

AT A REGULAR MEETING OF THE TOURISM COUNCIL
HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON
JANUARY 28, 2019, THE FOLLOWING PROCEEDING
WAS HAD, VIZ:

Members Present:

Carolyn Ford, Vice – Chair – Present
Keith Dowell – Present
Linda Dixon – Via Phone
Jeff DuBree - Present
Brenda Holt - Present
Cathy Johnson - Present

Staff Present:

Olivia Smith, TDC Administrator
Attorney David Weiss
Beryl H. Wood, Deputy Clerk

Absent:

Peter Patel
Joe Bouch, 78 Madison

1. **Call to Order/Pledge of Allegiance to U.S. Flag/Roll Call**

In the absence of the chair, Vice-chair Ford called the meeting to order at 3:56 p.m. She then led in pledging allegiance to the U.S. flag.

The roll was called by the deputy clerk and the attendance was noted as reported above.

It is noted here for the record that Ms. Linda Dixon appeared via telephone.

2. **Approval of the Agenda**

Vice-chair Ford called for any amendments to the agenda. There was no response.

**UPON MOTION BY MR. DUPREE AND SECOND BY MS. HOLT, THE BOARD VOTED 5 – 0
TO APPROVE THE AGENDA AS WRITTEN.**

3. **GENERAL BUSINESS**

Approval of Minutes of December 17, 2018

UPON MOTION BY MS. HOLT AND SECOND BY MS. JOHNSON, THE BOARD VOTED 5 – 0 BY VOICE VOTE TO APPROVE THE MINUTES OF THE ABOVE STATED MEETING.

Bass Pro Shop Crappie Masters All American Tournament Trail

Pat Thomas Park at Lake Talquin, Gadsden County, Florida

February 8 & 9, 2019

Hosted by the Gadsden County Tourism Council

TDC Administrator Olivia Smith addressed the board and reviewed a number of details regarding the tournament. It is noted here as a point of reference that the first leg of the FL State Crappie Masters Championship would be held at the St. Johns River in Deland, FL on January 31, 2019. The final leg would be at Lake Talquin in Gadsden County, FL on February 8 & 9, 2019.

Ms. Smith pointed out dates of importance for Gadsden County. They were:

- On-line registration closed on January 25, 2019
- In-person registration would be February 7 at the Public Safety Institute – new registrations are currently being promoted.
- A Rules meeting will be held at 6:30 – to be handled by Crappie Masters with the tournament participants
- Media Day will be on February 7 at **10:00 a.m. at Pat Thomas Park at Lake Talquin** – The Council should be very intentional about getting the media to attend this event. For instance, the council should invite the media to go out onto the lake with some fishermen to showcase the lake as well as the tournament.
- Travel writers have been invited to expose the lake and the tournament.
- Media Day is not open to the public.
- There would be a weigh-in on the 8th and 9th, with the larger crowd on the 9th.

Ms. Holt interjected that it seemed to her that Media Day should be a “kick-off” to include children and adults to get them interested in the tournament and to let everyone know the schedule of events. She added, “I think that would sell Lake Talquin a lot better with more people present.” She added that it would also be a perfect opportunity for folks to learn about Pat Thomas Park and realize what an asset it is to Gadsden County. She concluded by saying that she felt that some children (perhaps a field trip from a school) should be invited to be involved in the experience to make discoveries and memories.

Jeff DuBree called attention to some observations he has made over the years by observing such events as this tournament. They are listed below:

- Bringing in travel writers is good thing, but, what catches the attention of the media more is to bring local celebrities together with the fishermen to actually fish with the professional fishermen. The media picks up on that and makes very interesting news and serves as great publicity. People may not be eye-witness to it, but, they will see it on the news. It has proven to be a very successful approach. It was suggested that elected county constitutional officers be asked to participate, especially Clerk Thomas. City officials should be invited as well. Celebrity names suggested were Willie Simmons, Cory Phillips and Freddie Figgers.
- As far as the Kids' Rodeo – because the weather is often cold so early in the morning, he felt a better time to schedule it would be just a couple of hours before the big weigh-in. The kids would likely be more successful at catching fish in the warmer part of the day. People would already be there in anticipation of the weigh-in and would enjoy seeing those kids win prizes. In the past, the only spectators to see the children fishing have been the parents.

There was a consensus that the Council definitely wanted to have students present at the Media Day along with celebrities. They asked that staff do whatever it entails to get student participation (a couple from high school and a couple from middle school) if it can be arranged. It was suggested that Ms. Smith contact the Superintendent of Schools after this meeting.

Advertising Dollars

Ms. Holt asked Attorney Weiss if some TDC money could be used to advertise the County in connection with the Crappie Masters Tournament.

Attorney Weiss replied, "There is \$5,000 left in the budget. I believe that is correct. So, if you want to use that \$5,000 on something that is advertising – obviously, it has to be authorized under the Statute and under the Plan, but if it is for this particular purpose – marketing for tourism. You have authorization in the ordinance to use up to \$5,000 without needing specific BOCC approval....If you are going to use the money prior to the tournament, I think this will be the last meeting we will have before then, so, you would need to take action today."

Jeff DuBree interjected that the \$5,000 was set aside at the last meeting for Media Day.

Ms. Holt asked, "Do we need to specifically say it is for refreshments?"

Attorney Weiss answered, "Now, remember, refreshments really is not an authorized use of funds. This has to be for marketing purposes. It has to be for advertisement."

Ms. Holt then asked, "Is there anything in the TDC other than marketing that we can use

to purchase food from?” She recalled that other TDCs are purchasing food. She went on to say that if you offer people food, they would come.

Attorney Weiss looked at the Statute and the ordinance.

Keith Dowdell stated, “If we are doing Media Day on that Thursday out at Pat Thomas Park, then we are coming back to Public Safety Institute that evening and carrying over into that night, then the tournament is actually Friday. How many kids do you think will be out there on Saturday morning? “

Vice-chair Ford replied, “That is why we wanted to move it (Kid’s tournament) to Saturday afternoon, so that we can draw more of them out.”

It was clarified for the record that the tournament fishing begins on Friday, February 8 and 9, 2019. The fishermen will start at first light of day and fish until 3 p.m. with the weigh-in following at 4 p.m. The public attendance will be larger on the 9th weigh-in because that is when they will receive the awards.

The children will be fishing only on Saturday morning from a dock or the banks at Ingram’s Landing from 8 – 9 on Saturday morning.

Food Discussion:

Ms. Holt:

Mr. Attorney, the problem we had last time was food. The employees were buying stuff out of their own pockets. We have to find a solution to this. Then, the Clerk did not want to reimburse them. There has to be a solution. That is why every year we keep asking for a solution. Tell me what you got.

Chair Ford:

What about a small grant? Is spending the grant part of the funds restricted the same as marketing funds?

Ms. Holt:

Yeah, that is a good idea.

Attorney Weiss:

I think you have to start with what the Florida Statute says. That is the issue; I think that the Clerk has had. What the Statute says is that you can use the funds for promotion of tourists. O.K. It doesn’t make any difference if you are talking about a grant or the pot of funds. You have to start again with the Statute that says what you can use the funds for. We cannot change what Statute says. The Statute says that you can only use it for promotion, marketing and advertising of

events where the main purpose is to draw tourists.

So, that doesn't...

Ms. Holt:

Food draws people.

Vice-chair Ford:

Another thing – I am recalling that every time we have an event, we see that the County has drinks and cupcakes, etc. Who pays for that?

Attorney Weiss:

There is an ordinance that the County Commission adopted in 2006 that is a miscellaneous expenditure ordinance which authorizes for general funds to be used for such purchases when a public purpose is served. The revenue source is obviously very different.

The Tourist Development Tax is very specific as to what you can use it for.

Ad Valorem taxes are not quite as specific. It has to serve a public purpose. However, there is not a statute that says exactly what a public purpose is or isn't. Typically, the governing body has a reasonable amount of discretion to declare something to be a public purpose.

In this case, the Tourist Development Tax Statute is very clear in terms of what is authorized with the use of these funds. We can't change that by saying that something is or isn't a public purpose.

Vice-Chair Ford:

I was just wondering if we could get the county to actually pay for this if they are authorized to spend money for food.

Attorney Weiss:

I think that is possible. It wouldn't be out of the Tourist Development Tax revenues. It would have to be out of the General Funds for the county to do it. But, I guess, potentially, you could do that.

Keith Dowdell:

Who establishes the definition of "public purpose?"

Attorney Weiss:

Public purpose, oh gosh, I don't know that there is a statutory definition, at least not that I am aware of. But, it is the governing body that will justify how the

public purpose is served in that instance. But again, what I am saying with respect to Tourist Development Tax revenue is that serving a public purpose is not the standard one must meet when spending Tourist Development Tax revenues. It is entirely different.

Keith Dowdell:

But, you just said that there is no set definition for public purpose.

Attorney Weiss:

But, that doesn't apply to Tourist Development Tax revenues. Tourist Development Tax revenue is very specific in terms of what is an authorized use. Meeting a public purpose definition or test (like it is with an Ad Valorem tax) is not specific to Statute that governs what you can use it (Tourist Development tax) for.

Keith Dowdell:

Let the county pay for it and be done with it.

Ms. Holt:

The kicker is this. I won't debate that one bit because I am always for it. But, if that is the case, that there is no true definition of a public purpose, then why is it that we don't get to hear that when the Clerk says, "I am not paying for that."

Attorney Weiss:

Because there is nothing in a state statute that I am aware of that says, "Here is everything under the sun that qualifies as a public purpose." There are statutes that do make that declaration (public purpose) and in those instances it is clearly stated. When there is nothing that says, "Yes, it is" or "No, it isn't", there are a lot of attorney general opinions that are written in response to questions from people who asked, "Does this qualify?" and the attorney general has said, "yes or no." Typically, you are going to follow the attorney general opinion when you ask about that specific thing. Otherwise, it is discretionary as long as it is within reason.

Ms. Holt:

I have heard a definite on that when we have had these disputes. As I said before the meeting, I have no problem taking the Clerk to Court. No problem at all. I have no problems suing the Clerk. I do have a problem with not doing what we are suppose to do to support this county. If this will get more people to support going to the lake or to Quincy or Havana or Chattahoochee or wherever, then that is what we need to do.

So, food, ladies and gentlemen would appear to be coming from the board. I

mean, requesting it from the manager first of all, and then getting her to use her discretionary authority. It looks like we will have to go that route.

But, I would like for you to see if there is anything going on with any other TDC to show how they are getting it, Olivia, if you will. See how they are getting these things done.

I can go to almost any hotel right now in Orlando and you've got the TDC sitting there saying, "Here are some free tickets for this. Go do that. Go see this." How do they do it? We just need to know.

Attorney Weiss:

That is a matter of whether it falls under the definition of promotion. The other thing, I think, is very important to remember is the tourism aspect of it. You see, the purpose has to be that you are getting people from outside the county at least to come into the county.

Ms. Holt:

Yeah, but, people outside the county eat.

Attorney Weiss:

I don't disagree.

Ms. Holt:

Alright, so that will, if you don't mind, Ms. Ford, that will be Olivia going back to the manager and then us buying next week.

Vice-chair Ford:

Will you repeat what we just decided on?

Ms. Olivia Smith:

You just decided that I would go to request from the county administrator funds to cover the excess amount people we are going to invite to Media Day. Based on what Crappie Masters tells us what they can do and how we can supplement it.

Vice-chair Ford:

Thank you.

Ms. Olivia Smith:

Also, out of that \$5,000, there is a certain media buy that I would like to make from the Tallahassee Democrat. People get a lot of impressions from such ads. There are also mobile ads that will pop up on your phone, computer, based on

where you live. They can draw a circle around a certain area. They have identified counties in Georgia to the north. Specifically in south Georgia to bring them down here.

Ms. Holt:

Excuse me, may I? We have the Congressional Delegation coming, so we are going to have to move along. Do we need to vote on this?

Ms. Olivia Smith:

Can we skip to the Marketing Plan, we need to vote on the marketing plan or else we can't use that money.

The marketing plan is for a total \$59,000. The biggest changes that have been made to this plan are the radio spots. I want to hear your feed- back on those. The other thing that I have let go of was the Southern Living Magazine ads that were not getting as much for our money.

Those are the two things that are different. The others have been altered a little bit, but, they are the same thing that 78 Madison has been doing throughout the year previously. That is the Facebook ad campaign, the promoted posts, the I outdoor campaign and the digital billboards and the geo fencing outdoor campaign during homecoming.

Vice-chair Ford:

I thought we had questions about the Facebook ads as well as the AAA Living Magazines for which we were not getting much return on.

Ms. Olivia Smith:

It was the Southern Living Magazines that were not as effective as the AAA Living magazine.

If you look at this sheet here on the second page, at the very bottom where it says, "Radio", now that is a drastic change. As far as anybody knows, 78 Madison has never paid for radio promotions. This is their intent here at the bottom. If we approve this today, they can take some of those funds and promote Crappie, which is what I would like. I don't necessarily feel like you need to spend as much money on radio ads as they have down here. They can always move that to another place. But, I would like to keep something there.

Jeff Dubree:

I am totally against any of the radio spending because we have a certain amount of money that goes to events, not Crappie Masters, but that is our signature event that we are funding amongst ourselves. When we give money to any other

event, those people come to us.

The majority of the money that they spend is on the local radio. I don't see how this local radio spends \$16,000 over the course of the year that will bring tourist into the county. It is putting too many eggs in one basket. If we are going to give \$20,000 - \$30,000 out to our events that are already going to be promoting via radio. Then in reading this media plan, - I know for instance, Norman Rockwell exhibit is already going to be on the radio. If the Art Center feels the exhibit is good enough to advertise, they already do radio ads. We will be doing radio and they will be doing radio. That will be the case on every event that we fund. We are duplicating radio coverage.

Ms. Olivia Smith:

I don't agree with using the marketing funds to promote the events that we fund separately - that they have to apply for. I think that here (which is why we are discussing is and to get your feed-back) I think that to use radio for Crappie Masters, our event, is fine. I don't agree with picking certain events to promote via radio using the marketing plan that we budget. They can use their funds that we award them to do it themselves. So, we can always take some money for radio. We don't have to spend as much. We can take half, but I just wanted to get your feedback.

Jeff Dubree:

I just don't see how running local radio ads is going to bring tourist to our county. They are already local people. They are not tourist unless you consider Tallahassee tourists, and they are technically, by Statute, a tourist. They are not in our county. They are not going to come and rent a hotel room here. They are not going to help us get our bed tax numbers up. They might come and spend the day. And that is important; I am not saying that it isn't. But, when we are only spending \$59,000 a year on marketing the county for tourism, to spend \$15,000 on local radio – to me, there are a lot wiser ways to spend it.

Ms. Holt:

You are saying out of the \$5,000, right? To spend for radio?

Ms. Olivia Smith:

No, Ma'am. Out of the total marketing budget for 78 Madison, we spend a portion of that for radio. It doesn't have to be \$16,000 or anything at all.

Ms. Holt:

I don't have a problem marketing a county sponsored event. If we are going to sponsor something, I want it marketed. If we choose it, we really want it to work. That is our signature event. If we don't put extra into it, it is going to flounder. It is just going to sit there and not really work. If it is enough to put our name on it,

I think we should work that.

Now, some of the other events, I can kind of see your point in that if we give them grant money to promote it, then we come back and promote it, too, it is double.

Vice-chair Ford:

Are you saying it is double dipping?

Ms. Holt:

But, I believe when we sponsor something as the Tourist Development Council, yes, we need to market to Tallahassee. Definitely. They are coming in and out of Tallahassee. There are a lot of people in Tallahassee that don't live in Tallahassee. They are there to go to school or go to work. I would love for that to be marketed. That is about 400,000 people that we have a chance at.

Ms. Olivia Smith:

If we approve this tonight, may I give them certain direction tonight to use certain radio stations as long as it is earmarked "radio?" May I give specific direction to use a different station?

Attorney Weiss:

Yes, I think that approval of this plan – the way that the contract is drafted with 78 Madison, there still has to be individual task orders for which was brought before you and approved. I don't think that approval of this plan is going to authorize him to make these expenditures without you having heard for approval. But, it is going to establish what he is planning to do and when. Then he will come to you with task orders for you to sign off on.

Vice-chair Ford:

We can do that tonight, can't we?

Separate the Plan from the budget and have each item approved. Can we move forward?

Attorney Weiss:

Yes, and that is the way that his contract is drafted already. It has to be approved by an individual task order. This plan by itself will not authorize him to make expenditures until he gets a task order.

Keith Dowdell:

But the other thing that she is asking tonight for us to approve is the \$65,000, correct?

Ms. Olivia Smith:
\$59,000.

Attorney Weiss:

But, remember, that \$60,000 has been approved in your budget for marketing. So, you have \$60,000. This is basically establishing how to use that \$60,000. Again, it will be subjected to further approval by task order, but, this is going to be the road map that is used. It is not the last word. If you decide not to approve a task order, then, it is not approved.

Ms. Holt:

What are the radio stations that you want?

Ms. Olivia Smith:

I don't have a particular one in mind right now, but, I think we can go outside the local area.

Ms. Holt:

If we do not decide to spend \$60,000 – let's say we decide to spend \$40,000, Mr. Attorney, how would that affect this contract?

Attorney Weiss:

There is no impact. His contract basically consists of two parts. He has a monthly retainer amount that is basically like the creative side with which he is supposed to be coming up with ads and materials and those kinds of things. The other side of it is the media buys, which basically he has to get a separate task order approval for each media buy. So, it is just a matter of what – he still gets the retainer amount. He just won't get the profit from the media buy that he would otherwise get. That is up to you guys.

Jeff Dubree:

What is that monthly fee again?

Ms. Olivia Smith:

\$2,500.

Vice-chair Ford:

I think we need to lower that amount. We would like to lower that base amount.

Jeff Dubree:

I am still against the radio. I will not vote for the media plan with the radio. I can tell you that right now.

Ms. Holt:

Madam Chair, may I. It has to come back to you anyway with a task order.

Jeff Dubree:

The way the paragraph is written and the specific use of it is to promote a calendar of events. I don't see anything specific in there as to how radio would benefit us. We have one feature event that is next week. How quickly can you put a radio ad together and get it out there. The tournament is one week away.

Ms. Olivia Smith:

The script is already written. We just have to have it approved.

For this plan, you don't have to spend as much money on radio. You can just spend enough to promote the Crappie. Then have it – I don't know if you can change it or not.

Attorney Weiss:

You can change it to whatever form you want. If you decide you want to make changes to it and vote on it as changed that is fine. You can approve certain things and not approve certain things. Again the idea is that this is your roadmap to follow. We would like for it to be fairly final format, but, like I said, it will be subject to further approval with task orders.

A MOTION WAS MADE BY MS. HOLT TO APPROVE THE PLAN UP TO \$50,000. THE MOTION DIED FOR LACK OF A SECOND.

A MOTION WAS MADE BY JEFF DUBREE TO APPROVE THE MEDIA PLAN, BUT, TO REDUCE THE RADIO FUNDING TO \$5,000 AND MOVE THE REMAINING MONEY FOR RADIO TO ONE OF THE OTHER CATEGORIES UNTIL IT CAN BE DECIDED AT A LATER DATE. THE MOTION DIED FOR LACK OF A SECOND.

Discussion followed.

Keith Dowdell:

Look, let me do it. Let me prep this by saying that this task order here has to come back before us item by item. When it comes to us, whatever we don't approve, we don't have to spend the money. So, if we go ahead and approve the plan, when she comes back to us with a task order, if we don't want radio, we can take the radio out then. So, I make a motion that we approve this 78 Madison plan with the media marketing budget for FY 18/19.

Ms. Holt:

I second it.

Vice-chair Ford:

It has been moved and seconded that the 78 Madison Media Plan be approved.

Is there discussion?

Jeff Dubree:

All I would say to that would be that when he prepares a task order for us, you are going to be asking him, and him not knowing that we may not vote for radio. Maybe the rest of you would, so it may be a nonfactor. But, if he is going to put radio ads together and spend time of his \$2500 per month that we are already sending him, and focusing time on making radio ads that we may not approve, then it is a waste of time on his part. Even though we can disapprove it like your motion indicates. That is my only comment there.

Ms. Holt:

He is contracted, right? So, he is going to come back and ask for approval anyway. That is what he should do before he prepares an item. So, he should check with us.

Jeff Dubree:

I don't know what his procedure is. I don't know if he has already started putting the pieces into play and then presents it to us.

Ms. Olivia Smith:

He takes this and he plans throughout the year – you know, spring, fall, which is like some of the digital campaigns for different seasons. I give him the direction that you all give me.

Vice-chair Ford called for a vote.

UPON MOTION BY MR. DOWDELL AND SECOND BY MS HOLT, THE COUNCIL VOTED 4 – 1 BY VOICE VOTE TO APPROVE THE 78 MADISON PLAN AND THE MEDIA BUDGET FOR 18/19 BUDGET. MR. DUBREE CAST THE LONE DISSENTING VOTE.

Attorney Weiss:

Real quick. I know that at some point you mentioned that you wanted to use that remaining \$5,000. This is approval for 78 Madison. So, you need approval to use that 5,000 or up to \$5,000 for marketing promotion for the Crappie Tournament. Then you have direction on how they want to use that.

Ms. Olivia Smith:
Is that in there somewhere?

Attorney Weiss:
Well, yeah, it is already in there. So, I guess it is probably fine. But, if ya'll want to make a motion on that to approve it, then –

Ms. Holt:
So moved.

Cathy Johnson:
Second.

UPON MOTION BY MS. HOLT AND SECOND BY MS. JOHNSON, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AUTHORIZE THE USE OF UP TO \$5,000 WITH WHICH TO USE FOR MARKETING AND PROMOTION OF THE CRAPPIE MASTERS TOURNAMENT.

4. **Discussion of Items from Council Members**

Ms. Holt reported that along with some others, she is helping to plan an activity for the survivors of Hurricane Michael. She asked the council members to be listening out for plans to have an event sponsored by the County that will help pull people together. She said some people are still having hard times. She suggested a festive activity so people could have a fun and relaxing time.

6. **THERE BEING NO OTHER BUSINESS BEFORE HE COUNCIL, THE VICE-CHAIR DECLARED THE MEETING ADJOURNED at 4:57 P.M.**

Vice-chair Carolyn Ford, presiding

Attest:

Nicholas Thomas, Clerk