. She stated that none of them have made the agenda.

Chair Taylor noted that her items were addressed by the administrator and she suggested that she get with him so that she could hear them.

Commissioner Morgan pointed out that his only interest is to make sure that the board is moving forward in the correct manner.

Attorney Minnis stated, "The controlling factor would be - first you have to determine what the intent was – was it to table it until the third meeting in December or was the intent to have it at a 6:00 p.m. meeting for the public comment. They do conflict with each other. "

Commissioner Croley recalled, "My understanding at the time when it first came up that the money, because I was unclear about where it was coming from, that it might require a public hearing. Following that meeting, I had conversation with Ms. McLendon, the finance director under Clerk Thomas. She clarified for me that it was coming from the contingency fund, which was general revenue, therefore it did not require a public hearing. So, that is information that came up following the meeting. So, on that basis, even if we approve those minutes, I would have no problem in considering the generator issue at this meeting if that is the will of the board and we move forward."

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MINUTES OF NOVEMBER 16TH, 2010 WITH UPDATED NOTATIONS BEING ADDED TO THE MINUTES TO EXPLAIN SUBSEQUENT DETERMINATIONS.

4. Approval of the 2011 Board of County Commissioners Meeting Calendar

This item was pulled from the Consent Agenda for discussion.

Commissioner Croley noted that the calendar does not include dates for the budget process – workshops and public hearings.

Mr. Williams stated that the budget calendar will not be prepared until the spring.

Discussion followed as to what commissioners would like to see added to the calendar. There was a consensus that it should include the budget calendar as well as workshops dealing with the Comprehensive Plan.

COMMISSIONER CROLEY MADE A MOTION TO APPROVE THE CALENDAR WITH THE UNDERSTANDING THAT IT WILL BE UPDATED TO INCLUDE THOSE CONCERNS EXPRESSED AT THIS MEETING.

Chair Taylor stated, "The Clerk needs to be able to come in and make sure that 1) We don't be late with amendments as we often do and get penalized during the audit all those amendments are supposed to be done by the last meeting in November and that has not happened two years straight now. So, there needs to be some other things done to this calendar to reflect our focus. Actually, I would like to see him bring another calendar as opposed to this one."

COMMISSIONER CROLEY AMENDED HIS MOTION TO APPROVE THE REGULAR MEETING DATES SUBJECT TO THE OTHER MEETING DATES BEING ADDED IN AND IT BE REVISED AT SOME MEETING IN THE FUTURE.

Chair Taylor stated, "Let's be more specific. If you don't mind, just tell him to bring the calendar back."

COMMISSIONER CROLEY AMENDED THE MOTION AGAIN TO STATE NOT TO APPROVE THE CALENDAR UNTIL REVISIONS ARE MADE. COMMISSIONER HOLT SECONDED THE MOTION. THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION TO NOT APPROVE THE CALENDAR.

6. Approval to Authorize the Chairperson to sign the FY 2011 Technical Service Support Agreement #01674401 with Physio-Control as the sole source provider for the LIFEPAK defibrillator products - \$6,869.67

This item was pulled from the Consent Agenda for discussion.

Commissioner Morgan asked if the county is required to bid this contract out.

Chief Crum addressed the board and stated that it is a sole source provider and no one else can do the maintenance on the LIFEPAK defibrillator products. .

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO APPROVE THE ABOVE STATED AGREEMENT WITH PHYSIO CONTROL AS THE SOLE SOURCE PROVIDER.

7. Approval of Continuation of Contractual Services Agreement with Allcol Technologies and Authorize the Chairperson to Execute (Network and Engineering Services and other technical support for the BOCC Information Systems Staff)

This item was pulled from the Consent Agenda for discussion.

Mr. Charles Chapman told the board that there is a caveat in the current agreement that allows for it to be renewed as long as both parties agree. It was bidded out in 2007. There are considerable savings to be realized by continuing the agreement with Allcol Technologies with the locked-in hourly amount. He said he had compared the rate to state contracts and Allcol offers a much better rate.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO RENEW THE CONTRACT STATED ABOVE.

8. Budget Amendment OMB-BA# 1100002 – For the Lease/Purchase of the Emergency Generator at W.A. Woodham Building (Purchase approved at December 7, 2010 Meeting)

This item was pulled from the Consent Agenda for discussion.

Commissioner Croley stated that one of the things he had learned from the certified training for county commissioners was that budget amendments should not be placed on a consent agenda. They should at least be under General Business because of the fact that the public needs to see where their dollars are going and have attention brought to it. They are not considered routine items.

He then asked the administrator to explain what the \$92,140 is for – installation or lease payments.

Building Official Clyde Collins explained, “Originally, we asked for \$170,000. Then we went back and looked for other opportunities to lease the generator instead of buying it outright – to keep the county from having to take \$170,000 out of contingency. So, we went ahead and got approval for the leasing. I thought the entire package was in the agenda item when it went before the board to approve the leasing. Apparently, all we got approval for was the leasing of the generator and not the installation. The agenda package had it all included in there, but I guess there was some language that we did not actually approve the installation of the generator.”

Commissioner Croley stated, “I would ask again that staff work on clarifying this better for all of us in the future because it is very cumbersome to see this stuff come back, especially in the manner in which this has been done.”

Commissioner Morgan asked, “I was under the impression that when you went back to Caterpillar and asked them about the leasing that it not only included the generator, but also the installation services as well. Did we ask that question?”

Mr. Collins replied, “No, sir. Caterpillar will not install it. They will bring it to the site, but they don’t install it. We have to make other arrangements. It is completely different.”

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE BUDGET AMENDMENT NAMED ABOVE.

9. Approval and Authorization for the Chairperson to Sign the Florida Department of Revenue Amendment Number 1 to Increase the Current Child Support enforcement Contract by \$10,000 (Increase from \$41,700 to \$51,700) Standard Contract Number CSP20 between the DOR and the BOCC

Commissioner Croley made note of the fact that a contract was not attached to the agenda report and he did not understand what the increase was for and what liability that could possibly convey to the county. He asked for clarification.

Mr. Jeff Price explained that the board approve the contract in 2008 for \$41,700 to compensate the sheriff for services he provides for the clerk's office and the Child Support Enforcement effort.

Clerk Thomas explained that the Board will actually get the money from the Department of Revenue because the board provides the money to the sheriff that he, in turn, uses to provide the delivery of the services.

Commissioner Croley asked, "By this action, are we sending \$10,000 over to the Sheriff's Office or will it all be contained within your control?"

Clerk Thomas said, "It will defray your costs where you have had to adequately provide the Sheriff with funds for him to pay for all the services that he provides. – serving papers, etc."

Clerk Thomas assured them that the money would be retained by the BOCC.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE CONTRACT AMENDMENT AS DESCRIBED ABOVE. (COMMISSIONER MORGAN WAS NOT PRESENT FOR THIS VOTE.)

CITIZENS REQUESTING TO BE HEARD -

Mrs. Emily C. Rowan

Mrs. Rowan wished everyone a Merry Christmas and thanked the board for the service that they render to the county. She also thanked County Administrator for the very hard decisions that he has had to make in 2010 on behalf of the county. She then pointed out others whom she thanked: Attorney Minnis, Clerk Thomas, Muriel Straughn, Tax collector Dale Summerford, Property Appraiser Clay VanLandingham, Clyde Collins, Charles Chapman, and Craig McMillan, GHI Chairman of GHI.

GENERAL BUSINESS

10. Purchase of Tax Collector/Property Appraiser Building

County Tax Collector Dale Summerford and Property Appraiser Clay VanLandingham addressed the board with a proposed agreement between the county and the Spears family to purchase the building which they occupy as well as the vacant lot that is adjacent to it.

Mr. Summerford explained that this agenda item is a continuation from October at which time the board gave directions to a committee to negotiate with the landlord to purchase the building. The committee met several times with the landlord and they agreed to propose to the county commission that it purchase the building at a cash price of \$400,000 plus closing costs of approximately \$5,000.

Mr. Summerford stated that they have occupied the building since 1973. It contains approximately 6600 square feet. With the addition of the adjacent vacant lot, it should meet any future expansion needs.

He then took the opportunity to say that the Tax Collector's office will now be responsible for issuing driver's licenses in Gadsden County. (The State came to him in September saying they wanted to close the Highway Patrol office on December 31, but he managed to get them to agree to keep it open until September 30, 2011, which will give him ample time to get up and running and keep the service open.)

Mr. Summerford reminded the board that he had returned \$111,000 to the board and the property appraiser returned \$36,000 at the end of the fiscal year. He then pointed out that there will be a savings of \$87,000 in the current budget if they move forward to purchase the building.

Mr. VanLandingham reported that the committee had several discussions with the seller's agent and they worked hard to arrive at the proposal. The Board instructed that an independent appraisal be performed and it came in at \$380,000. The seller's appraisal came in at \$430,000. The Property Appraiser's office has the property on the books appraised at \$354,000. Taking into account the first and eighth criteria established by the Department of Revenue that says that part of the fair market sale price also includes real estate commissions and closing costs, which amounts to 15%. If you add that 15% to the value as it appears on the property appraiser's books, it would result in a fair market value of \$416,000. He went on to say that the proposed agreement is a fair one for both parties especially in light of the fact that it encompasses one half of a city block and 6600 sq. ft. of space.

COMMISSIONER LAMB MADE A MOTION TO APPROVE THE PROPOSED AGREEMENT.

Several questions were raised by Commissioner Croley as follows:

Are we going to obtain a survey and is the county going to receive title insurance and all basics that one would normally do? The estimated \$5,000 in closing costs includes and owner's title insurance policy and a survey.

COMMISSIONER CROLEY SECONDED THE MOTION TO APPROVE THE PROPOSED AGREEMENT.

Commissioner Morgan posed several questions:

Are there any potential environmental concerns? We have received a letter saying that there are none to be considered, correct? Answer: Correct. You are aware that there used to be a filling and service station on that site. The tanks have been removed and there has been a clearance letter issued by the Department of Environmental Protection Agency. (That clearance letter was included in the agenda report, which the board had in front of them.)

Commissioner Morgan asked that the motion on the floor be amended to include that the lease dollars in the current budget be moved over to the contingency fund. However, Chair Taylor suggested that deal with that issue separately in another motion.

Commissioner Holt stated that she has never been in favor of purchasing the property because she believes that the county should have a municipal building where citizens could have “one-stop shopping.” She stated that she believes the price is a good deal, but she was not in favor of it. She stated that if the county has \$400,000 to spend, it should be used to move the Sheriff to a new location and move all other county facilities into the space occupied by the Sheriff currently.

Chair Taylor called for a vote.

THE BOARD VOTED 4 – 1 IN FAVOR OF THE MOTION TO APPROVE THE PROPOSED AGREEMENT TO PURCHASE THE BUILDING AND ADJACENT VACANT LOT FOR \$400,000 PLUS CLOSING COSTS. COMMISSIONER HOLT CAST THE LONE DISSENTING VOTE.

Clerk Thomas interjected that part of the proposal was to use the funds which were returned by the property appraiser (\$33,000) and tax collector (\$111,000), the \$87,000 which was budgeted for rental payments in the 2011 budget for that building and \$171,000 of the unbudgeted fund balance to make the purchase.

11. Approval to Award RFP 10-25 for Realtor Services to Town and Country Real Estate, Inc.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER CROLEY TO AWARD BID 10-25 TO TOWN AND COUNTRY REAL ESTATE, INC., AND AUTHORIZE THE CHAIRPERSON TO EXECUTE A CONTRACT FOR SERVICES.

Clerk Thomas stated that he is not against this movement to sell the surplus county property, but he cautioned that whoever established the list of surplus property should really do their research carefully because there are a lot rights-of-ways, easements, dump sites (that may have some county liability), a lot of mineral interests.

Commissioner Holt stated that Clerk Thomas is absolutely correct. She then questioned the wisdom in selling property during this time of bad economy.

Commissioner Morgan called attention to the fact that only one realtor to respond to the RFP.

Commissioner Holt and Commissioner Croley requested a copy of the list of the properties that they propose to sell with the Parcel ID identified. He asked that the list be brought back. Chair Taylor concurred.

12. Approval to Award Bid Number 10-27 for Employee Assistance Program Services to Solutions EAP of Tallahassee, FL

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0 TO APPROVE THE AWARD OF BID 10-27 TO SOLUTIONS EAP OF TALLAHASSEE AND AUTHORIZE THE CHAIR TO EXECUTE THE AGREEMENT FOR \$4,042.50.

13. Approval to Accept the FY 2010 Fourth Quarter Preliminary Financial Report

OMB Sr. Budget Analyst Jeff Price addressed the board with the preliminary fourth quarter report which he prepared in November. He cautioned that it does not reflect the closeout amendments.

During a brief discussion, Mr. Price stated that the strengths of the budget year were due to the reduction in workforce and the healthy increase in the unbudgeted fund balance. He went on to say if the board continues to keep the costs down and keep the budget tight, that the year should be alright as it is budgeted.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO ACCEPT THE FOURTH QUARTER REPORT.

14. Approval of the Appointments to the Transportation Disadvantaged Board

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPOINT CHAIR TAYLOR TO BE THE BOARD APPOINTMENT TO SERVE ON THE TRANSPORTATION DISADVANTAGED BOARD AND THAT VICE-CHAIR MORGAN BE THE ALTERNATE APPOINTMENT.

14a. OMB –BA# 1100012; Resolution 2010-50 To fund \$2,000 for the County Kick-off

A MOTION WAS MADE BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER HOLT TO APPROVE THE RESOLUTION AND BUDGET AMENDMENT.

Commissioner Croley stated that he supported the Chair and the things that she would like to do during her service as Chair. However, he had questions regarding purpose of the meeting. He recalled the Commissioner's Retreat at which time the board adopted various goals and objectives to guide their spending of tax dollars. He asked Chair Taylor which of those goals and objectives would be met by spending the \$2,000. He then asked her to explain her objective.

Chair Taylor answered, "The goal is to bring the county together and that we move forward as one – all the constitutional officers. You all just complimented the tax collector and the property

appraiser for turning money back in at the end of the year. There are reasons why they are able to do it that we need to share with all the constitutional officers. We need to be thinking as one. A lot of times, this board sits here and makes decisions about the county, but by the time it gets out into the community and the employees of this county, sometimes the message gets distorted from what was originally said and done. We had some dismal information coming from our property appraiser about possible shortage of funds coming to us through the taxes. They need to know what is about to hit this county. They need to know what to prepare for. They, being the employees of this county because when there is a shortfall, nine times out of ten it will impact them first. They either have to take on more responsibilities as employees or possibly lose their jobs. They need to understand. We all need to have a collective vision. One vision moving forward. We need to come up with innovative ideas about how to save this county money and the employees can help us to do it. We need to give them incentives for when they can save dollars. So, the idea is to give face to face information to the employees so that they can understand where their county is going.

One final point. This is a service oriented business. We provide services . We don't build anything other than bridges and roads. That, to me, says that when the employees meet the community, they need to have positive attitudes about their jobs. They need to have a clear vision about the county and they need to be able to speak intelligently to community about what we are doing and where we are going. So, instead of having second, third and fourth hand information, let's give them first hand information about the vision of this county and work together as one. That is it.

Now, what we plan to do is we are going to meet with the constitutional officers and come up with an agenda. We will have that meeting sometime on this end of the year so that after our first meeting we will be able to give you an agenda with a little more information on paper about what is going to be done. But, that is pretty much what is going to happen.

Where did this come from? It didn't come off my brain, Commissioner Croley, it came from talking with our Supervisor of Elections, with our Clerk, with our Property Appraiser, with our Tax Collector, our Sheriff. That is where these ideas are coming from."

Further discussion with Commissioner Morgan revealed that the Chair would ask the constitutional officers to mandate that their employees attend. While he applauded the concept, he stated that he suggested that some alternate funding be explored rather than use tax payer dollars. To that suggestion, Chair Taylor said that she had explored other avenues, but upon the consultation with the attorney, she determined that it would be inappropriate to seek donations.

Commissioner Holt supported the idea entirely. She said that the employees are not presently taking positive feedback into the community because they don't feel good about their jobs. She felt it would be a good investment.

Chair Taylor called for a vote.

THE BOARD VOTED 3 – 2, BY VOICE VOTE, TO APPROVE THE BUDGET AMENDMENT AND THE RESOLUTION FOR THE EMPLOYEE KICK OFF. COMMISSIONERS HOLT, LAMB AND TAYLOR

VOTED, “YES.” COMMISSIONERS CROLEY AND MORGAN VOTED, “ NO.”

14B. Capital City Bank Resolutions 2010-051 & 2010052 Authorizing New Signature Cards for the Operating Account and the Payroll Account to Reflect Chair Taylor’s Signature

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE BANK RESOLUTIONS AND SIGNATURES FOR THE PAYROLL ACCOUNT AND THE OPERATING ACCOUNT.

COUNTY ADMINISTRATOR’S AGENDA

15. Security for Board Chambers

In light of the recent experience with a shooting at the School Board meeting in Panama City, Mr. Williams suggested that the board consider taking some measure to insure the safety of the citizens and the board for county commission meetings. He asked for authority to bring a proposal for their consideration.

There was a consensus to have Mr. Williams bring a proposal for additional security for the commission chambers.

COUNTY ATTORNEY’AGENDA

16. C.W. Roberts Extension Request

Ms. Minnis reported that she has given Mr. Roberts’ attorney a draft of an agreement relating to his extension request for moving his operation from the site of SR 267. She is awaiting their feed back before bringing it back to the board. The extension would expire at the end of September, 2011. If the move has not been completed at that time, the agreement calls for imposition of fines.

Cost of Ex-Parte Communications Ordinance

The actual drafting of the ordinance would only take 1 – 2 hours and it can be accomplished by one of the associate attorneys at a much lower fee.

Allen Ranch Road

Staff is moving forward with the process, but there is no legal issue taking place at the present. However, there will be special assessments to come.

Status of Collecting Monies for Quail Roost and Ames Barineau Road

Ms. Minnis reported that she is trying to verify if the county has accepted the roads in question. The second issue to be resolved is the way the citizens were asked to pay the assessments. The

assessment have to be made against all property owners that will benefit from the improvement. It was not done that way in the beginning and that is why the special assessment process had to stop.

Commissioner Croley stated, “ It was represented by the then county attorney that everything was done in legal fashion. Have they made a mistake?”

Ms. Minnis replied, “I have not look at it from that point of view. I have been working with the consultant we hired to determine what that potential issue was. I don’t know what consultant they were working with. I don’t know what issues they were looking at when they proposed doing it the way they did. I have just been trying to move forward at this point and deal with the consultants that we hired and based on their recommendation to either re-do it or see what can be done about it.”

Commissioner Holt stated that the citizens on those roads had agreed to have those taxes assessed.

Ms. Minnis added, “It is not a matter of whether the citizens agreed to it. My understanding is that initially, there were allowing people to opt in or opt out in whether they wanted to pay the assessment. That was the piece that caused the problem because of the way that the Law has been interpreted. If you do a special assessment, everyone who benefits from that activity and in this instance, it was the paving of the road, has to pay their fair share of the special assessment. It was done under the county’s ordinance that allowed for two-thirds/one-third split. It is not a mandatory ordinance. It is a discretionary ordinance. Based on the information that our consultants gave us with regard to the special assessment, because people were allowed to opt in and out of it, that is why they recommended that we not do it that way. “

Commissioner Holt suggested that this matter be workshopped so that the process can be made clear for the board as well as staff and the public.

DISCUSSION ITEMS BY THE COMMISSIONERS

Commissioner Lamb, District 1

Commissioner Croley thanked the Clerk for being present and bringing the good report.

Commissioner Croley, District 2

Commissioner Croley wished everyone a Merry Christmas and Happy New Year. He thanked Ms. Rowan for her kind remarks.

He then directed his comments as listed below:

Mushroom Facility will Re-open

Vicious Attack on Ms. Eunice “Sunny” Lester

He asked for prayers for Ms. Lester who remains in intensive care following an attack by an intruder at her home.

Redistricting of Commission Districts

He asked for the consent of the commissioner to have the administrator add the Re-districting of the commission district lines to the agenda for the first meeting in January. He added that the districts are out of balance and it needs to be addressed under State Law.

His request was to have it on the General Business agenda to start the process so that the commission can discuss the format by which to move it forward. The staff should be prepared to explain it to the commission and the public. Once the process starts, there will be numerous opportunities for public input. It was clarified that redistricting has to be done in the uneven year following the census.

Littering in County Parking Lot

He reported that he comes to the county office every Sunday morning to get his mail and finds the lot littered with empty cans and bottles that once contained alcoholic beverages. He stated that he has had communications with the police department and the Quincy's city manager. He was told that the police have done nothing about the consumption of alcohol on county property because they have never been furnished with a copy of the county ordinance prohibiting it. He asked that the county attorney be allowed to communicate with the City of Quincy and provide them copies of the county ordinance (Section 64 – consumption in public places and reference to Article 8 of the Florida Constitution, Section 1 on Counties Subsection J) He suggested that this could be a more appropriate way to deal with the situation as opposed to building a fence. He said, "I am requesting under our sworn obligation to uphold the law that the county attorney be requested to do this."

Chair Taylor stated that direction was given to the administrator to meet with the city manager and when that meeting takes place, it would be appropriate to deliver that ordinance and request that it be enforced.

Savings that came about from re-organization of county government

He referenced the goals and objections adopted by the board which stated that the board would continue to allow the county administrator to move in the direction of re-organization as may be necessary to safeguard the county's financial status. He referenced a remark made by Clerk Thomas regarding the fact that the county will likely be facing a decline in revenues in 2011.

In response to grim revenue projections, he sent an email to the administrator asking about the status of further re-organization. The administrator responded to all commissioners by questioning whether there would be enough support of the BOCC to move forward with such a plan. Commissioner Croley stated that the administrator's question implied that there must be some board members who would not be supportive of additional improved efficiencies.

He pledged his support to the administrator and encouraged the other commissioners to do likewise knowing that the public is watching.

Receiving Gifts from Vendors

He noted that the county commissioners are approached by vendors who do business with the county or who may wish to do business with the county at this time of the year with gifts. He pointed out FL Statute 112.3148 – Florida’s gift law. He questioned whether it was appropriate to accept gifts or if financial disclosure would be required if the gifts were accepted.

He said that his practice had been to decline any gifts. But, some gifts are being given to the county commission and the employees as a whole. He asked if there would be any legal liability related to the law. He noted that the Ethics Commission has some information posted on their website about accepting gifts and he encouraged the board to review them.

Salem Road

He reported that he continues to receive email correspondence from residents of Salem Road concerning accidents and fatalities. He asked the administrator to gather information and a report back to him regarding the number of accidents, etc. on the road.

Commissioner Holt, District 3

Agenda Items

She asked again to have her items placed on the agenda when she requests them such as the following:

- Jai-Alai presentation -Mr. Williams asked for contact information and Commissioner Holt agreed to provide it.
- Community Redevelopment Agency (CRA) –to discuss what the board is interested in doing with the CRA
- Four-Day Work Week with Public Works
- Consider bringing back the televising of the commission meetings

Commissioner Morgan, Vice-Chairman, District 3

He highlighted to following:

- The kind remarks made by Ms. Emily Rowan
- Merry Christmas to all
- He encouraged the board to continue the effort to be fiscally conservative as issues arise that are not budgeted.
- Economic Development – the **mushroom factory** will reopen with a potential of

employing 500 people eventually – this is an example of the board’s commitment to economic development.

- It is imperative that matters such as the **Jai-Alai** be moved through the proper channels and in the proper fashion. The economic development arm of the Chamber of Commerce have been in conversation with those folks and it is moving through the proper channels, but it is not at the point for public discussion.
- He asked the board to begin looking at putting forth a **referendum for a tax abatement** so the county can offer incentives to potential corporations to locate in Gadsden County. Since there will be an election in 2012, he asked that conversation begin with the Supervisor of Elections about getting it put on the ballot.
- **Gifts** – he said that he has never accepted any gift that was not in compliance with State Statutes. He was not aware of any having been offered this year.
- **Televising of Commission Meetings** – he pointed out that the clerk provides video recordings of the commission meetings on his website. He stated that he accesses it quite frequently. He attested that it works great and it is offered to the entire county rather than limited to those with only cable television.
- **CRA Funds** – his only interest is to see that the money is being spent properly and that it is being audited and reported as it is required by the State Statute. He supported having a county commission member on each of those boards.
- **Privatization of the Florida State Hospital** – the transition team of the newly elected Governor Scott has recommended privatization of all three of the state facilities for the criminally insane. The largest employer in Gadsden County is the Florida State Hospital and if privatization happens, the affects will be devastating. He asked that the matter of hiring a lobbyist to represent the county’s interest before the legislature in this matter be brought back so that a strategy can be forthcoming as soon as possible.

Commissioner Taylor, Chair, District 5

1. Chair Taylor requested the following matters to be placed on the agenda with a historical narrative:
 - Appointments to the Florida Associations of Counties Trust
 - Hospital Endowment Trust Fund Investment Committee Appointments
2. She then requested a meeting with the Hospital Board to discuss how the surplus indigent surplus dollars should be spent.

Craig McMillan, GHI Chairman of the Board, asked that the meeting be held at the hospital so they could be on site while discussing alternatives. He also asked that they discuss how to dispose of the surplus equipment as well. He added that all the players need to be present, including the physicians.

There was a consensus of the board to meet with them at the hospital.

3. For the record, she stated that she was not in favor of county reorganization if it would mean laying off people at this time.
4. She asked the IT Department be allowed to update the web page to include information

on the cold weather shelter so that all municipalities can access that information more easily.

5. CRA – she concurred with other commissioners and asked that it be placed on the agenda. She was supportive of having a county commissioner sit as a representative on the CRA board. Of course, the city would have to approve of that.
6. Prioritization of saving the FSH from privatization - She suggested contacting the legislators, not necessarily through a lobbyist. She asked the administrator to come up with a strategic plan of what the BCC needed to do to put forward and make a big showing that the BCC wants the Florida State Hospital to maintain its employees.
7. Jai-Alai – she asked Commissioner Holt to give the administrator the contact information he needs so that he can move forward with it in an appropriate fashion.
8. She wished everyone Merry Christmas and Happy New Year and expressed her thanks to all.

RECEIPT AND FILE

1. For the Record – Closeout Letter from Florida Department of Community Affairs Regarding the Notice of Administrative Closeout of Contract CDBG08DB-3r-R-02-30-01-E01

ADJOURNMENT

UPON MOTION BY COMMISSIONER CROLEY , THE CHAIR DECLARED THE MEETING ADJOURNED AT 11:41 A.M..

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk